

While the north of British Togoland, sparsely populated mainly by Dagomba and Mamprusi, clearly favoured integration into the Gold Coast for the sake of their territorial unity, the south, densely populated by Ewe but ethnically far more heterogeneous, was more in favour of separation for the sake reunifying French and British Togoland. As predicted, the northern section voted overwhelmingly for integration, whilst in the southern section, the vote was divided between the Guans and Akans, opting for integration, and the Ewes, opting for separation. Especially many Ewes in the Ho and Kpando district voted against integration because they feared to be degraded to an ethnic minority within Akan-dominated Ghana and to be further removed from the Ewes in neighbouring French Togoland.

6.7 Turning the Tides II: French Togoland (1956–1960)

6.7.1 Loi-Cadre & the Autonomous Republic of Togoland (1956)

Despite the understanding reached between Teitgen and Lennox-Boyd, concerns arose within the French Overseas Ministry that the matter of the southern section of British Togoland might be deferred until the referendum in French Togoland.⁶³⁵ The reason being that international developments caught up with France and put the Overseas Ministry under time pressure to implement reforms: Morocco and Tunisia had already achieved independence in March 1956, revolutionary war was raging in Algeria, fuelling nationalist sentiment in other colonial territories, and the already-imminent independence of the Gold Coast was considered a threatening spark that could soon spread to French sub-Saharan Africa. Thus, to avoid another catastrophe in *Afrique Noire* and the possible disintegration of the French Union, the Minister of Overseas France, Gaston Defferre, prepared the *loi-cadre* (framework law) to grant more autonomy to the French overseas territories. When on 23 June 1956 the French National Assembly passed the ‘framework law’, it gave Defferre in essence the power to fill the ‘framework’ with decrees, thus, enabling the rapid introduction of Territorial Assemblies and universal suffrage in French overseas territories. Strictly speaking, the framework law (including the decrees) did not bring autonomy to the overseas territories, but rather ‘decentralization’ or half-autonomy since the administration of the overseas territories was split: while the territorial authorities would now fall under the administration of the newly introduced territorial assemblies, including (limited) budgetary authority, the security-related areas of the *Service d’État*, such as foreign policy, defence, gendarmerie, and the areas’ criminal police, remained within the reserve powers of the Ministry of Overseas France.

Without doubt, the *loi-cadre* can be considered a securitisation measure straight out of the Copenhagen School’s playbook: The background to its adoption was the danger of a disintegration of the French Union. Its purpose was to circumvent the impossibility to get all the individual measures through the legislative mills at the usual bureaucratic

635 ANOM (Aix-en-Provence), 1AFFPOL/2182/3, *Royaume-Uni*, Procès-Verbal des entretiens franco-britannique des Directeurs, 17–18 May 1956, p. 2 [8].

pace. Not only the decrees, but the framework law itself has been whipped through the French National Assembly with unprecedented speed, so that Ansprenger felt compelled to coin it a “parliamentary lightning campaign.”⁶³⁶

On 29 February 1956, the French Council of Ministers approved the draft for submission to the French National Assembly. The following day, in a speech to the *Cercle de la France d'outre-mer*, Defferre securitised the quick adoption of the law: “If we act quickly, we will not be caught up in the tow of events.”⁶³⁷ In less than two weeks, on 13 March, the report of the *Assemblée de l'Union Française* was already available and a week later, on 22 March, the first reading of the draft law took place in the French National Assembly. On 12 June the Council of the Republic approved the draft with slight changes and a week later, on 19 June, the second reading took place in French National Assembly. During the final debate, Defferre called out to the Conservative Member of Parliament, Guy Petit: “In Black Africa there is still time to do something; in a few months it may be too late!”⁶³⁸ Without seriously examining the well-founded objections to the constitutionality of the framework law (it violated Articles 74, 77 and 78 of the 1946 Constitution), the majority of the National Assembly followed Defferre with 470 votes to 105. The framework law was promulgated four days later. The existential threat, which nationalist movements posed to the French Union, seemed to dominate the concerns of French parliamentarians. In any case, the changes were welcomed in the French overseas territories so that the adoption caused little resistance.

With regards to French Togoland, time was pressing because of the imminent independence of the Gold Coast. France had a very tight schedule to keep, which meant making concessions to its political interests: the *loi-cadre* authorized the Minister of Overseas France, Gaston Defferre, to draw up a second statute for French Togoland, a sort-of-constitution, which gave more powers to French Togoland's political institutions, such as budgetary powers, making it an Autonomous Republic. Yet, the statute provided that the most important political areas, such as defence, foreign affairs, justice, security, and public liberty, remained with the central organs of the French Republic.⁶³⁹ As mentioned before, it was not ultimately a matter of granting autonomy, but merely of decentralizing power from the French Republic. For example, French Togoland's Prime Minister, Nicholas Grunitzky, was appointed by the French Governor and only had to be confirmed by French Togoland's Legislative Assembly.⁶⁴⁰ In the Togolese cabinet itself, only two members, the Prime Minister and the Minister of Information and Press, were members of the Legislative Assembly. The other members were either civil servants, French citizens, or French nationals, none of whom had been elected. At the same time, the statute was intended to definitively integrate the territory into the French Union.

636 Ansprenger, *Politik im Schwarzen Afrika*, p. 244.

637 As cited in Ansprenger, *Politik im Schwarzen Afrika*.

638 As cited in Ansprenger, *Politik im Schwarzen Afrika*, p. 244.

639 ANOM (Aix-en-Provence), DPCT59, *Organisation*, Décret n° 56–847 du 24 août 1956 portant statut du Togo, Titre V – De la répartition des compétences, Art. 27.

640 ANOM (Aix-en-Provence), DPCT59, *Organisation*, Décret n° 56–847 du 24 août 1956 portant statut du Togo, Titre III – Du conseil des ministres du Togo, Art. 15.

In terms of security, the Statute established that a core function of the *gendarmerie* was to assure the re-establishment of public order in case of serious disturbances.⁶⁴¹ In this regard, the *gendarmerie* was under the sole authority of the French Governor, the so-called High Commissioner, and that only he or authorities to whom he has delegated his powers may make requisitions for its intervention, though he could only intervene in the maintenance of internal public order at the request or with the agreement of the Togoland Government. The High Commissioner could decide on the use of general security forces at his disposal and call upon land, sea and air forces stationed in Togoland under conditions provided by laws and decrees. In case of external threat or if disorders fomented by foreign elements, the High Commissioner could intervene in liaison with the Togoland Government and had the power to requisition Togoland police and security forces. In short, as was already becoming apparent in the Gold Coast, the Togo Statute put the gendarmes before the dilemma of serving two masters, which in turn evoked a clash of loyalty.

The statute was supposed to be adopted after the adoption of the *loi-cadre* but before the implementation of the decrees for the rest of French Africa. The idea was that the framework law foresaw to ratify this move by referendum through which the people of French Togoland could choose between the new statute or the continuation of trusteeship. The decision was thus either for the French Union or a simple step backwards. Thus, the *loi-cadre* is evidence of the two-referendum agreement that Teitgen and Lennox-Boyd had reached six months earlier, for it was passed by the French National Assembly just one month after the British Togoland referendum. In terms of the official narrative, it is hard to imagine that these considerations only came about after the result of the referendum in British Togoland. The first versions of the law, including the provisions for French Togoland, were drawn up in March 1956, just three months after the French told the Trusteeship Council that they ruled out a soon-to-be-held referendum in French Togoland and two months before the British Togoland referendum. France played too casually with its credibility.

Endorsement for Ending Trusteeship in British Togoland

On 13 July 1956, the British delegation to the United Nations submitted a memorandum on the referendum.⁶⁴² It considered that the plebiscite showed a clear majority in the territory in favour of union with the Gold Coast. The only districts in which there had been a majority vote in favour of separation comprised approximately one seventh of the whole territory. The memorandum argued that the separation of this small territory as a separate political entity would be detrimental to the long-term interests of its residents. The Trusteeship Council and the General Assembly should therefore view the overall result of the referendum as a clear sign to prepare for the termination of the Trusteeship Agreement and the union of the territory with the Gold Coast. Moreover, in the General Election, held in July 1956, that is, two months after the referendum, the CPP, that is, the

641 ANOM (Aix-en-Provence), DPCT59, *Organisation*, Décret n° 56–847 du 24 août 1956 portant statut du Togo, Titre III – Du conseil des ministres du Togo, Art. 13.

642 HMG, “The future of Togoland under British administration: memorandum by the Administering Authority” T/1270 (1956).

party advocating integration and unitary government won 8% more votes in Southern Togoland than in the referendum, thus securing a majority of 52.6% in the region.

When during its 18th Session (1956), the Trusteeship Council considered the future of British Togoland, it had before it the report of the UN plebiscite commissioner, the report of the British plebiscite administrator, the memorandum of the British government, and the results of the General Election held in July. The US, Italy and India declared that they were unwilling to support the fragmentation of the territory by considering the vote in the Ho and Kpando districts separately. The US representative declared that he could...

“not support any action liable to nullify the wishes of the huge majorities in the north which had voted for unification with the Gold Coast. Nor could it support the separation of the southern minority from the rest of the Territory, for that, by setting a precedent for fragmentation in other Trust Territories in Africa, would inevitably delay their progress towards self-government or independence.”⁶⁴³

Non-Administering Authorities, such as Guatemala and Haiti, accepted the plebiscite results, yet disapproved of the process which had led to these outcomes, namely the administrative union of British Togoland with the Gold Coast.⁶⁴⁴ Nevertheless, on 31 July 1956 the Trusteeship Council adopted, by overwhelming majority,⁶⁴⁵ an Indian draft proposal endorsing the British memorandum that the General Assembly should take the necessary steps to lift trusteeship.⁶⁴⁶

No Supervision for the French Referendum

In the next meeting, on 2 August 1956, the Council considered an urgent request by the French delegation, inviting the UN to supervise the referendum, which the *loi-cadre* foresaw for French Togoland.⁶⁴⁷ Given that the French delegation argued during the Council's 17th Session (1956), that is, right before the referendum in British Togoland, that due to the state of development of French Togoland, a plebiscite in the foreseeable future was not possible,⁶⁴⁸ the request came as a surprise. The Council rejected the French request in a 7:7 tie vote.⁶⁴⁹

The Suez crisis, the war in Algeria, and the unificationists' past accusations of election rigging gave the Trusteeship Council much reason for its decision. The Trusteeship Council might have agreed to oversee the referendum if France would have agreed to revise the outdated electoral list, but the non-Administering members of the Trusteeship

643 TCOR, “18th Session” (1956), p. 282.

644 TCOR, “18th Session” (1956), p. 291.

645 All in favour except Guatemala, which abstained.

646 TCOR, “18th Session” (1956), p. 294.

647 TCOR, “18th Session” (1956), p. 299. Document T/1274/Rev.I.

648 TCOR, “17th Session” (1956), 60, 75, 94.

649 The seven Administering Authorities (Australia, Belgium, France, Great Britain, Italy, New Zealand, and the United States) supported the proposal; the seven non-Administering Authorities (Burma, China, Guatemala, Haiti, India, Syria, and the Union of Soviet Socialist Republics) opposed it. The distribution of votes is not mentioned but can be deduced from the speeches of the Council members, TCOR, “18th Session” (1956), p. 343.

Council based their opposition to the proposal on several grounds: While in the case of British Togoland independence had been offered as one of the alternatives, in the case of French Togoland there was no such choice. Autonomy, as envisaged by the French, did not equate with self-government or independence as envisaged in the Trusteeship Agreement. While autonomy did not equate independence, sending United Nations observers could be seen as an endorsement of the referendum's results. Moreover, the referendum did not offer the possibility of independence outside the French Union, and no mention was made of a possible agreement that would allow reunification with British Togoland. Bottom line: the Council did not have enough time to consider the question, nor had it been authorised by the General Assembly to supervise any referendum for the purpose of terminating the Trusteeship Agreement. Instead, the Council decided to forward the French memorandum and the records of the Council's deliberations to the General Assembly, which was to consider the matter.

After the Council's decision, the French representative, Robert Bargues, stated that "France refused to be a party to any procedure which would delay the consultation. It refused to share the responsibility which the Council had just assumed of delaying the accession of Togoland to self-government. The referendum would therefore take place at the appointed time and under the conditions envisaged but in the absence of United Nations observers."⁶⁵⁰ Since the referendum was already cast into law passed by the French National Assembly, the French were legally bound to proceed with the referendum anyhow.

6.7.2 The French Togoland Referendum (1956)

Amenumey holds that "Over the succeeding months it became clear that the [French] Government tended to conduct this popular consultation in such a manner as to achieve the particular results it wanted."⁶⁵¹ Guy Périet de Feral, a member of the French Council of State, was charged with supervising the referendum and was independent of the local French administration (yet, not entirely impartial). The French thought that abstention from the referendum will be weak.⁶⁵²

Despite the French administration's certainty about the insignificance of the unification parties and the outcome of the vote, peace was apparently not trusted and preparations were made for the worst case scenario: in preparation for the referendum, the *journal de mobilisation* was ordered from the *Commandant de Cercle* in Dapango to serve as a template for the entire territory.⁶⁵³ The archival documents are not unambiguous, but it appears that the military bureau of the French administration wanted to have ready-made call-up lists in case political tensions arose in the course of the referendum. For perspective: In 1956, about 1,500 African soldiers were supposed to ensure the security

650 TCOR, "7th Special Session: Report of the United Nations Commission on Togoland under French Administration" Supplement No. 2 (T/1343) (1958), p. 8.

651 Amenumey, *The Ewe Unification Movement*, p. 286.

652 ANOM (Aix-en-Provence), 1AFFPOL/2182/4, *Royaume-Uni*, Le Referendum du 28 Octobre 1956 au Togo.

653 ANT (Lomé), 2APA Dapango/77, *Affaires Militaires*, Secret Letter No. 156/S, Pateul to Commandant de Cercle Dapango, 20 July 1956.