

service of the said state. The presidency and the judiciary as well as well meaning Nigerians should come together to positively ensure Nigerian citizenship which should be for our best national interest. The Nigerian citizenship should be all-inclusive regardless of ethnic, religion, linguistic, regional or marital status of the individual. The Nigerian constitution should ensure that national citizenship as provided by the constitution prevails over any other parochial consideration emanating from the states or regions. This study outlines some of the benefits of indigene/settler cooperation and integration in Nigeria as follows:

(1) If indigenes and settlers can cooperate as brother's keeper, it would enhance economic development and growth in Nigeria, (Ezinwa: 2013).

(2) It would enhance inter-ethnic marriage, as Igbo, Yoruba, Hausa/Fulani, Ijaw etc, could be free to marry each other.

(3) It would enhance religious tolerance and freedom of worship.

(4) It would enhance freedom of enterprise from one geopolitical zone to the other.

(5) It would enhance the value and benefits attached to national projects like the Nigerian National Youth Service Corps scheme.

(6) It would enhance meritocracy, productivity and kill the spirit of mediocrity, favoritism, ethnic politics and corruption in Nigeria.

(7) It would promote the culture of national integration in Nigeria

(8) It would promote the spirit of patriotism and nation building.

(9) It would eradicate fear, suspicion and mistrust among Nigerians.

(10) It would enthrone good governance in Nigeria, and make every Nigerian see himself and a Nigerian first rather than as Igbo, Hausa/Fulani, Youruba etc.

### **Conclusion and Recommendations**

To curb the numerous problems of indigenes/settlers dichotomy in Nigeria is to evolve a singular definition, value and worthiness of Nigerian citizenship that will facilitate and encourage national unity cohesion and integration. In this direction, all Nigerians should condemn, reject and resist the odious application of indigenes or settlers syndrome in everyday dealings amongst Nigerians, and insist on applying universal citizenship. Looking at the Nigerian constitution, it does appear that other national agencies that ought to be subservient to the constitution undermine its application; thus one finds conflicting and contradictory applications often times negating the concept of citizenship. Above all, all Nigerians should resist Indigene/settler dichotomy which our dubious politicians have exploited to undermine the true

involving Ezza and Ezilo group in Ebonyi state Southeastern Nigeria, the Zango-Kataf crisi in Kaduna state, Northcentral Nigeria; the conflict between Fulani pastoralists and crop farmers in North Central and Southeastern Nigeria, and the many religious conflicts between the Southerners resident in Northern Nigeria, in the Hausa/Fulani dominated region etc are all as a result of the indigene/settler phenomenon. Indigene/settler conflict in Nigeria breeds disdain and hatred among Nigerians. It was one of the things that led to the Nigerian-Biafra war (1967-1970), as the Igbo in the north experienced pogrom, persecution and threat of extermination prior to the civil war. It is of note that indigene/settler dichotomy ridicule the Nigerian citizenship and leads to segregation and political instability; it destroys the spirit of meritocracy and promotes marginalization and exclusion in the political economy of Nigeria. Moreover, indigene/settler dichotomy denounces the Nigerian citizenship and negates the constitution of Nigerian Republic, thus leading to the flourishing of cabals and domestic mafia in government to protect either the indigenes or settlers in their sit of power. Overtime in Nigeria, this has led to the wrong location of local government headquarters and industries to favour a particular ethnic stock without looking at the reports of feasibility studies or even checking on the viability of such infrastructures. Furthermore, Indigene/settler dichotomy destroys the worthiness of Nigerian citizenship, as it creates ethnic nationalism, militancy and freedom fighters especially among the Ijaw in the Niger Delta region of Nigeria to scare away settlers or strangers and expatriates from exploring the Niger Delta oil/gas resources thereby frustrating foreign investors and encouraging underdevelopment, unemployment and youth restiveness. (Ezinwa: 2013). The inability of the Nigerian state to respect the constitution and guarantee the enforcement of its provisions is also part of the problem of citizenship.

### **The Prospects and Benefits of Reforming the Nigerian Citizenship Law**

Nigerian citizenship should be amended and those aspects dealing with citizenship and the corresponding rights and privileges of Nigerians ensconced in it. The arbitrary requirements in many subsidiary levels of government that tend to negate the provisions of the constitution, declared null and void. For instance, the requirement in job recruitment where individuals are asked to supply their state of origin and local government are infraction to the constitution, which is the supreme law. The National Assembly should not put resistance to this urgent need so as to guarantee full citizenship to all Nigerians at equal footing. The Nigerian citizen should be free and entitled to live anywhere in Nigeria at peace with himself and society; own property, move freely in the society, pay his tax there, participated in elections, context elections, vote and be voted for, seek and get employment on merit in the civil

the United States and of the state where in they reside” (Constitution of the United States of America); this has also been interpreted by the U.S. Supreme Court.

According to the U.S. constitution, a child born of parents who are citizens, one of whom has lived in the U.S., is automatically a citizen, regardless of his place of birth. But a child born out-side the U.S to parents one of whom is not a citizen, must live in the U.S for five years between the age of 14 and 28 or lose his citizenship. The children of foreign diplomats serving in the U.S. are not recognized as citizens even though born in the country. Citizenship by naturalization may be conferred collectively by special act of congress, as was the case with the populations of Hawaii (1900), Puerto Rico (1917) and the Virgin Islands (1927). Individual’s naturalization requires a minimum of five years residence in the U.S: they must learn English, demonstrate knowledge of American history and government, renounce their previous citizenship and swear allegiance to the constitution and laws of the United States. (Family Encyclopedia of American History, 1975)

Practices in other countries differ considerably. In Nigeria, citizenship historically has been perceived from where one comes from ie, Igbo, Hausa/Fulani, Yoruba, Efik, Bini, Ijaw, Tiv, Idoma etc, and then a Nigerian,. Consequently, ethnicity is the first marker in defining citizenship in Nigeria, the provisions of the constitution, have not changed the reality on the ground with respect to this nuanced interpretation of citizenship in Nigeria. This situation has been worsened considerable as a result of indigene and settler dichotomy. In recent years constitutional attempt to liberalize indigene and settler divide by law has often met strong resistance by ethnic groups that want to control their resources. In fact, Nigeria has been an extreme case of ethnically defined citizenship. Unlike the citizenship of the United States which is a status held and enjoyed by someone constitutionally invested with all rights and privileges of a full-fledged member of a political community where he lives.

### **The challenges and effects of indigene/settler conflicts in relation to Nigerian citizenship**

The wrong conceptualization of Nigerian citizenship and the values attached to it by indigenes and settlers vary from place to place and it has become the root of most national challenges Nigeria and Nigerians are facing. This down ward definition of Nigerian citizenship is responsible for Nigeria’s slow progress, and militates against the national best interest of the country, as most groups no longer have confidence in the system under which they operate.

It is unfortunate that the indigene and settler syndrome has affected the true meaning and application of citizenship in Nigeria resulting to communal conflicts. For example, the communal crisis

state of origin and religion affiliation of such Nigerians; this aberration is an anathema and inconsistent with our national best interest. In Nigeria, the concept of federalism is a sham because it does not address the nagging questions of citizenship in the country. If Nigeria is truly a federal state, why would some one from the east who lives, works and pays his tax in the north or west not get qualified for a job in that particular region or even vie for an elective post in that region? Why would the Nigerian state introduce the use of state of origin and local government in federal civil service application forms and not use same in population count/census? These questions belie the truth, and show that Nigeria is a pseudo federal state. When you compare citizenship in Nigeria with what is obtainable in the United States that runs the same federal system as Nigeria, one is lost. Equality of citizens and ability to access the bounties of the State by all and sundry should be the ideal marker that defines citizenship. A situation where a section of the country appropriates more number of states, local councils, developmental projects, federal institutions, controls the paraphernalia of power against other groups in the same country and as such use same to dominate others, is not healthy for the application of equality of citizenship. In the United States, the citizens have equal opportunities and each compete to bring out his or her best for the greatness of America. This is not the same in Nigeria, where merit is not used in apportioning things.

Psychologically, too many Nigerians seem to have mutual suspicious and extreme disdains for one another and these are historical and have sadly become “our second nature”. Furthermore, the mutual suspicion amongst groups in Nigeria, and the unequal distribution of the perquisites of governance have all combined to whittle down the belief in the Nigerian citizenship and state thereby impeding on her economic, social, political and constitutional development.

### **International Comparison: Citizenship in the United States and Nigeria**

The United States is chosen here to compare citizenship as defined by the constitution of Nigeria, because of the fact that the two countries operate a federal constitution, and equally run a presidential system of government. The constitution of the United States recognized that under the federal system of government a person had dual citizenship, being a citizen both of the United States and of the state in which he lived. At first the view was generally held that a person owed primary allegiance to his state. But in the wake of the civil war – largely to guarantee the defeated South-Congress submitted to the states the 14<sup>th</sup> Amendment (Constitutional Amendment) which was ratified in 1868. It clearly established that national citizenship takes precedence over state citizenship. By its terms “all persons born or nationalized in the United States, and subject to the jurisdiction thereby, are citizens of

man to freely become a Mayor in Yorubaland or Hausaland became impossible; though an Hausaman became the first mayor of Enugu the then capital of Southeastern Region of Nigeria; a fact that contradicts the situation in other parts of Nigeria treatment of the Igbo outside his home area.

Furthermore, Dr. Nnamdi Azikwe's crude method to force Prof. Eyo Ita, the leader of government business in Southeastern Regional government. This led to a cold war between the Efik minority group found in the then Eastern Region of Nigeria and the Igbo, a war that is yet to end. This ugly incident forced the Efik minority group into political opposition against the dominant Igbo in the region. As Chinua Achebe puts it, *"It contributed in no small measure to the suspicion of the majority Igbo by their minority neighbours in Eastern Nigeria – a suspicion which far less attractive politicians than Eyo Ita fanned to red-hot virulence, and from which the Igbo have continued to reap enmity to this day"*. (Achebe: 1983, 59). Here, Chief Awolowo, a Yoruba leader and Dr. Nnamdi Azikwe, an Igbo leader and renowned Nigerian nationalist, by their responses, showed other Nigerians that citizenship in Nigeria was determined by ethnicity simpliciter!

The above illustrates to an average Nigerian, and indeed outsiders, how citizenship over time has been interpreted and applied in Nigeria. The letters of the constitution is vague as to what should accrue to a Nigerian for being a citizen of Nigeria. When you place citizenship side by side the recrudescence of violence against southerners living in the north-particularly against the Igbo by their host communities in there, one finds that citizenship in Nigeria is religiously and ethnically manipulated and misinterpreted to frustrate the understanding of that concept and its meanings. Moreover, the issue of abandoned property after the Nigerian-Biafra Civil War (1967- 1970), when most of Igbo property were illegally taken over by the Niger Deltans in Port-Harcourt, Rivers State, as a result of Port Harcour not being part of Igboland, and to that extent, non-indigene Igbo, should not own land and houses in the state. The post-war Nigerian government that preached equality of all citizens of Nigeria and reconciliation pretended as though that evil was not a serious negation of the concept of citizenship. The way in which the Nigerian leadership treated the Igbo question on abandoned property showed that there was and still is a grand conspiracy to exclude a particular group from being stake holders in the Nigerian project.

(Adujie: 2012) maintained that, too many Nigerians still rigmarole over the concept of citizenship and on the attendant value on fellow Nigerians. Many Nigerians for political and primordial reasons still do not accord equality of citizenship to other Nigerians, by merely reducing them to members of an ethnic group. Many Nigerians are often too quick to label and attach stigma to other Nigerian citizens, based merely and solely on their

ministry in Igboland southeastern Nigeria, without the invocation of his state of origin, and his local government identification. Yet all these groups-Igbo, Hausa/Fulani, Yoruba etc. claim to be Nigerian citizens, which name was forced upon them by the British colonial administration that created what we have today as Nigeria. The name Nigeria, was an imposition on the varied cultural and ethnic entities who in the wake of their conquest and agglomeration by British imperial force, came to be forged into a nation-state, not for the interest of the indigenous groups per se, but for the selfish economic and political interests of the British colonial administration. This challenge of diversity has continued to hunt the groups found in this common political project called Nigeria, and accounts for why identity crisis is a very noticeable feature of everyday live in Nigeria.

Thus, one of the contradictions of the Nigerian state with respect to citizenship rights is the indigene and settler phenomenon among the same people who lay equal claim to Nigerian citizenship and who have over the years been engaged in cultural, economic and political interactions. Whereas the so-called settlers or non-indigenes are part of the society in every respect, as they have been worshipping, socializing, trading, and paying taxes with the indigenes and marrying the so-called indigenes. But when it comes to sharing of resources, access to land, scholarship, placement of children in the colleges and universities, employment in the civil service, offering of political appointments, including appointment as Vice Chancellors, Provosts and Rector of academic institutions, (that are supposed to be merit based), the indigene and settler syndrome is invoked and the so-called settler often suffers marginalization, injustice, discrimination, rejection, and victimization. Hence, the so-called settler or non indigene is reminded to go to his ancestral abode of origin, that is, his village, local government, or state of region to get whatever he wanted.

Late Chinua Achebe in his book "The Trouble with Nigeria" (Achebe: 1983, 5), explains some negative effects and misconceptions about indigene and settler syndrome in Nigeria's definition of citizenship and leadership trouble. He says, "*As a student in Ibadan, I was an eye witness to that momentous occasion when chief Awolowo "stole" the leadership of Western Nigeria from Dr. Nnamdi Azikiwe in a broad day light on the floor of Western House of Assembly and sent the Great Zik scampering back to the Niger "whence (he) came"*".

Morally, Chief Awolowo's misconception of citizenship in his quest for leadership and power as an indigene of Yoruba land against Dr. Nnamdi Azikwe, who was an Igbo settler or non-indigene in the Western region, distorted the true definition, value and worthiness of citizenship in Nigeria. This helped in setting a bad example and precedent which deepened and aggravated indigene and settler conflict in Nigeria. Thus, the dream of an Igbo

citizenship. (Constitution of The Federal Republic of Nigeria 1999:16)

### **Renunciation of Nigeria Citizenship**

A citizen of Nigeria, who is of full age and intends to renounce his Nigerian citizenship, shall make a renunciation declaration to the Nigerian authorities. The President of the Federal Republic of Nigeria shall cause such a renunciation declaration to be registered and such Applicant shall cease to be a Nigerian citizen subject to such declaration not been contrary to public policy, or Nigeria not being physically involved in war. (Constitution of The Federal Republic of Nigeria 1999:16)

### **Deprivation of Citizenship**

Any person, who is not a Nigerian citizen by birth, may be deprived of his Nigerian citizenship if such a person has, within a period of seven (7) years after becoming naturalized, been sentenced to imprisonment for a term of not less than three (3) years.

A person who is not a Nigeria citizen by birth, may also be deprived of his Nigerian citizenship if the President of the Federal Republic of Nigeria is satisfied from a judicial record that such a person has shown himself, by any act or speech, to be disloyal towards the Federal Republic of Nigeria; or has during any war in which Nigeria is engaged, unlawful traded with, or assisted, or inimically communicated with an enemy of Nigeria to the detriment of or with the intent to cause damage to the interest of Nigeria. (Constitution of The Federal Republic of Nigeria 1999:16)

### **Misconception about Citizenship in Nigeria**

Since the evolution of Nigeria as a political unit in 1914, and the eventual attainment of independence in 1960, the issue of citizenship has been a nebulous one with respect to how that subject has been constructed, understood and applied over time in the country. There are a lot of controversy and misconception surrounding the context in which citizenship is interpreted and applied in Nigeria, especially when it comes to indigene and settler phenomenon. Citizenship in Nigeria varies geographically and occupationally from one local government to another and from one state or ethnic nationality to the other; as well as from one geo-political zone or region to the other.

For example, an Igbo man from Eastern region, who was born and bred in Kano city in Northern Nigeria, pays his tax to the government of Kano state, but will find it difficult to secure civil service employment in the state, without being discriminated against on the basis of his state of origin and even his religious affiliation; thus these obstacles are created to ensure that non northerners are not treated on equal footing with his fellow Nigerian, who is a northerner. Likewise, a Yoruba man from western Nigeria or Hausa man from northern Nigeria will also find it difficult to settle and be employed in the civil service or state

Aristotle gave an insight into how citizenship should be understood using Athens as a focus.

### **A Peep into the 1999 Constitution of the Federal Republic of Nigerian**

The Constitution of the Federal Republic of Nigeria, 1999 (as amended) provides for three principal ways by which Nigerian Citizenship can be acquired. These three principal ways are:

- (a) Citizenship by Birth;
- (b) Citizenship by Registration; and
- (c) Citizenship by Naturalization.

#### **Citizenship by Birth**

Any person, either of whose parents or grandparents was born in Nigeria to parents who belong to a community indigenous to Nigeria, is entitled to automatic Nigerian Citizenship.

#### **Citizenship by Registration**

Persons who are not citizens of Nigeria by birth, but of whose grandparents is a citizen of Nigeria, or who is or has been married to a Nigerian citizen, may apply to the President of Nigeria for registration as a citizen of Nigeria where there is evidence that such an applicant is a person of good character, and he or she has demonstrated clear intention to be domiciled in Nigeria. It is a further fundamental requirement that the applicant must take an oath of allegiance to the Federal Republic of Nigeria. (Constitution of The Federal Republic of Nigeria 1999:15)

#### **Citizenship by Naturalization**

Any person who is of full age, capacity, and good character, and who has lived in Nigeria for a continuous period of fifteen (15) years or has in the last twenty (20) years lived in Nigeria for accumulative period of fifteen (15) years, and who, in the opinion of the Executive Governor of the State where he or she is living, demonstrated that he has assimilated to the Nigerian way of life, is eligible to apply to the President of the Federal Republic of Nigeria for the grant of a certificate of Naturalization. A certificate of Naturalization will however only be granted on the fulfillment of the above conditions precedent, and the taking of the oath of allegiance to the Federal Republic of Nigeria (Constitution of The Federal Republic of Nigeria 1999:15)

#### **Dual Citizenship**

Any person, who is not a citizen of Nigeria by birth, shall forfeit his or her Nigeria citizenship, if he or she acquires or retains citizenship of another nationality other than that of Nigeria, of which he is not a citizen by birth. Any grant of Nigerian citizenship by registration or naturalization shall, subject to such an applicant not being a citizen by birth of another country, be conditional upon the effective renunciation of the citizenship or nationality of that other country within a period of not more than twelve (12) months from the date of such registration or the grant of Nigerian



enlightened political engagement. To be politically engaged in a meaningful way, citizens require resources, especially knowledge and information. Democracy in Nigeria and citizenship enlightenment functions best when the citizens are informed. A true citizen must have the knowledge needed in political debate. Citizenship enlightenment requires three forms of political knowledge which include:

- (1) Knowledge of government
- (2) Knowledge of politics
- (3) Knowledge of democratic principles.

Citizenship awareness in Nigeria is poor, because many Nigerians lack the information they need to present their problems to the appropriate government officials. Citizenship enlightenment gives us the knowledge and power to take part in political life, so that we can achieve our most important collective goals; including defense, protection from environmental hazards, safety from crimes; these goals can be achieved by our individual actions. Citizenship awareness will enable us Nigerians to cooperate in order to defend our country and keep our homes and educational institutions safe. Citizenship knowledge makes us to know our limits and to protect our individual interest through political actions. Nigeria can not have a sustainable democratic government without knowledgeable and aware citizens. Citizenship awareness makes us to understand that government institutions are established to serve the country and the people at the same time and not for any particular nationality or individuals. Citizenship education enhances our liberty, equality and democracy in Nigeria. According to Morris, P.E. and Paul E.P (2001), citizenship is the status held by someone entitled to all rights and privileges of a full-fledged member of a political community.

Aristotle's theory of citizenship in the Greek City-State could best explain the concept of citizenship. According to Aristotle, there was the body of citizens or those who were members of the city and entitled to take part in its political life. This was a privilege attained by birth, for a Greek remained a citizen of a city to which his parents belong, moreover, what citizenship entitled a man to was membership. That is, some minimum share of political activity or participation in public business. This minimum might be no more than the privilege of attending town meeting in a democratic process. Thus Aristotle, obviously was impressed by democracy's claims to give every citizen a voice and to restrain the power of the tyrant. His approach also led him back to the question of how giving power to the majority could guarantee that the outcome would be good for society, and his answer was to restrict citizenship to those who could be deemed to be virtuous, and these comprised those with good education, as virtuous men, they would make decisions that were good for society. (Osborne: 2011 quoting Aristotle). So

amending the constitution to strengthen the segments that deals on citizenship to the benefit of every Nigerian.

### **Objectives of the Study**

The major aim of this study is to contextualize the definition, value and worthiness of the concept of citizenship in Nigeria, as well as the problems associated with the concept of citizenship in Nigeria.

The specific objectives include:

1. To examine indigene and settlers phenomenon in Nigeria.
2. To examine the reasons Nigerian citizenship should vary from one local government to another, from one ethnic group to the other, from one state to the other and from one geo - political zone to the other.
3. To evaluate the value and worthiness of Nigeria citizenship as to compare citizenship in the United States.
4. To recommend that Nigerian citizenship should command equal value, equal dignity, equal respect and equal opportunity to all Nigerians, within the confines of the polity.

### **Research Questions**

In specific terms, this study was designed to address and find answers to the following research questions.

1. Why has indigene and settlers conflicts denuded Nigerians equal citizenship rights prior to, and since independence on October 1, 1960?
2. Why should natives and settlers among the same people who lay equal claim to Nigerian citizenship, and who have engaged in cultural, religious, economic and political exchanges for over 100 years not cooperate and integrate?
3. Why should Nigerian citizenship laws not promote meritocracy and justice when indigenes and settlers pay equal taxes, but when it comes to sharing of resources, ownership of land, scholarships, placement of children in colleges and universities, employment in the civil service, political appointments, the so called settler often suffers marginalization, injustice, discrimination and persecution?
4. Why has Nigeria's historical development and definition of citizenship been determined by ethnicity or ethnic nationality, rather than what is practiced in advanced democracies such as the United States?

### **Conceptual Clarification**

#### **The Concept of Citizenship:**

Citizenship is the legal right to belong to a particular country. Citizenship also means the state of being a citizen and accepting the responsibilities of it. Citizenship is also the educational methods that prepare young people for citizenship; it is also referred to as citizenship education. Citizenship connotes a citizen that is informed and active membership in a political community. The meaning of citizenship derives from the Greek ideal:

## Contextualizing the problems with the concept of citizenship in Nigeria

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### Abstract

All over the world, the concept of citizenship appears very significantly in national discourse that it is given in-depth interpretation and attention. Therefore national governments have included very broadly all the essential and constitutive elements of citizenship in their grundnorm. In Africa, the concept has been very narrowly interpreted in many cases to denude its significance as an indicator of one's relationship with the state as well as limits thereof. Nigeria is one place where the concept of citizenship is deliberately interpreted narrowly to vitiate its concomitant benefits on the citizen and those aspiring to become Nigeria's citizens. The effect of this has been very adverse on the overall output of individuals called Nigeria's citizens. In fact, it is one of the major problems facing the nation today. The feeling of marginalization, denial and abandonment are rife in the mind of most Nigerians, particularly those from the southern part of the polity as well as minorities in the northern part of the polity. If the concept of citizenship is rightly interpreted with all its plenitude of rights attendant on the citizen, much of the crisis and tension in the polity would be averted. The paper intends to examine very broadly the problems associated with the concept and understanding of citizenship in Nigeria, in relation to the constitution and rights of the people, and see what needs to be done to fill the gap in the law.

### Introduction

Citizenship is the conceptual status of the law and principle held by a people that entitled them all rights and privileges of a full-fledged member of a political community or a country like ours-Nigeria. This study examines misconceptions about citizenship in Nigeria, as a result of indigene and settler dichotomy whose effects have robbed Nigerians of sustainable development. The study also examines citizenship in an advanced democracy like the United States of America and draws comparison with citizenship in Nigeria. The study points out the challenges and negative impacts of indigene and settler conflict and phenomenon in Nigeria, as well as the benefits attendant on reforming citizenship laws-that is

