Parliamentary Assembly
Assemblée parlementaire
https://pace.coe.int

COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Doc. 50
11 August 1950

Setting up of a Constituent Assembly for Africa

Motion for a resolution
tabled by Mr R.W.G. MACKAY and other members of the Assembly

Explanatory memorandum

SECTION I

The political situation in Africa

1.The African Continent, which covers 11,344,000 square miles, is inhabited by 148 1/4 million Africans and nearly 4 1/4 million Europeans. Over four-fifths of the Africans, and more than nine-tenths of the territory, are governed by six European Powers and the substantial European minority which rules the Union of South Africa.

2.The situation in Africa is the result of a scries of colonial wars and annexations, the seizure of strategic bases and the founding of commercial settlements, that took place principally in the 19th century. Between 1800 and 1914, Africa was partitioned between the colonial powers, either by direct conquest or by bargains struck between imperial representatives and tribal chiefs.

3.The forms and frontiers of the partition are largely arbitrary. In some cases, they result from natural barriers like mountains and lakes : in others, from the balance of power in Europe at the time of annexation or from historical accident.

4.Colonial Territories.

There are three forms of colonial rule in Africa. French Algeria is governed as an integral part of the metropolitan power, and representatives from the territory sit in the imperial parliament. The remainder of the French Empire and all Belgian, Portuguese, Italian and Spanish territories are ruled directly by a colonial service largely composed of Europeans. A large part of the British territories, on the other hand, are governed indirectly through tribal communities, i. e. the tribal units are deliberately maintained as administrative units, and government is carried on by a process of consultation and bargaining between governors and tribal heads. In several territories, legislative councils, elected on a limited franchise and endowed with limited powers, have been established as steps towards self-government.

5. Independent Territories.

There are four territories to which these principles do not apply. The Union of South Africa, created in 1910, is a dominion of the British Commonwealth and, to all intents, politically independent. It is at present governed by a parliament elected by the Boer-British minority, which is nearly half of all the Europeans settled in Africa. Egypt, Ethiopia, and Liberia are nominally independent African States, with varying forms of oligarchic rule. In fact, however, the rulers of these countries are to a greater or lesser degree subject to foreign pressures restricting their sovereignty. Liberia is not entirely free from American tutelage, and both Egypt and Ethiopia are conditioned by British strategic and economic interests.

6. Trustee Territories.

Some parls of Africa are called Trustee Territories, and the powers governing them are nominally accountable to the United Nations Trusteeship Council. These colonies, which were German-controlled before the first world war, wore named Mandated Territories under the League of Nations, and granted to the dominant colonial powers " as a sacred trust of civilisation. " South-West Africa was allocated to the Union, to be administered under a so-called " C " Mandate as an integral part of its territory. Togoland, the Cameroons, Ruandi-Urundi, and Tanganyika were divided between Britain, France and Belgium as " B " Mandates to be administered under conditions specifically guaranteeing refedom of conscience, the open door in trade, demilitarisation, and the primacy of the inhabitants welfare.

South-West Africa has been completely absorbed into the Union and the racial segregation laws applying in Union territory are in force in South-West Africa too. The other territories, some of which are administered as parts of larger neighbouring colonies, are officially recognised as coming under the supervision of the U. N. Trusteeship Council.

7. The Partition.

The territorial partition of Africa and the distribution of the African and European populations are summarised in the following table :

Size (sq. miles) - Africans - Europeans

British Territories - 3.011.895 - 51.723.136 - 120.129

French Territories. - 4.022.784 - 36.199.988 - 1.666.159

Belgian Territories. - 919.854 - 13.428.613 - 31.139

Portuguese Territories - 799.983 - 8.547.738 - 88.550

Former Italian Territories - 889.112 - 2.425.025 - 151.844

Spanish Territories - 133.780 - 1.000.519 - 65.615

South and South-West Africa - 790.705 - 7.718.982 - 2.034.534

Egypt - 383.000 - 16.774.000 - 21.000

Ethiopia - 350.000 - 8.490.000 - 23.000

Liberia - 43.000 - 1.985.000 - 15.300

11.344.113 - 148.213.800 - 4,217.270

(Source : Wieschhoff, H. A., Colonial Policies in Africa Oxford University Press, 1944.)

8.Types of Territories.

(1)British.

a. Colonies and Protectorates : These are the Gambia, Sierra Leone, the Gold Coast, and Nigeria in West Africa; British Somaliland, Kenya, Uganda, Zanzibar, Nyasaland, Northern Rhodesia, in East Africa; and Basutoland, Be-chuanaland, Swaziland, and Southern Rhodesia (self-governing colony) in South Africa.

b. Condominium with Egypt : the Sudan.

c. Trustee Territories : British Togoland (Gold Coast), British Cameroons (Nigeria), and Tanganyika.

(2)French.

a. Colonies : these are Algeria, French West Africa, French Equatorial Africa, and French Somaliland.

b. Protectorates: Tunisia and French Morocco.

c. Trustee Territories : Franch Togoland and French Cameroons.

(3)Belgian.

a. Colony : the Belgian Congo.

b. Trustee Territories : Ruandi-Urundi.

(4)Portuguese.

Colonies : Portuguese Guinea, Angola and Cabin da, Sao Tome and Principe, and Mozambique.

(5)Former Italian.

Colonies of Libya, Eritrea, and Italian Somali] and.

(6)Spanish.

a. Colonies : these are Rio de Oro and ffni, Fernando Po and the islands, and Spanish Guinea.

b. Protectorates : Tangier (International Zone) and Spanish Morocco.

SECTION II

General principles

9. Africa is the most backward continent in the world. Its development has been retarded by climatic and geographical difficulties, racial and linguistic differences, and the arbitrary partitions and policies of imperial powers. It is to-day in the position of Europe in the 17 th, 18th and early 19th centuries, i. e. at the stage of the creation of the modern nation-state.

10.It is, however, clear that the ultimate solution of the varied and complex problems of the African territories can be found only through the formation of a United States of Africa. In spite of the economic, political, social, religious, and cultural differences which are constantly emphasised, the problems throughout the Continent are fundamentally the same.

11. The struggle for national self-determination and political freedom : the need for agrarian reform and development to meet the land-hunger of millions of peasants, and for industrialisation and the rational exploitation of natural resources to raise the living standards of the people : the war on disease and the efforts to establish a modern educational system : these urgent problems and pressing demands appear in almost identical forms in every part of Africa from the Cape to Cairo and from the Gold Coast to Uganda.

12. Modern technical development in, for example, transport has brought to the remotest communities an awareness of the existence of other communities similarly placed. This is creating an identification of interests amongst the peoples and an understanding that freedom from the prevailing poverty and misery can be achieved only through joint effort.

13.For example, the problems of soil erosion and water conservation, which are most urgent in Africa, cannot be solved on the basis of existing boundaries which are the artificial products of European conquest. The eradication of diseases like malaria, trypanosomiasis, and other parasitic illnesses which know no frontiers, requires, too, a truly continental effort.

14.The peoples of Africa are rapidly becoming aware of these facts, and that accounts for the political tendency towards some form of union, federation, or regional associations.

15.The peoples of Europe who are to-day attemping to achieve greater unity by means of associations like the Strasbourg Assembly should understand and respond sympathetically to the needs and aspirations of their African brothers.

16.But it is obvious that an African Union cannot be imposed as a formula from above; it must grow from the genuine and expressed desires of the African peoples and can only be successfully established by the Africans themselves. We therefore reject any by-passing or short-circuiting of democratic processes and believe that the prerequisite for such union is the establishment of the right of national self-determination, including, of course, freedom to refuse to enter into any scheme of Union.

17. The peoples of Africa will, we believe, co-operate with the peoples of Europe, in spite of the suspicions and hostilities engendered.by colonialism, on a basis of equality. The prospect of an independent and united Africa cooperating with a united Europe may appear Utopian to practical politicians, hut we believe that it is as necessary for the aversion of war to achieve this state of affairs as it was for Great Britain to grant the right of national independence to India and Burma in 1947.

18. In pursuit of these aims, we believe that the following principles should be accepted by the European Powers governing Africa and that steps should be taken immediately to carry them out :

1. the abolition of all repressive racial and colour legislation;

2. the granting of rights of free association, freedom of speech and the press, in all territories;

3. the convocation of constituent assemblies;

4. the establishment of the right to regional federation, irrespective of present frontiers;

5. the establishment of the right to form an African Union;

6. preparation for the withdrawal of foreign troops from African soil.

Motion

1.To implement the principles outlined in paragraph 18, the Strasbourg Assembly recommends to the Powers responsible for African territories the application to the African peoples of the United Nations Declaration of Human Rights, involving :

a. recognition of the principle that all human beings arc born equal in " rights and dignity; "

b. abolition of all laws and practices imposing racial and colour bars;

c. constitutional provision for the freedoms of religion, speech, the press and the rights of association.

2.To supervise the application of the principle of national self-determination to African territories, the Strasbourg Assembly should appoint a Commission of six members, to whom should be added six African representatives. The six African representatives should be nominated from the national democratic movements in Africa, in consultation with the Congress of Peoples.

3. The Commission should make arrangements for the election of a Constituent Assembly in each colonial territory. It should have responsibility for deciding the most suitable method of election in each case, whether by direct vote or by tribal meetings. It should consult with representatives of the existing organs of government, the national movements, and—where suitable—the chiefs and their councils, before reaching decisions. Prior to the holding of elections, the Commission should make arrangements for the withdrawal of non-African troops from these territories, unless it is satisfied that the inhabitants and organisations of the territory desire the presence of foreign troops for the maintenance of law and order and security against invasion.

4. The Commission should appoint observers of the elections to the Constituent Assemblies and satisfy itself that they are conducted in the spirit of democracy and political freedom.

5. Each Constituent Assembly should undertake the following responsibilities :

a. preparing a Constitution for the territory;

b. deciding the relationship between the territory and the Government previously responsible for it;

c. approaching neighbouring territories to discuss the possibilities of amalgamation, federation, and co-operation.

6.The Commission should continue in existenceas an advisory body on Union and Federation.Where territories decide upon federation,the Commission, when so requested, should advise on the representative basis of federal government, methods of election, and functions.

7.One year after the majority of the Constituent Assemblies has been elected, the Commission should call an All-African Assembly to discuss the establishment of a United States of Africa. It should invite the Constituent Assemblies and the Governments of independent territories to appoint representatives, in ratio to populations, to serve on a Preparatory Commission. This Commission should report to the Assembly on the following questions :

a. conditions of membership of a proposed United States of Africa, particularly as regards respect for political, civil, and human rights;

b. the basis for representation at the African Assembly when permanently constituted;

c. the proposed Constitution of the African Assembly.

8.The Strasbourg Assembly should invite the Assembly of Africa to appoint six members to sit on a Permanent Commission with six members of the Strasbourg Assembly with the object of promoting technical, economic, political and cultural co-operation between the peoples of Europe and Africa.

Signed (see overleaf)

Signed[1]*:*

MACKAY R.W.G., United Kingdom, SOC

1. SOC: Socialist Group