

V. Adefemi Isumonah

An Issue Overlooked in Nigeria's Reforms: The Continuation of Government Discriminatory Practices

Abstract

On the basis of the view that the democratic structures established by the 1999 General Elections are adequate for administering Nigeria, the Obasanjo Administration has refused to convene a National Conference of popularly elected delegates to design a new Constitution for Nigeria. It has for this reason devoted itself to economic reforms, initiating political reforms pretentiously or actually in pursuit of its interest in political control. According to informed opinion, there are many neglected steps even in the Administration's economic reforms project. But this paper is concerned with an aspect of political reform which in the Administration's stillborn political reform initiatives did not receive the urgent attention it deserves for its high political and economic impact on the majority of Nigerians. This is the dichotomy governments at all levels of the Nigerian federation – federal, state and local – make between 'indigenes' and 'non-indigenes' in the allocation of economic and social benefits. It shows the impact of this dichotomy on the rights to seek elective office and demand political accountability, which neither economic reform nor political reform initiatives have accorded necessary attention.

Introduction

Although the Obasanjo Administration was several times soon after its inauguration in May 1999 forced by violent ethnic and religious conflicts to acknowledge the unsettled structure of political and social relations in Nigeria, it did not agree to convene a National Conference to address the issue as popularly demanded by civil society organisations and sub-national groups. It maintained that the representative institutions established by the 1999 General Elections were adequate for administering Nigeria. It has for this reason devoted itself to economic reforms, initiating political reforms on paper, or in actuality in pursuit of its interest in political control.

A strong feeling is expressed in the opinion pages of Nigerian newspapers that the lack of urgent attention to the irregular electricity supply, bad roads, moribund rail transport, prohibitive interest rates and institutional decay are

serious drawbacks on economic reforms, that is, bank consolidation, privatisation, etc., with which the Obasanjo Administration has preoccupied itself.¹ Thus, even in the Administration's economic reforms project are many overlooked steps. But this paper is concerned with an aspect of political reform which in the Administration's still-born political reform initiatives did not receive the urgent attention it deserves for its high political and economic impact on majority of Nigerians.² This is the dichotomy governments at all levels of the Nigerian federation – federal, state and local – make between 'indigenes' and 'non-indigenes' in the allocation of economic and social benefits.

Generally, non-indigenes 'are discriminated against in the provision of vital government infrastructure and services such as schools, health care and even roads'.³ In most cases, they are charged higher school fees, and denied scholarship and employment in government establishments. This paper aims to show the impact of the manner of administration of economic rights as indicated above on political rights, specifically, the rights to seek elective office and demand political accountability, which neither economic reforms nor political reform initiatives have accorded necessary attention.

As Michael Lister notes, social citizenship, which encapsulates all kinds of economic rights, 'is too infrequently related to the political and civil elements of citizenship'; and as he adds, 'research on political citizenship is isolated from social and civil elements'.⁴ However, he recognises a few exceptions, but which also failed to explore the impact of enforcement of social citizenship on the development of political citizenship.

Hence, what is generally known is that minimum economic needs must be met for a person to effectively exercise political rights provided for in the Constitution and statutes.⁵ How the enforcement of social rights along cultural or ethnic lines affects the political rights of individuals (including those whose minimum economic needs have been met by hard work, if you will) in an ethnically diverse sovereign state as Nigeria is not known. If, according to Marshall's unified concept of citizenship, the effective exercise of one type of citizenship right requires other types of citizenship rights, how the enforcement of one type affects another type of right is a good subject for research.⁶ It is the opinion of this author that Nigeria provides the essential material for this.

The next section is devoted to the intellectual and policy milieu of government discriminatory practices, followed by evidence of these in the section immediately after it. These two sections are woven together in a theoretical perspective in the section on the impact of denial of social citizenship on political rights followed by the conclusion.

The Tension between Economic and Political Rights

In its full connotation, citizenship includes the right of residency, civil, political, economic, cultural and social rights as well as administrative

inclusion.⁷ But even with the constitutional guarantees of political rights to vote and seek elective office to all Nigerians in any part of their country they may choose to live in, Nigerians generally lack the confidence to exercise the right to seek elective office outside of their ethno-territorial constituency because of the denial of ownership of that territory or constituency by indigenes or governments.⁸ This denial is reflected in the denial of social rights to non-indigenes.⁹ Discriminatory practices by governments and sub-national groups that engender such denials have been neglected in social science investigation even though they are widespread.¹⁰

Whereas citizenship claims within 'the territorially bounded and state centric international order' that deny social and/or political [citizenship] rights to immigrants in some affluent countries in Western Europe are being challenged in a renewed scholarly debate on trans-state boundaries, writers on Nigeria continue the tendency uncritically to assent exclusive claims in which Nigerians discriminate against other Nigerians in their ethno-territorial enclaves.¹¹ These enclaves have become numerous with thirty-six states and seven hundred and sixty-nine local government areas.¹² The assured punishment by this fragmentation of territorial homeland/constituency that awaits Nigerians who are inevitably subject to market-driven migration and the economic disability it occasions, make the inattention to it by scholars blameworthy. What is more, *indigene* has replaced *citizen* in the vocabulary of public discourse in Nigeria. Academic and democracy activists, just as politicians, journalists, community opinion leaders and ordinary Nigerians, are given to the language of an indigene/non-indigene distinction according to the ethno-territorial definition of indigene. To take an example, Dr Kayode Fayemi, a political analyst and democracy advocate who is aspiring to the governorship post of Ekiti State has written that 'Ekitiland deserves no less from concerned and committed indigenes'.¹³

There is a political awareness of the issue of ethno-territorial identity based discrimination. The Political Bureau that the Babangida Administration instituted 'to examine the causes of national problems and make recommendations' recommended residency for the enjoyment of social benefits.¹⁴ This, like many other necessary measures of political engineering recommended by the Political Bureau was not implemented by the Babangida Administration. That was perhaps because it turned out to be 'unpopular' given that the recommendation was rejected by the Constituent Assembly, which considered the report of the Political Bureau in 1988. In a public lecture, the Governor of Bauchi State, Ahmad Adamu Mu'Azu, noted '... the continuous promotion of the fake lines drawn to further polarize the nation through the use of North-South dichotomy; and of recent the indigene/settler syndrome which has done much harm than good to the unity and brotherhood' of Nigeria. He then urged:

Time is ripe for us to expunge the indigene factor from the constitution of the Federal Republic of Nigeria ... we should be seen to be moving forward into the era of HITECH

than moving back to primitive age. We should exploit the diversity in our culture and multi ethnic nature of our country to create a pan Nigeria where everyone can go and be what he wants to be anywhere in the country without fear of harassment or molestation.¹⁵

But political awareness of the issue of discrimination evident above has not led to concrete policy measures for dealing with it. Therefore, the reluctance of political leaders to deal with the issue needs to be tackled by scholars.

Surprisingly, scholars do not even show the same degree of awareness of the issue of government discriminatory practices, not to mention noticing the contradictions. Their analyses of group inequalities have only provided the ground for such practices. For example, Adele L. Jinadu observes that the problem that afflicts the state formation process is that while it is based on the 'notion of common or inclusive citizenship', access to state power and its benefits is unevenly distributed between ethnic groups.¹⁶ The logic of his analysis that followed is that 'redress' of the situation requires some form of discriminatory practice. However, the contradictions in the kinds of discriminatory practices in Nigeria challenge scholars to espouse an empirically based normative argument for social citizenship rights to be claimable by residency. The positive effect inclusive social citizenship will have on political participation and accountability commend it to a scholarly exposition.

Currently, discriminatory distribution of social benefits allows 'local' political leaders to do as they please with the public treasury while they look like heroes in the eyes of their lowly ethnic folks for championing an ethno-territorial language of rights. This is more so that indigenes have preoccupied themselves with seeking and defending preferential treatment against non-indigenes and are not disposed to holding ethno-territorial governments to account for the huge financial resources at their disposal that could possibly make a much more positive difference for their well-being. They have at times gone as far as constituting themselves into defence counsels for their indigenes in government being prosecuted for embezzlement of public funds.

Governed by closed ethnic polities' thinking, writers have treated poor governance in Nigeria as a national problem only. They have assumed, regardless of the evidence on ground, that ethnic minority rights or the welfare of individuals of ethnic minorities inhere in the sub-national or ethnic polity and thus in further fragmentation of state structure in furtherance of the distribution of resources along ethno-regional origin.¹⁷ They have swept under the carpet the abuse of the rights of new minorities in the ethno-region in their tendency to propose pro-ethno-territorial approaches to ethnic minority grievances because of their narrow and strictly ethno-territorial concept of minority.

The gravity of discrimination by governments against Nigerians in various political units has escaped the notice of students of Nigeria because of many other factors. Reference to two of them will suffice. The first factor is the real or perceived preference of Nigerians for the ethno-territorial distributive principle. Although it is recognised in the literature that this principle has been

championed by the elite mostly for their own benefit,¹⁸ investigation into the economic and political contradictions of discriminatory administration of rights is not deemed necessary because of the generalised utility of ethnic identity.¹⁹ Consequently, there is an implicit acceptance in the extant literature of the impossibility of a socially and politically integrated Nigerian multi-ethnic state without first critically examining the political, social and economic implications of the exclusionist policies of autonomous political units for individual well-being, group (minority) rights, and the Nigerian polity.

The second factor in the absence of policy-driven research on discriminatory practices and the actualisation of group rights and individual well-being is the essentialist view of group identity, which is based on three assumptions. First, all [presumed] members of the group want to preserve the group's identity because only in it lies their well-being. Second, all [presumed] members of the group regard its boundaries as sacrosanct. Third, all [presumed] members of the ethno-territorial group wish to remain permanently in it and nurse no desire for membership of another group. Consequent upon this essentialist view and reification of group identity, there is inattention to the examination of the ethnic polity as the guarantor of individual well-being and the empirical trends that challenge or deviate from attachment to ethno-territorial boundaries. Take for example the mismanagement of homogeneous ethnic polities and migrations across Nigeria that indicates an increasing detachment from ethnic culture of points of migration and increasing cross-cultural interactions in Nigeria. If there are individual behavioural exceptions to general group cultural attitudes and practices or defiance of walls between cultures by individuals as for example indicated by cross cultural marriages, the search for the understanding of sustenance of group attitudes and practices and cultural barriers must focus on individuals. This is to suggest that cultural attitudes such as ethnic or racial prejudice are actually individual phenomena rather than group ones, as they might appear. They have assumed a group characteristic only because most members of the group are indulging in them.

Administration of Socioeconomic Rights²⁰

Discriminatory practices against non-indigenes who are nonetheless citizens of Nigeria are based on the 'notion that state governments are only responsible for the well-being of indigenes'.²¹ They are so widespread that they are passed off as normal even though unconstitutional. Case studies of Kaduna, Kano and Plateau States indicate the following types of discrimination. One category of discrimination concerns government employment or retirement pensions. Non-indigenes are employed on 'contract' rather than on a pensionable basis by local and state governments. Some contract civil servants have been sacked after two or more decades in service without any forms of compensation. The

federal government for its part practices discrimination in recruitment into its establishments supposedly in pursuit of fairness to all geo-ethnic groups.²² It explicitly bars non-indigenes of the location of its establishment from seeking employment into the lowest cadres, Grade Levels 01-07.

For some state government officials, even employment in private sector establishments situated in their states should be for indigenes only. They promote and where possible, thrust this policy on these establishments. There is no better evidence of this official policy than in the welcome speech of Governor Peter Odili of Rivers State to the Managing Director of Lufthansa while paying him a courtesy visit on 17 April 2005 in his office at the conclusion of Lufthansa's plans to operate direct flights from Port Harcourt to Germany. He wished that out of every ten Nigerian employees Lufthansa was to recruit, eight should be 'true sons and daughters' of Rivers State.²³ The mainly Rivers State audience expectedly cheered hectically. In the implementation of jobs in the state for indigenes of the state policy, there have been occasions where Rivers State indigenes who are not qualified for certain jobs in the private sector presented themselves for employment, only to sell their offers at the point of appointment. The State's Commissioner for Youths and Sports admitted in a Radio interview that Bonny (the location of Nigeria's Liquefied Natural Gas Company) youths indulged in such a practice. He then advised them to allow other Rivers indigenes to take up such appointments instead of selling them to non-indigenes.²⁴

In this regard, distribution rather than production is the thrust of employment even in the private sector as it often is in government establishments. This explains why government establishments are often overstaffed in Nigeria. This curious definition of employment in a market economy is partly responsible for the inefficient service delivery especially by government agencies, which, ironically, economic reforms are intended to tackle. It goes without saying that indigene policy could clog the drive for efficient production and distribution of goods and services by economic reforms in Nigeria.

Discriminatory admissions' practices, fees charged and scholarship opportunities are the second category of government discrimination. Both state and federal governments are guilty of discriminatory admissions' practices. The Federal government currently discriminates to the extent of 55 percent in admissions into its universities, including around 35 percent for 'locality' of the university and 20 percent for States that have been dubbed Educationally Disadvantaged.²⁵ State governments for their part, reserve limited quotas for non-indigenes including those who were born and raised in their states. This means that entry qualifications are exceptionally high for applicants regarded as non-indigenes. Having secured admission on what is not a level playing ground with indigenes, non-indigenes are subjected to another form of discrimination when they are charged fees, while it is free for indigenes or higher fees where indigenes are charged at all. Sometimes, the differential fees paid by

non-indigenes are two or three times those of the indigenes. Charging non-indigenes higher fees is made worse by the denial of scholarship opportunities or benefits where they are provided by the state government that owns the educational establishment. Such a denial absolutely takes no account of the financial status of the guardians of non-indigenes who are mostly poor judging by the 54 percent poverty level of Nigeria according to the National Population Commission 2004 survey.²⁶ Furthermore, state governments indulge in the discriminatory practices against non-indigenes even if their parents or guardians have lived all their working life in their states and paid taxes to them.

The various forms of discriminatory practices, from education to employment opportunities and benefits, are based on the assumption of that the victims of discrimination have a safe haven in another local or state government that will recognise and treat them as their own [indigenes]. However, this is not often the case. Safe havens are increasingly disappearing for many a Nigerian who cannot demonstrate their indigeneity of any part of Nigeria with a certificate issued by local government in consultation with its traditional rulers. A Report from Human Rights Watch deserves quoting at length:

A Nigerian who does not have an indigeneity certificate will be treated as a non-indigene in her formal interactions with all levels of government. In addition, a Nigerian who does not have a certificate of indigeneity from a local government somewhere in Nigeria is effectively an indigene of nowhere. An increasing number of Nigerians find themselves in trapped in this category of stateless non-indigenes. In some cases this is because their families have been living on the land they now occupy for generations and no longer remember precisely where their ancestors migrated from. In other cases non-indigenes may know where their families originated but cannot persuade local officials there that they are bonafide indigenes.²⁷

Thus, Nigerians who are unable to procure an indigene certificate have become citizens without states, that is, with no homeland and without which they cannot claim citizenship rights anywhere in Nigeria. For such ones, the Nigerian identity is empty.

The circle of discrimination is completed when non-indigenes are denied direct political participation such as seeking elective office to represent the constituency in which they have lived all their life – or all their adult life – but are not recognised as indigenes. It is not surprising that indigenous community leaders have resorted to violence to stop non-indigenes from seeking political office in Warri, Delta State. As a non-indigene in Kaduna State put it, ‘[Even though] I have lived in Kaduna State for twenty years I cannot run for the chairmanship of my LGA [Local Government Area]. The party stalwarts would tell me to go back to my home state. But of course I cannot be elected there either after being away for twenty years’.²⁸ While the point about the possibility of being elected in the ‘home’ state (where it can be traced) is exaggerated as will be shown in the next section, it underlines the difficulty into which political rejection in the place of abode puts the victims should they resort to seeking

elective office in a place they have not lived in for a very long time. As Human Rights Watch reports,

The government of Plateau State has appointed a local government administration in the state capital's Jos North local government area, and refuses to hold elections there, because of fears that the area's large non-indigene Hausa population might propel candidates from their own community to victory; state government officials say they worry such a development would spark violent conflict.²⁹

The foregoing are examples of direct actions of indigenes against the political rights of non-indigenes in their midst. The next section shows the link between the denial of socioeconomic rights and the political efficacy of non-indigenes, a necessary step to the critical requirement of political participation beyond voting at elections. Indeed, it puts the psychological impact of the denial of social citizenship on political citizenship of non-indigenes in an explanatory frame.

Impact of Denial of Social Citizenship on Political Rights

Michael Walzer aptly captures the link between identity and access to socio-political goods when he stated that membership is a primary 'social good' because it is a prerequisite to the distribution of other goods.³⁰ Nationality is such a necessary membership for direct political participation. As I argued elsewhere, culture is the supreme determinant of nationality.³¹ If the nationality of an individual is free of dispute, the individual is invariably guaranteed the right of political participation including the right to seek office to represent and demand accountability from office holders of the constituency. Such an undisputed claim to a territory/constituency is a necessary seed for the development of political efficacy (a psychic quality) of an individual. It is the foundational social capital for political participation.

The unmistakable message of discrimination in the distribution of social benefits to non-indigenes, then, is that they are not nationals of the constituencies of their abode who as such cannot engage in direct political participation, in this case, seeking to be representatives or asking questions about the administration of those constituencies. It is a subtle but powerful message to the extent that it has been internalised by Nigeria's by all from low to mighty or economically advantaged and disadvantaged. The extent of internalisation of this message can be seen from the behaviour of Nigerians who have taken it upon themselves to champion the personal liberty and well-being of their less privileged fellow Nigerians. Quite usually, they leave the constituency where they have lived all their working and public advocacy life for the ethno-regional constituency that is assumed their own when they decide to take the bull by the horns by seeking political power (see below for select examples). The message of discrimination sinks even in these personally economically advantaged persons in Nigerian society even though they might not be personally touched

by discrimination because of its underlying identification mark on them. Thus, it is the identity behind the discriminatory administration of social benefits in a given constituency that erodes the claim to its nationality, and not necessarily the experience of discrimination personally. The message sinks even deeper in those personally touched by discrimination because of their lowly material status. In any case, all who bear the mark of non-indigene (non-national) are burdened by a sense of alienation that effectively divests them of a sense of belonging to the constituency.

Discriminatory administration of social benefits brings about in effect political inclusion and exclusion. While indigenes of the ethno-territory/constituency are included, non-indigenes are almost totally excluded. Non-indigenes can give their votes but cannot ask the votes of others to represent the constituency. They do not for that matter have the moral obligation or authority to demand accountability from those who (indigenes) rule the constituency even when they are faced with the need. Lack of moral authority is apart from the loss to discrimination of a stake in the constituency that should prompt the need to demand accountability. To that extent, non-indigenes are not full citizens.

Partial exceptions to this gradation of political citizenship are whole migrant settlements that are big enough to form a mini ethno-territory/constituency within a 'foreign' ethno-territory/constituency. Examples are Sabo, Oremeji, Oketunu and Okoro areas of Mokola, Ibadan, Oyo State (south west) and Sabongari in Kano, Kano State (north west) where non-indigenes enjoy full citizenship so long as it is strictly to represent the settlements of the mini ethno-territory. This means that their enjoyment of full citizenship is permissible only at the level of the smallest political constituency, that is, the Ward of the Local Government Council. They can seek to be a Councillor to represent the Ward in the Council and not to be Chairman of the Council, member of the State House of Assembly or National Assembly on the platform of this constituency. If they have such higher political aspirations, they must seek them through their 'indigenous' ethno-territorial constituency.

Yet, in ethnically mixed settlements as examples above, political inclusion accommodates some and excludes others according to broader ethno-territorial concept of indigeneity. It is this definition of indigeneity that has made it possible for Yoruba and not Igbo immigrants to enjoy full political citizenship in Lagos State, a part of Yoruba land. Rauf Aregbesola originally from Osun State (Yoruba land), is Lagos State Commissioner for Works and Infrastructure while Senator Olorunibe Mamora originally from Ogun State (Yoruba land), is representing the Lagos East Federal Constituency in the Senate, to mention a few examples. Those included derive their inclusion entirely from different sources just as can be used by indigenes from objective membership of the ethnic group whose traditional homeland straddles the place of their domicile. Markers of objective ethno-territorial membership include names, language

and physical features. Any of these can erode the political efficacy of non-indigenes whose definition of their indigeneity is entirely from different sources just as can be used by indigenes to deny them political inclusion no matter how long they have lived in the ethno-territory.

Even non-indigenes who derive their political citizenship from belonging to the ethnic group of the ethno-territory have at times had their political inclusion challenged by the indigenes of this ethno-territory. For example, Babatunde Oduyoye who represents Ibadan North West/South West Federal Constituency in the House of Representatives had his political inclusion in the constituency seriously disputed when he was seeking re-nomination to contest election on the platform of the Alliance for Democracy to renew his tenure in 2003. He strenuously used his landed material assets and not the fact that he had lived all his life in Ibadan to defend his inclusion. If it is hard to enjoy political inclusion by individuals like Oduyoye who belong to the ethnic group that spans his constituency, it is better imagined how harder it is for those whose objective ethno-territorial membership is totally different from that of the place of their abode. As a non-indigene of a different ethno-territorial membership living in Kano, Kano State, put it, 'non-indigenes there generally did not even consider running for office because "all kinds of coalitions would build up against you and prevent you from competing effectively"'.³²

Political exclusion of non-indigenes operates in a way that leads indigenes to adopt protectionist and defensive behaviour. Ethnic folks in government are seen as a gateway to national resources for the ethno-territory. As a result, charges of misconduct by someone of another group against an ethnic folk are easily dismissed as witch-hunting. On the other hand, non-indigenes lack the motivation to initiate, much less press the demand for accountability from the government of the ethno-territory, which they have been told does not exist for them by discriminatory policies. Ultimately, the defensive behaviour of indigenes combines with lack of moral obligation of non-indigenes to participate in the administration of their locality to stall the ripening of issues of accountability toward a resolution for good governance and by implication, the welfare of all, even before they take the centre ground of public discourse.

Impact of Administration of Economic Rights on Political Rights: Selected Profiles

- Dare Babarinsa, Co-founder/Executive Editor of *Tell* magazine, one of the two guerrilla news magazines (the other is *TheNews*), is known for creating a publishing outlet in the struggle against military dictatorship between 1993 and 1998. Specifically, these magazines together with Radio Kudirat earned the label 'guerrilla' media from their 'hit-and-run style in which journalists operating from hideouts continued to publish opposition and critical material in defiance of repressive and authoritarian power'.³³ Operating in an environment very hostile, even dangerous, Babarinsa has lived virtually all his

working life since 1982 in Lagos but is aspiring to the office of the Governor of Ekiti State rather than Lagos State under the Alliance for Democracy.³⁴

- Femi Falana, a lawyer and human rights activist, is a member and director of numerous civil society organisations in and out of Nigeria. He is the President of West African Bar Association; former President, National Association of Democratic Lawyers; former President, Committee for the Defence of Human Rights (CDHR); Defence Counsel in *Federal Republic of Nigeria v. Ken Saro-Wiwa & Others*, to mention but a few. Falana is easily identified as one of the ‘people’s’ lawyers because of his role in challenging human rights abuses and anti-people policies of governments both in the court and in public commentaries. For his anti-government posture, he was several times between 1995 and 1998 detained and charged with unlawful assembly, sedition and treasonable felony, but never convicted.³⁵ Falana has lived and worked in Lagos for over two decades and has been Ekiti State gubernatorial aspirant under the National Conscience Party since 2003.
- Adams Oshiomhole, President, Nigerian Labour Congress and social critic, is a highly regarded labour leader and advocate of the rule of law and rights of workers. He has been dubbed ‘unofficial leader of opposition’ because of his political activism.³⁶ Oshiomhole is Edo State Gubernatorial aspirant even though he has lived and worked in Kaduna and Lagos States.
- Dr Kayode Fayemi, academic and human rights advocate, was also co-founder of the opposition radio, Radio Freedom, later Radio Democracy International and Radio Kudirat. He was, remarkably, the founding Director of the Centre for Democracy and Development (CDD), a non-governmental research organisation devoted among others to the study and mobilisation of public consciousness around issues of good governance and democracy in West Africa. Dr Fayemi has lived in Lagos, Lagos State since 1998 and is Ekiti State gubernatorial aspirant.
- The late Dr. Ayo Daramola, former lecturer, University of Agriculture, Abeokuta, Ogun State and World Bank Consultant, lived in Lagos, Lagos State and was gubernatorial aspirant of Ekiti State.
- Professor Julius Kayode Omozuanvbo Ihonvbere, political scientist, former Ford Foundation Programme Officer in Governance and Civil Society, is a human rights activist and was an active member of the Nigerian Diaspora pro-democracy movement that operated Radio Kudirat. He is currently Special Adviser to the President on Programme and Policy Monitoring.³⁷ Born and raised in Yoruba land of Osun State, since returning to Nigeria in 2001 he has lived in Yoruba land of Lagos, Lagos State. Professor Ihonvbere is Edo State gubernatorial aspirant.
- Dr Tunji Abayomi, lawyer and human rights activist, is the founder and Chair of Council of Human Rights Africa. He was detained for advocating

the then General (Rtd.) Olusegun Obasanjo's innocence in the alleged 1995 coup plot against General Sani Abacha. Dr Abayomi has lived all his working life in Lagos, Lagos State but is Ondo State gubernatorial aspirant.

Conclusion

Citizenship is a critical institutional and identifying mark of any political economy because it defines the boundaries of political and economic participation.³⁸ Full citizenship is a license for full participation just as partial citizenship is a limitation on participation. The trend in Nigeria, with administrative territorial fragmentation and an increasingly mobile population, is that more and more Nigerians are being rendered partial citizens who cannot participate fully because of the discriminatory administration of social benefits. Discriminatory practices have brought this situation about by promoting the idea that the political space of the ethno-territory belongs exclusively to the indigenes, and by forcing non-indigenes to remain aloof. As a result, the development of an inclusive political and economic community required for the efficient production and reproduction of the state and society is stunted.

Cultural exception has been the ready tool for the strong particularistic tendencies in Nigeria. For proponents of such tendencies, the argument against ethnically based discriminations is most insensitive to the cultural diversity of Nigeria. But for these ones for whom Nigerian cultures are sacred, there is no problem with the bearers of these cultures relishing the consumption of products and services from countries that enabled their production with socio-political citizenship arrangements sharply at variance with Nigeria's. Even more contradictory is the acceptance of champions of particularistic tendencies of their folks to embrace the citizenship of developed countries with the prospect of full inclusion rather than contemplating extending full citizenship rights to Nigerians of other cultures in their ethno-regional enclaves.

Its generic cause, discriminatory administration of social benefits, aside, political exclusion of non-indigenes has some rationalisation in the perception of political representation. The history of corrupt use of democratic mandate has given a bad name to political representation in Nigeria.³⁹ It is not viewed as an expression of the General Will or as a means for pursuing the collective good. Rather, political representation is seen as a means of great personal gain for the representative. There is much evidence of this in the stupendous remunerations, perquisites of office and outright appropriation of public funds for personal enrichment by elected representatives.⁴⁰ That being the case, the electorate is naturally averse to a situation where non-ethnic Nigerian folks would ride to great wealth on the back of their constituency. They would rather have one of their 'own' take the slice of the spoils. However, Nigeria needs to learn from the European Union (EU).

The EU's approach to economic integration has rightly recognised that political integration is necessary for the achievement of economic integration. It is also recognised that there cannot be political integration without economic integration. As a result, EU political leaders who want to see EU member countries united economically are granting political rights in addition to economic and social rights to each other's nationals who reside among them.⁴¹ They are doing this to encourage grassroots acceptance and support for economic unification of EU. This bottom-up approach to economic unification gives the entire people of EU an incentive to be involved in working toward European economic integration. It is significant even though in the opinion of analysts, progress toward a European identity is slow.⁴²

Nigerians, wherever they live in Nigeria, need similar incentives to believe in the Nigerian state project. If Nigerian authorities are serious about this project and in the context of this paper, about economic reforms, they ought to notice the contradiction that the indigene/non-indigene dichotomy in the distribution of social benefits constitutes for Nigeria's political economy. It is a serious contradiction in a political economy to punish those who respond to its market principles by being mobile.⁴³ Nigerian authorities also ought to notice that it is contradictory to institute democratic rule and limit political participation indirectly by denial of social citizenship. As Jean Grugel has noted, participation and representation, among others, are central to democratisation.⁴⁴ As such, disenfranchisement of non-indigenes as in limiting their political aspirations and erosion of their stake in the accountability of elected representatives in the ethno-territorial constituency of their dwelling is indicative of a 'weak' democracy. Fostering a real stake in local life can help build a political identity faster than by simply demanding that Nigerians should focus what they can do for Nigeria in radio and television jingles.

Notes

1. See for example, Said Adejumobi, 'The bogey of reforms', *The Guardian*, Lagos, 16 August, 2006, http://www.ngrguardiannews.com/editorial_opinion/articles03, downloaded on 6/08/06, 12 noon.
2. Examples of stillborn presidential political reform initiatives are All-Party Technical Committee, 1999 and National Political Reform Conference, 2005. The Administration evidently intended to use the latter to elongate the tenure of President of Olusegun Obasanjo. This intended use of the Conference was its undoing because of its unpopularity. Hence, the reform process it started collapsed on the floor of the Senate on 16 May 2006.
3. Human Rights Watch, *They Do Not Own This Place: Government Discrimination Against 'Non-Indigenes' in Nigeria*, Vol. 18, No. 3(A), (2006), Washington, DC: Human Rights Watch, p.17.

4. Michael Lister, "Marshall-ing" Social and Political Citizenship: towards a Unified Concept of Citizenship', *Government and Opposition*, Vol. 40, No. 4, 2005, p. 472.
5. D. King & J. Waldron, 'Citizenship, Social Citizenship and the Defence of Welfare Provision', *British Journal of Political Science*, Vol. 18, No. 4, 1988, pp. 415-443.
6. For the unified concept, see T.H. Marshall, 'Citizenship and Social Class', in T. H. Marshall, ed., *Sociology at the Crossroads*, London, Heinemann, 1963, pp.67-127. This concept of citizenship renders the debate on which, between civil and political rights on the one hand and economic and social rights on the other, take precedence over the other, rather esoteric. For the debate, see for example, Rhoda E. Howard, 'Evaluating Human Rights in Africa: Some Problems of Impact Comparisons', *Human Rights Quarterly*, Vol. 6, No.2, 1984, pp.160-179; Claude E. Welch, Jr. & Ronald I. Meltzer, eds., *Human Rights and Development in Africa*, Albany, N.Y., State University Press, 1984; and Abdullahi Ahmed An-Na'im & Francis M. Deng, eds., *Human Rights in Africa: Cross Cultural Perspectives*, Washington, DC, The Brookings Institution, 1990.
7. Seyla Benhabib, 'Transformations of Citizenship: The Case of Contemporary Europe', *Government and Opposition*, Vol. 37, No. 4, 2002, p.439.
8. The Constitution in its provisions on citizenship implies the right to seek office anywhere. Section 42(1) is particularly instructive. It states,
 - '(1) A citizen of Nigeria of a particular community, ethnic group, place of origin, sex, religion or political opinion shall not, by reason only that he is such a person:-
 - (a) be subjected either expressly by, or in the practical application of, any law in force in Nigeria or any executive or administrative action of the government, to disabilities or restrictions to which citizens of Nigeria of other communities, ethnic groups, places of origin, sex, religions or political opinions are not made subject; or
 - (b) be accorded either expressly by, or in the practical application of, any law in force in Nigeria or any such executive or administrative action, any privilege or advantage that is not accorded to citizens of Nigeria of other communities, ethnic groups, places of origin, sex, religion or political opinions'.
9. In spite of the evidence adduced by research regarding the situational character of ethnicity, the tendency to treat ethnic groups as real continues in popular, political and administrative discourses. No where is this more true than in Nigeria. See Rogers Brubaker, *Ethnicity Without Groups*, Cambridge, MA, Harvard University Press, 2004.
10. Human Rights Watch, 'They Do Not Own This Place'.
11. Seyla Benhabib, 'Transformations of Citizenship', p.439. An early scholarly challenge to the dominant idea and actual division of the world into states is by Edmund Burke. For this and some recent scholarly doubts on a world with borders, see Herbert Dittgen, 'World without Borders? Reflections on the Future of the Nation-State', *Government and Opposition*, Vol. 34, No. 2, 1999, pp.161-199. For a critique of the reification of ethnic groups and identities by popular and adminis-

trative discourses in spite of the research proven situational character of ethnic identity, see Rogers Brubaker, *Ethnicity Without Groups*, Cambridge, MA., Harvard University Press, 2004.

12. Constitution of the Federal Republic of Nigeria 1999, Lagos, Federal Government Press.
13. Kayode Fayemi, 'Collective Rescue Mission: Restoring Integrity, Ensuring Development in Ekiti-State – A Message from Kayode Fayemi', <http://www.nigerianmuse.com/projects/EkitiDevelopmentProject/KF-CV-POLI TICS.DOC>, 2006, p.1. Downloaded on 19/09/2006, 14.35.
14. Richard L. Sklar, 'Foundations of Federal Government in Nigeria', in Adigun A. B. Agbaje, Larry Diamond, and Ebere Onwudiwe, eds., *Nigeria's Struggle for Democracy and Good Governance: A Festschrift for Oyeleye Oyediran*, Ibadan, Ibadan University Press, 2004, p. 9; see also *The Political Bureau Report 1987*, Lagos, Federal Ministry of Information.
15. *The News*, Lagos, 23 August 2004, p. 34.
16. Adele L. Jinadu, 'Explaining and Managing Ethnic Conflict in Africa: Towards a Cultural Theory of Democracy', Uppsala University Forum for International and Area Studies Lecture, 5 February 2004.
17. This assumption dominates the thinking of other very informed Nigerians. Witness for example, the argument of Nigeria's English Professor and poet, John Pepper Clark, for more states for the Ijaw ethnic group. See J. P. Clark, 2006, 'Two more homes their own', *The Guardian*, Lagos, Opinion page, 19 June 2006.
18. Okwudiba Nnoli, *Ethnic Politics in Nigeria*, Enugu: Fourth Dimension Press, 1978.
19. In a critique of the elite perspective on ethnicity that suggests the elite invest in the construction of ethnic identity for their own economic and political goals, Osaghae (1991) argues that the non-elite also use ethnic identity to further their interests such as in securing a job or contract. Osaghae, E. Eghosa, 'A Re-examination of the Conception of Ethnicity in Africa as an Ideology of Inter-Elite Competition', *African Study Monographs* (Kyoto), Vol.12, No.1, 1991, pp.43-61.
20. This section draws some of its field reports from Human Rights Watch, *They Do Not Own This Place*.
21. *Ibid.*, p. 27.
22. The Constitution states in 14 (3), that 'The composition of the Government of the Federation or any of its agencies and the conduct of its affairs shall be carried out in such a manner as to reflect the federal character of Nigeria and the need to promote national unity, and also to command national loyalty, thereby ensuring that there shall be no predominance of persons from a few State or from a few ethnic or other sectional groups in that Government or in any of its agencies'.
23. Seven o'clock broadcast of the Nigerian Television Authority (NTA), Port Harcourt, 17 April 2005.
24. Radio Rivers 2 (FM Station), 9-10 a.m., Interview, 28 July 2005.

25. B. Ahmad. Salim, 'Problems of Assessment and Selection into Tertiary Institutions in Nigeria, Paper presented at the 21st Annual Conference of AEAA held at Cape Town, South Africa from 25-29 August 2003.
26. Otiye Igbuzor, 2006, 'Review of Nigeria Millennium Development Goals 2005 Report', Paper presented at the MDG/GCAP Nigeria Planning Meeting held in ABUJA, Nigeria on 9 March, 2006.
27. Human Rights Watch, *They Do Not Own This Place*, p.20.
28. Ibid., pp.30-31.
29. Ibid., p.31.
30. Cited in Seyla Benhabib, 'Transformations of Citizenship', p. 24.
31. Isumonah, V.Adefemi, 'Land Tenure, Migration, Citizenship and Communal Conflicts in Africa', *Nationalism and Ethnic Politics*, Vol.9, No.1, 2003, Spring, pp.1-19.
32. Human Rights Watch, *They Do Not Own This Place*, p.31.
33. Ayo Olutokun, 'Authoritarian State, Crisis of Democratization and the Underground Media in Nigeria', *African Affairs*, Vol. 101, 2002, pp. 317.
34. http://www.nigeriannews.com/Dare_Babarinsa_Curriculum_Vitae.htm, downloaded on 19/09/2006, 14.30.
35. <http://www.internetbar.org/modules.php?op=modload&name=News&file=article&sid=32&mode=thread&order=0&thold=0>, downloaded on 19/09/2006, 14.45.
36. <http://allafrica.com/stories/printable/200609150396.html>, downloaded on 19/09/2006, 13.08.
37. <http://people.africadatabase.org/en/profile/2626.html>, downloaded on 19/09/2006, 14.07.
38. Elizabeth Jelin, 'Citizenship Revisited: Solidarity, Responsibility and Rights', in Elizabeth Jelin and Eric Hershberg, eds., *Constructing Democracy: Human Rights, Citizenship and Society in Latin America*, Boulder, CO: Westview Press, 1996, pp. 101-119.
39. Tom Forrest, 'The Political Economy of Civil Rule and the Economic Crisis in Nigeria (1979-84)', *Review of African Political Economy*, Vol. 13, No. 35, 1986, pp.4-26.
40. The President and Vice-President are currently engaged in allegations and counter allegations of corrupt personal enrichment against each other. The Vice-President has been indicted by a panel of the Federal Executive Council. See for examples, Reuben Abati, 'A Bolekaja Presidency (4)'; T.O. Shobowale Benson, 'The Obasanjo-Atiku Imbroglio' and Levi Obijiofor, 'Obasanjo, Atiku and the imperilled nation', *The Guardian*, Lagos, 23 September, 2006. [Http://www.ngguardiannews.com/editorial_opinion/article02](http://www.ngguardiannews.com/editorial_opinion/article02), 10.00 a.m.
41. Roger Morgan, 'Towards a common European Citizenship', Review article in *Government and Opposition*, Vol. 31, No. 2, 1996, pp. 241-249.

42. Alan Rosas, and Esko Antola, *A Citizen's Europe: In Search of a New Order*, London: Sage, 1995.
43. Mamood Mamdani, 'Beyond Settler and Native as Political Identities: Overcoming the Political Legacy of Colonialism', in Centre for Advanced Social Science (CASS), *Ideology and African Development*, Proceedings of the Third Memorial Programme in honour of Professor Claude Ake, Port Harcourt, CASS, 2000, pp.4-22.
44. Jean Grugel, 'Democratization Studies: Citizenship, Globalization and Governance', *Government and Opposition*, Vol. 38, No. 2, 2003, pp. 238-264.

V. Adefemi Isumonah
Irish Centre for Human Rights,
National University of Ireland, Galway,
Republic of Ireland
Email: adefemi.isumonah@nuigalway.ie
isumonah@yahoo.com