



Citizenship and the Quest for National Integration in Nigeria

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Abstract: This paper examined the concepts of citizen and citizenship and their origin in Nigeria. It looked at issues in Nigeria citizenship, such as indigeneship, dual citizenship, citizens rights and responsibility, and loss or termination of citizenship. It considered the acquisition methods and observed that its citizenship by birth was based on indigeneship rather than a place of birth. It established three types of citizens but observed that in practice, two broad types existed at state and local government levels: the indigenes and non-indigenes citizens, and citizens rights were classified on this basis. It also saw that citizens of the major ethnic groups superimposed themselves on the minorities to the extent that some minorities feel like colonized persons and alienated. It also observed that the indigenes had more rights than non-indigenes who were treated as foreigners outside their home states. It observed that naturalized persons suffered more deprivations than other citizens even by virtue of its constitution of 1999. It considered efforts at national integration, which have failed not because of bad laws but because extant laws have not been implemented and institutions to control enforcement have failed/refused to do their job. Citizens have been given mammoth responsibility, and they are expected to help in national development and integration, but because of disparity in rights, it is doubtful whether citizens who are alienated can give their desired role or full contribution to the national growth.

Keywords: *Citizenship, indigeneship, integration, nationality, human rights.*

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INTRODUCTION

Citizenship is derived from the word 'citizen' and it describes the status of a person recognized under the custom or law of a state which bestows on such person the rights and duties of citizenship (Wikipedia, 2018a). The status of a citizen in most countries can be attained through the following ways: by descent, birth, marriage, and naturalization. All citizens are expected to have equal rights while they have obligations towards their nations and other citizens. Citizens are expected to be the fulcrum on which a nation's socio-political and economic advancement lies. As a matter of fact, a nation cannot develop without a crop of citizens who are loyal and patriotic to its course.

Classification of Nigerian Citizenship

Who is a Nigerian? A Nigerian is any person who is a native or naturalized member of the federation of Nigeria and owes allegiance to her and is entitled to her protection. Simply put, a Nigerian is the one recognized by its constitution as a citizen irrespective of residency. From its constitution, there are three types; citizens by birth, citizens

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by registration, and citizens by naturalization ([Constitution of the Federal Republic of Nigeria, 1999](#)). However, in practice, whether at the federal or state level, there are two broad classes; the indigene citizens and non-indigene citizens. Indigene citizens are also called son of the soil in local parlance. Those who are not indigene citizens, who are those who register or naturalize as citizens, are regarded as non-indigenes. Remarkably, indigene citizens, who reside outside their home states and, in some cases, within their home states but outside their local government areas, may be treated as foreigners owing to weak state institutions. From its constitution 1999, citizens by birth have many privileges and rights over the other category. Non-indigenes are akin to minorities and are so treated outside their home states. The least privileged citizens are those who are unable to prove that they belong to a community that is indigenous to any state in Nigeria and women married to men from states other than their own ([Ifamose, 2011](#)).

Such a multiple system of citizenship rights classification engenders discrimination in jobs, land purchase/holding, admission to educational institutions, marriage, business transaction, and distribution of social welfare services and politics to such extent that performance of citizenship responsibility to the nation cannot be guaranteed.

Nigeria is spending billions of naira to develop science and technology hoping to use same as spring board for national development while neglecting citizenship, which must first be developed and integrated before other efforts at developing the state, will attain expected results.

Issues in Nigerian Citizenship

There are many issues affecting citizenship in Nigeria ([Adesoji & Alao, 2009](#)). The issues include - but are not limited to - indigence citizen versus settler citizen dichotomy, resources sharing, resource ownership, land tenure system, migration and emigration, dual citizenship, tribal identities, discrimination, quota system, human rights, loss of citizenship, and origin of Nigeria citizenship.

A major cause of the intergroup conflicts rocking Nigeria since 1960s has been traced to citizens rights, especially when they reside outside their state of origin ([Abubakar, 2011](#)) and in some cases, even when they live within their own state. Also, military involvement in politics among other factors has been traced to disregard for democratic principles in terms of human rights, rule of law, press freedom, and shift towards fascism. To a great deal, human rights violation, no doubts, is instrumental to the first military coup and counter coup and even the Nigerian civil war, as the first coup was intended to stamp out tribalism, nepotism, and regionalism on which indigeneship is based.

ORIGIN OF NIGERIAN CITIZENSHIP

Origin of Nigerian citizenship is contentious. Some have argued that it existed before contacts with Europe. According to [Dibua \(2011\)](#), pre-colonial African citizenship was principle of collectivism, communalism, and cooperation and that this helped to provide social security for communities. It is also argued that age grade system and practice among pre-colonial Ibos were forms of citizenship as it formed bases for distinction in rights and duties of natives and foreigners. Truly major tribal nationalities in Nigeria recognize and differentiate between indigenes and foreigners. As in modern citizenship, indigenes had all rights while foreigners had limited rights. Among the Bins in Edo, indigenes (citizens) prided themselves as OvwiedoKpataki while non-Citizens were called Ovwioere.

It can be argued also that Nigerian citizenship was derived from the idea of British citizenship as contained in the 1948 British Nationality Act. This is because prior to 1960, there was no Nigerian citizenship as Nigeria was then a dependent British colony. However, it was in the 1960 independence constitution that the status of Nigerian citizenship was finally created and her citizenship derived from the British nationality act with provision made for registration and naturalization of persons qualified who made application before 1st October 1962.

The 1960 independence constitution made provision for some rights which were peculiar to citizens. Although citizenship status was not bequeathed on the basis of indigeneship, it, however, distinguished non-citizens to be aliens which it defined as 'a person who is not a citizen of Nigeria, a commonwealth citizen other than a Nigeria citizen, a British protected person or a citizen of the republic of Ireland' [The Constitution of the Federation of Nigeria \(1960\)](#) Section 16 (1).

This status quo was maintained in the 1963 republican constitution. However, indigeneship manifested as tribalism, and nepotism which had begun to rear its head continued and was a basis for the first military takeover of government in 1966 and continued until it was entrenched in Nigeria's 1979 constitution.

The 1979 and the 1999 Constitutions

The 1979 constitution introduced and the 1999 constitution maintained the concept of indigeneship into Nigerian citizenship. Under these constitutions, citizenship status was classified into: Citizenship by birth: based on indigeneship, Citizenship by registration: based on marriage or ancestry and Citizenship by naturalization: based on residency. It was again the 1979 constitution that eventually inculcated procedure for deprivation of citizenship (see section 27 (1-2) which may occur involuntarily or through voluntary renunciation of citizenship (Wikipedia, 2018b). In Nigeria, citizenship by birth cannot be withdrawn by government under any circumstance (Constitution of the Federal republic of Nigeria, 1999) (38) section 28 (1) of 1999 constitution. Even at death, citizenship will be passed to offspring born after the death of the holder. Involuntary loss may, however, occur due to automatic lapse of citizenship from the citizen for failure to take some action to retain citizenship or due to active withdrawal of citizenship by the country, especially for non-indigenous citizens. Voluntary loss, often called renunciation, is in contrast initiated by the citizen (Constitution of the Federal Republic of Nigeria, 1999). This can occur through voluntarily serving in a foreign military or voluntarily naturalizing as a citizen of another country in which the person is not a citizen by birth, residing abroad on a permanent basis, and for minors upon adoption by a foreign citizen or loss of citizenship by the parent. In the case of naturalized person where the person has been sentenced to imprisonment for a period of three years within a period of seven years after naturalization. Also, where registered or naturalized person by act of speech is disloyal to the federal republic of Nigeria after trial by due process or the person during war unlawfully traded with the enemy, assisted the enemy in war or communicated with the enemy of Nigeria in war to the detriment of Nigeria or with intention to cause damage to Nigeria Constitution of the Federal Republic of Nigeria (1999) section 29 (1).

Indigeneship, Settler, Alien, Slave

Indigeneship cannot be bestowed on a settler, foreigner or alien, no matter their contribution which makes it fundamentally different from citizenship. The issue of indigeneship of late has been becoming very contentious and the contention has been rising, especially in urban areas where migrant settler population in some instances now dominates the indigenes as they fight for political relevance and in the use of or access to land and resources in their areas of residence. Some writers have contended that many intra-communal clashes Zano/Kataf and crisis between Fulani herders and farming communities across Nigeria are traceable to indigeneship issues (Eze, 2017; Frank & Ukpere, 2013). Others have traced it to resources sharing (Mustapha & House, 2003). Separatist agitation based on indigeneship, such as indigenous People of Biafra (IPOB), has been clamoring for a nation of their own due to perceived non-inclusion in the scheme of things. Identifying who is a true indigene of a particular area is a particularly difficult task because over the years, there has been influx and outflux of persons over time and across culture and space. Adesoji and Alao (2009) said that some people identify themselves as indigenous to a place as a result of their settlement and the seeming dominance of their cultures or perhaps the outcome of their ability to conquer and occupy a relatively virgin area.

The indigene and settler problem has been so serious that it calls to question the basis of citizenship in Nigeria (Adesoji & Alao, 2009). The 1999 constitution prescribes admission to the class of citizens on the basis of birth, registration, and naturalization and also spells out rights and privileges. The citizens by birth are first class citizens who are indigenous but in its practical application, citizenship by birth status is localized to the indigenes of the community in question, or indigenes of the local or state government. However, Nigerians who have their genealogy elsewhere (often called non-indigenes), even if they were born in a particular state or lived all their lives there, are regarded as settler. Their offspring, as far as memory can tell, continues to be settler. They remain strangers who have an alternative homestead in the mind of indigenes. In a number of cases, these settlers may have lost connection with their homelands and cannot claim indigeneship of anywhere else (Adesoji & Alao, 2009). According to Ifamose (2011), issues of indigenes and non-indigenes, ethnicity, religious affiliation, and persistent fear of domination and marginalization have continued to exert enormous pressure on national integration. She recommended a proper integration such that an acceptable balance would be struck between constitutional citizenship and indigeneship to ensure inclusive citizenship and a sense of belonging for all citizens.

Ifamose (2011) identified efforts by policy makers in Nigeria at achieving social cohesion and integration since independence to include state creation policy, federal character principle, New F.C.T., and National Youth service Scheme and Abuja as a national capital which was founded among other reasons in the belief that every Nigerian will be rest assured that he has the opportunity to live in parity with other Nigerians and where no Nigerian will be regarded in law or on the fact as a native foreigner. Regrettably, implementation due to weak state institutions has marred the attainment of their objectives and, consequently, no attainment of constitutional rights by citizens. The federal character commission Act makes provision for admissions of settlers who have lived in a place for ten years and are certified by local government areas of their residence to be admitted as indigenes of the area ([Federal Character Commission Act, 2004](#)). In spite of this, settler (citizens) rights continue to be impinged upon by indigenes. It is difficult for a settler to aspire to enjoy rights and attain positions ordinarily reserved for indigenes. Even where they have been admitted as indigenes by local government areas and migrants perform their duties as active members of their community of residence, those who are indigenes will not grant concession to non-indigenes because they know they cannot benefit from such concessions outside their home states. This may explain the constant rancor between Fulani herdsman and local farmers, especially in the ‘middle belt’ and ‘southern region’ of Nigeria, who do not hope to get free use of land in areas of domain of the Hausa/Fulani group no matter how long they have stayed. The cause of the clashes is that the Fulani herders graze their cattle on a free range and in the process, their cattle destroy the crops of farmers in their host communities. The farmers who are not compensated then attack the cattle or poison their crop with the intention to kill the cattle. When the cattle dies, the herder attacks the host communities or farmers, rapes women, sets houses on fire, and plunders using sophisticated weapons. Sometimes, the farmers rustle cattle in retaliation. The government has not been firm in protecting either party, hence the herders and farmers resort to self-help which has culminated in loss of properties and thousands of deaths to especially the farmers and loss of cattle to the herders. The Hausa Fulani Herders being citizen argue that they should have free entry to any part of the country with their cattle. According to Sarki Fulani Lagos in response to a call that the Fulani herders be barred from Yoruba land, he said “banning the movement of cattle and persons in Nigeria also violates the constitution of the Federal Republic of Nigeria on freedom of movement of people and livestock, it also amounts to ethnic profiling of the nomadic Fulani” ([Abdurrahman & Osman, 2017](#); [Akinrefon, 2015](#)).

MACBAN argued that their movement with their cattle across the country is covered by Section 41, Subsection 1 of the Constitution of the Federal Republic of Nigeria, which says that “every citizen is entitled to move freely throughout Nigeria and to reside in any part thereof and no citizen of Nigeria shall be expelled from Nigeria or refused entry thereof or exit therefrom.”

The group also contended that the Constitution also expressly under Section 42, Sub-section (1) (a) forbids the imposition of any disabilities or restrictions on any citizen by any executive or administrative action against any citizen of any ‘community, ethnic group, place of origin, sex, religion or political opinion...’. MACBAN whose motto is Read, Rear, and Farm insisted that the herdsman have lost hundreds of their lives and hundreds of thousands herds of their ancestral and generational wealth of cattle to what they called “criminal, genocidal marauding tribal and religious murderers who are calling themselves indigenes, farmers, and Christians” ([Chinweizu, 2015](#)).

For several years, the crisis between herders and farmers has been more between the minority groups in the middle belt region who have consistently held the view that they are the original inhabitants of the area and regard the minority Muslim Hausa and Fulani community as settlers ([Madugba et al., 2015](#)). There have also been conflicts between the Fulani herders and some Yoruba farming communities and also farmers in the south-south zone.

The Issue of Discrimination

The common forms of discrimination against settler according to [Alubo \(2009\)](#) include Employment: available jobs are often reserved for indigenes and where non-citizens are employed at all they are place or contract appointment. This is the crux of the Northernisation policy in the Northern region in its time. Since the return to civil rule non-indigenes in state appointment have had to be returned to their home states especially in case reported widely from eastern parts of the country.

Admission: Admission to secondary and higher institution has provision for indigenes.

Scholarship This is exclusive to indigenes.

Discriminatory fees: There are higher fees for non-indigenes than indigenes in educational institutional, such as polytechnic and universities, even when their parents pay taxes to the state. Settlers do not have free access to land.

Land belongs to indigenes who can impose exhibiting conditional before they can transfer land in contradiction to the Land Use Act. In some case, land is not sold to settler but given on permanent lease whether they construct on it or not, it remains the property of the “local” owner (indigenes). The non-indigenes can vote but voting is often disrupted by ‘area boys’ (mostly indigenes) who intimidate voters to vote their own candidate often because of absence of effective security during election days. Appointments from state to Federal bodies are reserved for indigene of states. And recently, there are growing clamors for indigenes of towns where federal institutions are located to be the head of such institutions or bodies.

Migration: The facts that people have migrated and or emigrated at one point in time from one place to another questions the claim by anyone to indigeneship of any locality in view of the unending movement of people from one place to another across Nigeria (Adesoji & Alao, 2009). Many people regarded as settler today may have possibly been indigenes whose parents/grandparents may have earlier emigrated from that community. So also are those who claim to be settlers whose parents may have migrated from other area and have settled in their new aboard for a period longer than their memory can tell.

The issue of human rights: The idea of a federated nationality is the string that binds Nigeria; indigeneship cuts the string. This can be seen in rights that have been accorded to the different citizens- the citizens by birth, registration, and naturalization. Citizenship by birth has the foremost status and it is based on indigeneship or ancestry. Other categories of citizenship have restricted rights and are deprived or alienated compared to citizens by birth. It is only Citizens by birth that can:

1. Maintain dual citizenship. In other words, if he is a citizen of Nigeria by birth, he can retain another country’s citizenship. And you, thus, can get benefit attached to both countries’ membership, such as right to vote, work, protection, and social service. See (Thomas, 2018)
2. Contest elections to office of president of the federation according to section 131 (a) and governors of a state (Constitution of the Federal Republic of Nigeria, 1999).
3. Citizens by birth can never be deprived of their Nigerian citizenship according to section 177(9): Citizens by birth enjoy the above rights in addition to the presumed rights enjoyed by every person, i.e., citizens by registration, naturalization, and settlers. Membership of a majority tribe, tribal affiliation, common language, and religion affiliations may enhance citizens’ right in certain circumstances while membership of a minority tribe, language, and religion differences have in some cases jeopardized citizens’ rights.

IMPLICATIONS OF CITIZENS RIGHTS FOR NATIONAL INTEGRATION AND DEVELOPMENT

Human rights accorded to citizens and persons residing in Nigeria, though appear to be free, are not so. They are conditional upon the performance of reciprocal responsibilities. In fact, as they get many benefits, they have equally important responsibilities as failure to perform such responsibilities effectively results into terminating one’s right.

The responsibilities of citizens in Nigeria are clearly enshrined in the nation’s constitution 1999 section 24. The state relies upon its crop of loyal citizens, whether by birth, registration or naturalization, to help formulate and implement her policies for growth and development which is the norm worldwide. Paradoxically, naturalized citizens, who are required to be persons capable of making useful contribution to the development of areas they live and by extension of the country, are those whose rights are more restricted. It might be unlikely that this category of citizens put in their best in view of the discrimination they suffer. Also, indigenous citizens living outside their home state who suffer deprivations may also be withdrawn in making contribution to state where they reside. Fact exists to prove that non-indigenes living outside their home state show more loyalty to their home state and are more involved in the development of their home states than where they reside except for those who have lost contact with their ancestral homes due to permanent absence from home. The implication of the above is that discriminatory rights among citizens will not help attain sociopolitical cohesion and national development from citizens as desired by the state.

CONCLUSION/RECOMMENDATIONS

It is safe to conclude that citizenship existed before colonial time. Although present day Nigerian citizenship constitutionally was derived from the British Nationality Act but its practice is based on indigeneship which predated the Act. Citizenship by birth is derived from ancestry which connotes indigeneship, unlike in some other countries where it means place of birth. Classification of citizenship gives undue disadvantage to non-indigenes and such premium placed on indigeneship is the basis of discrimination citizens suffer outside their state of origin. And, it is

difficult to see how such citizens (and their offspring who will continuously be second class citizens in the Nigeria state), who have no hope, put a maximum effort to help contribute to national development. The non-existence of strong and functional institutions has worsened the problems for non-indigenes. That intergroup conflict, military coups resource control agitations are linked to perceived citizenship rights denial. That owing to unending migrations of people across cultural boundaries that indigeneship can be lost through long absence from home. Cultural assimilation and inter marriage have potential to reduce discriminations. Retention of lands in the hands of indigene will put settlers in difficult situations. The problem of Nigeria under development and integration is hinged on citizenship more than on any other factor because it is the mind of people that drives development and a class of citizens that is deprived of full rights cannot give their full responsibilities.

It is recommended that:

The federal government must nationalize all undeveloped or reserved lands and establish regulated federal territories as was done in the FCT in all LGA of the federation for non-indigenes and indigenes under control of states.

Government should make more commitments to protecting the rights of all its citizens by using modern technologies to provide security and strengthening state institution to protect non-indigenes. There should be a census/citizens registration which will define its population and enable the government to know and provide for citizens who live outside their areas of origin, especially in times of crisis, elections, and distributions of welfare. In fact, reservation in percentage should be made for non-indigenes based on their population in implementing federal character in states/local government where they reside. The use of environmental factors in consideration of admission quotas in federal government colleges' admission is commendable.

Settlers should acculturate in areas where they settle by marrying in such states, practicing their religions and customs, and involving in the development and well-being of the community they reside. Ability to speak the language well will help.

In view of the above, the dichotomy between indigene and settler among Nigerians needs to be relaxed to pave way for attainment of full citizenship in Nigeria. Also, the government needs to protect citizens' rights by giving adequate security to ensure that all economic, political, and social rights of citizens especially the minorities within states) are guaranteed. Giving adequate security will ensure that area boys used by settlers to frustrate the social economic and political rights of settlers are minimized.

There should also be a creation of neutral territories in all states and local government area capitals to cater for the rights of settlers so that traditional institutions and customs do not affect those areas because it is the traditional institutions that promote indigeneship.

The federal character act needs to be strictly enforced. The established commission should be headed at federal and state levels by 'minorities' in the federation or a "minorities" in that state to avoid compromise as provided in the 1960 constitution.

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