



STATE-CITIZEN RELATIONS IN NIGERIA, BREACH OF A SOCIAL CONTRACT AND THE WAY FORWARD

Ikenga ORAEBUNAM¹

**Senior Lecturer, Department of International Law & Jurisprudence
Faculty of Law, Nnamdi Azikiwe University, P.M.B. 5025, Awka, Nigeria
E-mail: ikengaken@gmail.com. Phone: +2348034711211**

ABSTRACT

This paper critically examines the state-citizen relations in Nigeria today and discovers a breach of a social contract. It finds out that the classical purpose of a state is not adequately realised. There are cases of fundamental rights violations, insecurity, unemployment, religious violence, and so on. The study reveals that inefficient leadership, cult of mediocrity, corruption, religious intolerance, tribalism, unreliable judiciary, and materialism are the root causes of the breach. This anomaly has a double effect on the citizen, namely, lack of confidence on the state and general spirit of unpatriotism. The result is the undermining of the democratic consolidation that the government preaches but which is at best a slogan. The paper suggests quality education, value reorientation, respect for the rule of law, construction of a civil society, inter-ethnic and religious dialogue, among other factors as the way out.

Keywords: Nigeria, Social Contract, Rule of Law, Jurisprudence, Citizenship

INTRODUCTION

The prevailing socio-economic and political processes in Nigeria today suggest a candid recognition of a gradual if not outright collapse of a post-colonial nation. A good deal of democracy dividends eludes Nigerians who expect much from the State. Shortly before 1960, hopes were high that would independence be granted to Nigeria, sustainable development would not take much time to reach the door steps of both the state and the individual citizens in particular. But it seems such hopes were dashed to the ground as soon as the steering of the ship passed into the hands of autochthonous elites who due to their recklessness are better described as conquerors of their kit and kin. Again, most citizens themselves appear to be more concerned with their selfish and ethnic aggrandizement than with the common good of all. This state of affair goes to show that the issue of both distributive and commutative justice in Nigeria need be properly addressed via the help of an independent Judiciary.

A cursory look at the situation on ground would not fail to reveal the correctness of the above observation. The political terrain is dirty and the economic system tattered. Many of the social infrastructures and amenities are either not in place or, where they are, are epileptic or totally decrepit. Civility and genuine value system have been jettisoned in favour of an ideology that for want of better word can aptly be described as “corruptionism” which fills both the public and private, high and low places to the brim. This is not to mention the socio-cultural heritages which are fast being eroded by a culture of materialism and consumerism. The net effect is the chequered and ruffled relationship between the state and the citizens. It will thus not be superfluous to adumbrate the real cause of this malaise and attempt a panacea.

¹Ikenga K. E. Oraegbunam, PhD (Law), PhD (Rel. & Soc.), PhD (Phil.), MEd, BL, Legal Practitioner, and Senior Lecturer, Department of International Law & Jurisprudence, Faculty of Law, Nnamdi Azikiwe University, P.M.B 5025 Awka, Anambra State, Nigeria. E-mail: ikengaken@gmail.com. Phone: +2348034711211.

The main thrust of this paper therefore is to make a study of the situation, and make recommendations as to the rights and duties of both the state and individual citizens in view of sustainable development of the Nigerian State and its citizens. Thus, we shall attempt to answer to the following questions. What is the state? Who are the citizens of a state? What is the origin and purpose of the state? What is expected of the state by the citizens? What are the cherished contributions of the citizens to the smooth running of the polity? Are these ideals obtainable in Nigeria today? What are the responsible factors that mar and unmake the Nigerian national developmental struggle? What are the possible solutions to the problems? We shall attempt these questions mainly from ethical, legal and sociological perspectives.

THE MEANINGS OF THE STATE AND OF ITS CITIZENS

The State

Before delving into the issue of the origin and purpose of the state, it may be worthwhile to define what we mean by the 'state', many scholars have attempted a definition or description from their respective points of view.

Laski (1967:21) defines the state as "a territorial society divided into government and subject claiming, within its allotted physical area, a supremacy over all other institutions". Similarly, Shaw (1997:140) notes that a state for the purpose of qualifying as a person in international law and relations must possess the following features: a permanent population, a defined territory, government and capacity to enter into relations with other states. Although the above definitions do not make any reference to the state's functional relationship with the citizens, what is salient however the distinction between the state and the government is; Government is a narrower term than the state. The state harbours both the government and the citizens. But it must be noted as observed by Odimegwa (1994:5) that "government is a machinery through which the aims of the state are realized. Appadorai (1975:47) writes that the government is the agency of the state. The state therefore is more permanent than the government as the government of the state frequently changes.

On the other hand, Ward (1965:215) defines the state as "a society or community of persons united under an organized rule and law to pursue the common temporal good". In this definition, we see that a perfect state is the one which seeks the common good of its citizens and possesses means of attaining its ends. In the same vein, Fagothey (1959: 404) sees the state as a perfect and self-sufficient natural society consisting of many individuals and families united under common authority for the attainment of temporal welfare of the community. According to the above understanding, a state can be said *inter alia* to be a moral good where justice and promotion of the general welfare of the people are pursued and established.

Citizen

Who is a citizen of a state? Longman Dictionary of Contemporary English (1978:188) gives three definitions of citizen:

1. A citizen is a "person who lives in a particular city or town especially one who has certain voting or other rights in that town".
2. A citizen is also defined as a person who is a member of a particular country by birth or by naturalization.
3. A citizen is "a person who belongs to and gives his loyalty to a particular country and who expects protection from it".

It may be important to note that none of the above definitions, taken in isolation, can delineate the entire meaning of the term "citizen". For a more comprehensive definition "the three definitions must be complementary to one another. From the first, we garner that a citizen must have a domicile or at least a quasi-domicile in the state of which he is a citizen and must have political rights. From the second, it is observed that a citizen must be a member of the state either by birth or by naturalization. And finally, the third definition states that a citizen contributes to the progress of the state through his loyalty to that state and at the same time expects protection of his rights from the same state. For Badru, citizen signifies the identity of a person in accordance with his belonging to a sovereign state (Badru, 2000:3). Put differently, it denotes a full member of a definite community, country or group. Hence, it may be likened to a

national. Similarly, it means an inhabitant of a city or town, especially one entitled to the rights and privileges of a freeman. A citizen is a member of a state, native or a naturalized person who owes allegiance to a government and is entitled to protection therefrom. He may be seen as a civilian distinct from a specialized servant of the state. He is a person owing allegiance to a state and entitled to the protection of the sovereign state. It refers to the one owing allegiance to a state in which sovereign power is retained by the people (Badru, 2000:6).

A citizen is a participatory member of a political community. Living in a country does not mean that a person is necessarily a citizen of that country. A citizen is therefore a person who is legally a member of a country and enjoys or has all the rights and privileges of a member, such as the right to hold public office and so on. At the same time, he is obliged to perform certain duties to the state such as payment of taxes, being law abiding and so on (Badru, 2000:17). A citizen is a person who enjoys fully the rights and privileges of a country. While enjoying political, social and civil rights, he also comes under the protection of the state, especially when situation arises that threatens his life. But he also owns obligation to the state.

It has been stated that mere living in a state or country does not mean or confer citizenship of the country upon a person. In a clear term, a person who is not a citizen of a country is automatically an alien or a non-citizen of the said country. Citizenship as an operation of law cannot be presumed or inferred but must be legally ascertained (*Shugaba v Minister of Internal Affairs & Ors* [1981] 2 NCLR. 459). That is to say, it is the law that confers citizenship and it must be clearly stipulated to negate ambiguity. Therefore, the notion of 'citizen(s)' in this paper connotes the above understandings. A citizen is a stakeholder in the smooth running of the state. No wonder Appadorai (1975:78) regards the citizen as "sharing in the sovereign authority of the state". And for Aristotle (1941:1126), a citizen is "one who is capable of ruling as well as being ruled." That is to say, a citizen is different from a passer-by or a mere immigrant. He is not a stranger. A citizen has his duties and obligations to the state as well as his rights to be protected by the state.

ORIGIN AND PURPOSE OF THE STATE

There is no unanimity among political thinkers about the origin of the state. There are therefore various theories in this regard. Hobbes (1976), Locke (1960) and Rousseau (1986), in spite of their differences, agree that the state is the result of a social contract entered into by men who originally had no governmental organization. In other words, the state is a human creation. On the other hand, Filmer (1680) in his *Patriarcha* puts forward the theory of divine origin, otherwise known as the 'theory of divine right of kings'. He states three simple propositions: the state has been created by an ordinance of God; its rulers are divinely appointed; and they are countable to no authority but God.

Some scholars are however not in favour of any of the above theories. Jenks (1900:71) for instance, propounded the 'theory of force' which states that "a state is founded when a leader, with his band of warriors, gets permanent control of a definite priory of a considerable size". According to this view, all who lived within the territory of a ruler were bound to obey his commands. And while Maine (1861, 1875), the chief proponent of 'Patriarchal theory', holds the state to be an extension of the family with the head of the state being the father and the people his children", Milkman (2865) favours the "Matriarchal theory" according to which by virtue of a totem "a blood-relationship is recognized through women and not men", (Appadurai, 1975:33-35).

While the above theories have both their merits and demerits, it would seem that the 'evolutionary or historical theory' is more acceptable. It considers the state neither as a divine institution nor as a deliberate human contrivance. The theory sees the state coming into existence as the result of natural evolution. In the words of Appadorai (1975:36), the evolutionary theory can be summarized thus:

The beginnings of government cannot be traced to a particular time or cause; it is the result of various factors working through ages. These influences are kinship, religion, war and political consciousness.

Hence, the state is not a product of a mono-causal determinism but rather that of history.

Be that as it may, what is of utmost importance to us is the fundamental question of the purpose of the state. It goes without saying that as there is a staccato of voices on the origin of the state, so are there divergent views in relation to the purpose of the state. Aristotle (194:1127) theorizes that the state exists for the sake of the best life. This is what is referred to as the ethical end of the state according to which the state should ceaselessly foster righteousness, guide, correct and control the moral life of the people besides making the earth habitable and comfortable for them. In his own view, Locke (1960:164) maintains that "the great and chief end of men uniting into commonwealth and putting themselves under government is the preservation of their property which is Locke's general name for "lives, liberties and estates". Smith (1974) adumbrates three principal functions of the state: protecting society from violence, protecting members from injustice or oppression, and erecting and maintaining certain public works and public institutions. According to Spencer (1820-1903), the state is a natural institution for preventing one man from infringing on the rights of another. In this sense, it becomes a joint-stock protection company for mutual assurance (Appadorai, 1975:40).

While, the foregoing discussions presuppose the idea of the state existing as a means towards realizing the good of the individuals, another set of views are convinced that the state is an 'end' in itself, according to which the individual citizens exist for the sake of the state. This view is best illustrated by the school of thinkers known as idealists, especially Hegel (1967). The theory maintains that in the carrying out of its proper ends, the state must make use of individual citizens; the individual must subordinate his own ends to those of the state. This trend of thought was well practiced not only in fascist and Nazi enclaves, but well also in Marxist Socialist publics. Thus, in such collectivist regimes, the individual citizen has no rights of his own.

Furthermore, the members of the utilitarian school especially Jeremy Bentham and John Stuart Mill put forward the theory that the state exists to effect the greatest happiness of the greatest number. Bentham writes, "let the state act to remove disabilities" and in so doing the rulers would be forwarding the welfare of their subjects. The foremost criticism against this view is that there is no proof that by pursuing the happiness of the greatest number, we shall produce, or help to produce, the greatest happiness. Besides, it would be difficult to calculate the greatest happiness of the greatest number with any assurance of success. However that may be, the formula of the utilitarian principle will still be realized, if **and** only if, the state provides and protects "rights", for according to Laski (1967:30), "rights are the groundwork of the state". It may therefore be necessary to treat the nitty-gritty of citizenship rights in order to circumscribe this important function of the state. It will equally be germane to investigate into what happens in Nigeria.

NATURE OF CITIZENSHIP RIGHTS AND DUTIES

Marshall (1973:46) has distinguished three types of rights associated with the growth of citizenship. They include 'civil rights', 'political rights', and 'social rights'. Civil rights refer to the rights of the individual in law. These rights involve the freedom of individuals to live where they choose, freedom of speech and religion, the right to own property, and the right to equal justice before the law. Elliot (1970:90) writes that civil rights were introduced into America in order "to end segregation between whites and Negroes". Political rights on the other hand consist of the right to participate in elections and to stand for public office. Giddens (1993:312) observes that "except in the United States of America, the achievement of full voting rights even for all men is relatively recent, and had to be struggled for in the face of government's reluctance to admit the principle of universal franchise".

Furthermore, social rights according to Marshall concern the prerogative of every individual to enjoy a certain minimum standard of economic welfare and security. They include such rights as sickness benefits, social security in case of unemployment, and setting of minimum levels of wages. In other words, social rights concern welfare provisions. It is the broadening of social right that gave rise to what is known as the 'welfare state' which according to Giddens (1993:313) "exists where government organization provides material benefits for those who are unable to support themselves adequately through paid employment - the unemployed, the sick, the disabled and the elderly.

In the same manner, Laski (1967:32) classifies the content of necessary individual liberty under three heads: private liberty which includes freedom of religion and personal security; political rights comprising of the right to vote and be voted for and freedom of speech, press and meeting; and economic rights made up of the right to work, to reasonable hours of labour, to an adequate wage and to self-government in industry.

Gentell (193:40) in his own study writes that the sum total of the rights recognized by law and secured by the coercive agency of the state is known as 'civil liberty'. According to him, civil liberty consists of the rights and privileges which the state creates and protects for its citizens. In what follows, we shall outline albeit briefly the contents of this civil liberty:

Appadorai (1975:70) argues that right to life is the most fundamental of all rights, the foundation on which the superstructure of other rights can be built up. Fagothey (1959:244) observes that "this right is fundamental for there can be no further rights or duties unless there is someone there to have them". It is to safeguard this right to life that many states punish attempts at suicide and impose the maximum penalty of capital punishment on those who attempt to kill others. The right to work is implicit in the right to live. This however does not mean a right to a particular work. It means no more than the right to be occupied in producing some share of the goods and services necessary for society. The state therefore must be able either to provide work for the individual when the individual cannot find it for himself, or maintain him during the period of his unemployment. Another right is that of personal safety and freedom. This implies that a person may not be assaulted, wounded or imprisoned except by due process of law. In order to secure this right, government permits the use of reasonable force for self-defence and makes slavery illegal. There is right to reputation which essentially means right to one's good name. A defamatory statement is therefore made punishable by law, if it can be shown that such statement is made in public, that it is untrue, and that it is not of public importance.

Right to religious freedom is also important to man. Although it took centuries for this right to be recognized by law for there were a lot of prosecution for heresy, the right of following one's own religious faith and worship has come to be gradually recognized by modern state. Thus, subject to public order, morality and health, all persons are equally entitled to freedom of conscience and the right freely to profess, practise and propagate religion (Cf Appadorai, 1975:73). This right connotes freedom of irreligion. Speech and press freedom is as important as the above rights. This means the right to say or write what one chooses provided that this is not blasphemous, obscene, seditious or defamatory of another's reputation, and the right to attend any lawful public meeting. Thus, Appadorai (1975:75) holds that the state is entitled to suppress an incitement which itself is an attempt to dethrone the freedom of opinion.

Other civil liberties include the right of association. According to Article 22, paragraph 1 of the International Covenant on Civil and Political Rights, "everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interest". It is worthy of note that in paragraph 2 of same covenant, "no restrictions may be placed on the exercise of this right other than that which are prescribed by law and which are necessary in a democratic society in the interests of national security or public safety, public order (*ordere public*), the protection of public health or morals or the protection of the rights and freedom of others. There are also family rights that result from the institution of marriage, and include a man's marital right to the society (consortium) of his wife and vice versa, and the custody and control of his children and to the produce of their labour till they arrive at years of discretion. More still, private property rights are recognised.

Almost every state except the defunct Soviet Union recognizes the right to private property. This right includes the right to the unhampered use of one's gains, whether land or goods, the right of exclusive use, the right to destroy and to alienate by gift or exchange during life, and the right to bequeath. While M' Kechnie (1896:337) holds that the true justification of property is that it is needed for the development of personality, Pius XI (1931:17) writes that the right to own private property has been given to man by nature, or rather by the creator himself. In addition to above rights is the right to the general advantages of social life. By this is meant the right of a person to the unmolested pursuit of the occupation by which he gains his living, the free use of public roads, parks, and libraries, use of the posts, and other

communication and transport facilities; the right or resort to law courts in vindication of legal claims; the right to the use of public dispensaries and hospitals (Appadorai, 1975:77).

It should be noted that most of these citizenship rights are well contained in many conventions, declarations, covenants, treaties and constitutions of various republics. Chapter IV of the Constitution of the Federal Republic of Nigeria 1999 (as amended) provides for these rights and more. But the citizens also have *duties*. Rights are privileges, duties are obligations. Appadorai (1975:77) maintains that the most general duties are to obey the laws of the state and pay the taxes. The citizens too must refrain from interfering with the rights of other citizens. They include: love for one's country or patriotism; civic responsibility and participation, and obligation to pay taxes.

In what follows, we shall in the light of the above discussions consider the situation in Nigeria with regard to the exercise of the reciprocal rights and duties of the Nigerian state and its citizens.

THE SITUATION IN NIGERIA

It has become common knowledge of history to agree with Burns (1969:16) that Nigeria came into being as a single political unit on January 1, 1914 when the former colony and protectorate of southern Nigeria (which included Lagos) was amalgamated with the protectorate of Northern Nigeria to form the colony and Protectorate of Nigeria. It became independent on October 1, 1960 and went republic on October 1, 1963. Nigeria is the most populous country in Africa. It is endowed with enormous natural resources. There are not only vast arable land, enough water for farming, forestry and fruit trees but also mineral resources. In terms of the latter, Ehusani (1996:5) maintains that Nigeria could be said to have more than its fair share of nature's endowment. "There is a rich deposit of high quality petroleum, a yet untapped reservoir of natural gas, and an appreciable deposit of iron ore, limestone, tin, coal, etc".

Nigeria is also abundantly blessed with human resources. As of the time of the last census (1993), Nigeria had over 120 million people and an overwhelming majority of them young energetic people. Nigeria has equally produced experts in Medicine, Engineering, Law, Computer Science, Natural Science, Arts and Humanities. But what is paradoxical is that the majority of Nigerians are very poor in the midst of this plenty. The basic facilities are not available. The fundamental human rights are trampled upon in a nation that proclaims itself a democracy. We shall therefore delineate below the *mosaic* of some of these problems confronting the relationship between the Nigerian State and its citizenry.

Problems

Fundamental Rights Violation

Chapter 4 of the *Constitution of the Federal Republic of Nigeria 1999* provides for the Fundamental Rights of Nigerian citizens. This is in line with the provisions of the *Universal Declaration on Human Rights (1948)*, *The African Peoples and Human Rights Charter* which has been incorporated into Nigerian body of laws as Chapter A9, *Laws of the Federation of Nigeria, 2004*. Other international covenants, treaties and conventions also contain similar provisions. Anthropologically and ethically speaking, these rights are inalienable because they belong to human beings precisely as human. Theologically speaking, they belong to human beings because all are created in the image of God. In Nigeria, the quality of the respect for these fundamental rights and freedoms leaves much to be desired.

There are cases of illegal arrests, police brutality, judicial and other murder, unjust proscription of trade unions, unlawful detention, religious bigotry, etc. Any nation which fails to enforce the respect for these basic rights and freedoms is destined to a precipice. Nigeria cannot afford not to put its human rights records straight.

Dilapidated Social Infrastructures and Amenities

From our previous discussions, we noted that citizens have the fundamental rights of advantage of social life. In Nigeria, there is no gainsaying that the state of social infrastructures and amenities is nothing to write home about. Many citizens still lack the necessities of life such as adequate shelter, education, potable water, and even food. The roads especially in the east of Nigeria, until recently, are death traps; electricity supply, where installed, is epileptic. Hospitals are left without drugs and adequate equipment. The net effect is that the majority of Nigerian citizens live a subhuman type of life.

Insecurity

One of the greatest problems of Nigerian citizens in the post-Nigerian civil war era is that of insecurity of lives and property. Armed robbery, kidnapping, obtaining by false pretences (419), etc have become the order of the day. It is especially the later that rendered Nigeria a pariah in the comity of nations.

Unemployment and Bad Work- Ethic

Every citizen has both the right and duty to work. He has the duty because he has to contribute to the socio-economic development of the state and other individuals. He has the right to work because he equally has the right to live since one lives by his labour. In Nigeria, unemployment is one of the teething problems, especially for the teeming Nigerian youths including doctoral graduates. We hold that with regard to the socio-economic and ethical consequences to national growth, Nigerian government must see to it that mass unemployment is eradicated. Secondly, it goes without saying that government – worker relationship is not a rosy one. Poor remuneration, inadequate working conditions/allowances and social security like the pension and gratuity scheme, laziness and absenteeism on the part of the worker, etc dot the Nigerian industrial terrain. Any country that desires an integral development must tight against these anomalies.

Religio-Ethnic Violence and Conflicts

Nigeria is made up of over 250 ethnic groups. There are three main religions in the country: Islam, Christianity and Traditional Religion. Over and over again these fight against each other. Recently, the term, 'marginalization' became a household word in Nigerian socio-political equation. This led to a lot of conflicts and full-blown wars. Along religious line, the 'Sharia issue' has several times threatened to tear the country apart. The recent Nigerian mayhem associated with a cartoon on Mohammed in a faraway Denmark is merely an instance of several religious violence that rocks the polity. Sometimes these ethno-religious conflicts are not devoid of political underpinnings.

Unpatriotic and Civic Irresponsibility

These constitute the bane of Nigerian State. Not many citizens think more of their contribution to the nation than what the nation does for them. Many do not pay their taxes. Those in government offices engage in looting spree, embezzlement and other forms of financial malfeasance. Many citizens do not vote in elections; where they do, they mortgage their conscience for a paltry sum in favour of the wrong candidate who wants to walk the corridors of power at all cost. These constitute the undoing of our nation. The above make up only a tip of an iceberg of problems militating against a genuine rapport between Nigeria and its citizens.

Causes

There is no problem without causes. In what follows we shall adumbrate the main causes of Nigeria - Citizens predicaments.

Inefficient Leadership

Achebe (1983) writes that the foremost trouble with Nigeria is leadership. Although it has taken two decades since the publication of Achebe's "The Trouble with Nigeria", Oguejiofor (2003:40) observes that the numerous points raised therein still remain as valid as they were that score of years ago. Lack of genuine separation of power and checks and balances, inadequate policies or even good policies in an unfriendly environment, lack of government implementation of adequate policies, making of laws without proper debate and referendum, irresponsibility and lack of accountability, dot the contours of Nigerian leadership landscape. There is no doubting the fact that such lack of good political engineering inflicts an untold hardship on Nigerian citizens and the state.

Militarism

The phenomenon of militarism is another factor that roughened the relationship between Nigerian State and its citizens. Since independence, Nigeria has witnessed more military than civilian regimes. It is the emergent command and gun boat culture that characterizes military governments that still looms large even in the present democratic government. Hence 'dialogue' that is the hallmark of democracy has been jettisoned. This, no doubt affects adversely the personality and psychological development of Nigerian citizens.

Collapse of the Educational System and Cult of Mediocrity

A quality education integrates the citizens into the socio-economic matrix of a society. In Nigeria, this important function of socialization (Giddens, 1993: 59-28) is greatly undermined due to the collapse of sound educational system. There are cases of incessant closure of schools, student unrest, industrial actions and general insufficiency of facilities, and poor funding.

The inevitable consequence of this malaise is inauguration of cult of mediocrity in public and private places. This is particularly so as half-baked individuals lacking in both moral and intellectual virtues are produced; That this stale of affair is an *obex* to national and individual development hardly needs to be emphasized.

Corruption and Indiscipline

At the root of most of Nigerian predicaments is corruption. The *Corrupt Practices and Other Related Offences Act 2000* enacted by the Obasanjo government defines corruption vaguely as including "bribery, fraud and other related offences" (Section 2). On the other hand, the International Monetary Fund and the World Bank define corruption as the "abuse of public office" (Akanmbi, 2002:21). For us, corruption includes all forms of vicious practices and behaviour both in public and private places. That corruption is a canker worm on the Nigeria body fabric is testified by the observation in recent years, by the Transparency International, that Nigeria is one of the most corrupt countries in the world. In fact as Odey (2001:11) rightly observes, "Nigeria is currently at the verge of total collapse as a result of pandemic corruption". Corruption and kindred acts are also not unconnected with the recent international prophecy which predicts that Nigeria will soon meet its Waterloo and implosion. Thus, it is necessary to tackle the problem of ingrained corruption headlong. It cannot be handled with velvet gloves.

Religious Intolerance and Ethnic Chauvinism

Nigeria is a plural state along both religious and ethnic lines. Naturally, there are bound to be differences. Unfortunately, Nigerians allow these differences to become divisive. The effect is that there are frequent occurrences of wars between adherents of different religions, and neighbouring ethnic groups. In fact in recent times, Nigeria has become a theatre of war: Islamo-Christian conflicts especially in the North due to fundamentalism and intolerance, ethnic fisticuffs. It is good to note that for a continued existence of Nigeria, it may be necessary to heed the advice of Madu (1996:96) that since Nigeria's plural state is a reality, her survival will depend very much on the level of awareness by the difference ethnic and religious segments that the differences must be there.

Materialism and Consumerism

The public life of Nigerian citizens has been invaded by a culture of materialism and consumerism. The way people pursue money and what money can buy can be described as inordinate. Nigerians are buried, in the expression of Ozigboh (1985:35) "in strange craze for the exotic". There is a strong libido for foreign things. At home, such ethnico-cultural realities like title taking, funeral ceremony, marriages have lost their traditional symbolisms in favour of being an avenue for consumerism and squander mania. This attitude has been blamed on colonialism and its allies.

Having seen some of the problems that plague the Nigerian state and its citizens, and their major causes, it remains for us to proffer some solutions to them. Below are some of the fundamental issues that need to be put into consideration if only we want the problems to be healed from the root (*sanatio in radice*).

RECOMMENDATIONS

The following constitute a *conditio sine qua non* in improving the chequered relationship between Nigerian State and its citizens.

Quality Education

Coady (1945:60) succinctly writes of the importance of education in reform:

Social reform comes through education. Social progress in a democracy must come through the action of the citizens; it can come only if there is an improvement in the quality of the people themselves. That improvement in turn can come only through education.

But such an education must be a quality education. It must emphasize not only intellectual but also moral development of the citizen. It should not be merely functional but should aim at the integrality of the individual and societal good. Besides, it is through education that citizens come to know their rights and duties. Therefore, Nigerian government cannot afford to toy with the issue of education. It must do all it can to make it blossom.

Value Reorientation and Ethical Regeneration

In the traditional Nigeria culture, primacy of life and the dignity of the human person, dialogue, sincerity and hospitality, integrity and hardwork, deep religiosity, respect for elders, solidarity and team spirit, extended family consciousness, etc are the basic ingredients of the value system. Today in Nigeria this is fastly experiencing a down turn. It is being replaced by crass materialism, impatience, hollow religiosity, etc. It cannot be overstated that Nigeria will remain a *banana* republic if there is no prudent return to the good value of our people. Ethical regeneration is needed to stamp out corruption, drug pushing and use, prostitution, theft and armed robbery, murder, rape, hired killing, cheating and adulteration, cannibalization of public utilities, etc (cf Akukwe, 1998:48). This can only be the result of a sincere enforcement of the requisite laws.

Observance of the Rule of Law

Achara (2003:19) notes that the term “rule of law” together with other terms like ‘constitutionalism’, separation of powers’, and ‘checks and balances’ constitutes what is known in constitutional law as ‘liberty-sensitivity concepts’. Their practices are geared towards ensuring the freedom of the individual citizens. According to Dicey, ‘rule of law’ means “equality before the law or equal subjection of all classes to the ordinary law of the land administered by the ordinary law courts” (Wade, 1960:60). Eze (1987:18) asserts that “the rule of law can be fully realized only under a system of government established by the will of the people.” This ideal scenario is hardly the case in Nigeria. Not only that people defy for instance the electoral law during election and involve themselves in all forms of election malpractices, the ‘legal immunity’ given to the political office holders has become a leverage to a further way for racketeering the rule of law. Unless legal system is viewed in the words of Bredemeier (1969:65) as an “integrative mechanism” in which case all should obey the laws of the land, there would always be disorder and anarchy in Nigeria.

Godliness

An important problem of many Nigerians is that they act as if there is no God and after life. Thus, despite the phenomenon of proliferation of churches in every nook and cranny of Nigeria, many are yet to know God. If Nigerians can return to God by virtuous practices no matter the religious affiliation, things will begin to fare better.

Need for a Civil Society

Kukah (1999:89) advocates for a civil society as an important panacea to Nigeria’s civil and political problems. A civil society is one in which people are politically conscious and in which they are conscious of the respect for their fundamental and political rights and duties. A civil society is known by civil liberty awareness. Akambi (2002:22-24) understands a civil society as one in which the government provides for citizens need of economic and social security, ensures social justice and protection of human rights, strengthens the devolution of power and resources to local bodies, promotes and facilitates the participation of citizens in governance, creates and nurtures an enabling environment for effective citizen action, and facilitates citizen’s collective action and active citizenship. It is also according to him, one in which the citizens themselves demonstrate model citizens actions, participate in and contribute to collective initiatives and organizations and assert leadership and build capacity. Here the roles of both the state, the citizens and non-governmental organizations are indispensable. For the Nigerian State to survive, these environments need be created.

Necessity for Inter-Ethnic and Religious Dialogue

Dialogue is the best method of conflict resolution. This is quite urgent in Nigeria where there are a lot of ethnic and religious conflicts. Politically it is this need for dialogue that engendered the recent cry for national conference. Religiously too, this is aptly what informed the formation of the Christian Association of Nigeria (C.A.N) and similar Islamic organizations to serve as representative bodies for

inter-religious and inter-ethnic dialogues. We hold that for the good of the country, Nigeria should endeavour to go beyond mere lip-service and cosmetic approach to this all important practice.

CONCLUSION

It can hardly be denied that the state cannot exist without the citizens nor can it be easy for the citizenry to exist without the state. Each has its own contributions to make in human development. There must therefore be a genuine rapport between the two. Nigerian State must hence perceive itself as a means towards the good of its citizens by protecting their rights and formulating people-oriented policies. Citizens alike must equally contribute their quota for the running of the state by paying taxes and obeying the laws of the land. Unless these mutual roles are ensured, perhaps it would tantamount to a breach of a social contract.

REFERENCES

- Achara, R.A. (2003), *An Unpublished Lecture on Constitutional Law*, Nnamdi Azikiwe University, Awka.
- Achebe, C (1983), *The Trouble With Nigeria*, Enugu: Fourth Dimension Publishers.
- Akambi, M.M.A. (2002), "Corruption as an Obstacle to Good Governance", *Nigerian Bar Journal*, Vol. 1, No. 3, pp. 19-26.
- Akukwe, F.N. (1998), "Christian Religion and Socio-economic Problems in Nigeria", *Bulletin of Ecumenical Theology*, Vol. 10, pp.46-68.
- Appadorai, A. (1975), *The Substance of Politics*, New Delhi: Oxford University Press.
- Aristotle (1941), "Politica" in Mckeon, R. (1941), *The Basic Works of Aristotle*, New York: Random House Inc., pp. 1127-1316.
- Aston, W.D. and Jordan P. (1936), *Citizenship: Its Rights and Duties*, New York: University Tutorial Press.
- Badru FA, 'Ethnic Conflicts and Minority Interests in Nigeria: A Critical Perspective' (2000) 2, *Journal of Cultural Studies, Ethnicity and African Development* 256. pp. 3, 5, 6, 14, 46
- Bredemeier, H.C. (1969), "Law as an Integrative Mechanism" in Aubert, Vilhelm (ed.), *Sociology of Law*, New York: Penguin Books Ltd., pp. 52-67.
- Burns, A. (1969), *History of Nigeria*, London: George Allen and Unwin Ltd.
- Chukwudozie, C.M.N. (2002), *Introduction to Human Rights and Social Justice*, Enugu: Ochumba Printing and Publishing Co. Ltd.
- Coady, M.M. (1945), *The Social Significance of Cooperative Movement*, Antigonish: The Extension Department.
- Constitution of the Federal Republic of Nigeria* 1999 (as amended)
- Corrupt Practices and Other Related Offences Act* 2000.
- Ehusani, G.O. (1996), *A Prophetic Church*, Ibadan: Interc Printers Ltd.
- Elliot, F. (1970), *A Dictionary of Politics*, England: Penguin Books Ltd.
- Eze, O.C. (1987), "Theoretical Perspectives and Problematics" in Eze, O.C. (ed.) (1987), *Society and the Rule of Law*, Owerri: Totan Pub. Ltd.
- Fagothey, A., (1959), *Right and Reason*, St. Louis: The C.V. Mosby Company.
- Gentell, R.G. (1933), *Political Science*, London: Ginn.
- Giddens, A., (1993), *Sociology*, Oxford: Polity Press.
- Hegel, F.W.F (1967) *Philosophy of Right*, London: Clarendon Press.
- Hobbes, T. (1976), *Leviathan*, Glasgow: Collins/Fontana.
- Jenks, E. (1900), *A History of Politics*, London: Dent.
- Kukah, M.M. (1999), *Democracy and Civil Society in Nigeria*, Ibadan: Spectrum Books Ltd,
- Laski, H.J. (1967), *A Grammar of Politics*, London: George Aliens and Unwin.
- Locke, J. (1960), *Two Treatises of Government*, New York: Cambridge University Press.

- Longman Dictionary of Contemporary English* (1978), England: Longman Group Ltd.
- Madu, J.E. (1996), *Fundamentals of Religious Studies*, Calabar: Franedoh Publishers (Nig.) Ltd.
- Marshal, T.H. (1973), *Class, Citizenship and Social Development*, Westport: Greenwood Press.
- M'Kechnie, W.S. (1896), *The State and the Individual*: James Maclehose.
- Odey, J.O. (2001), *The Anti-Corruption Crusade*, Enugu: Snaap Press Ltd.
- Odimmega, J.I. (1994), *Democracy in the Political Philosophy of John Locke Vis-a-vis Contemporary Nigeria*, A Bachelor's Degree Project on Philosophy, Ikot Ekpene, Nigeria.
- Oguejiofor, J.O. (2003), "The Cult of Mediocrity and Our Current Political Travail", *The Torch*, Vol. 126, pp.40-41.
- Ozigboh, I.R.A. (1985), *Igbo Catholicism: Onitsha Connection, 1967-1984*, Onitsha: Africana-Feb Publishers Ltd.
- Peschke, K.R (1996), *Christian Ethics, Vol. 2*. Bangalore; Theological Publications in India.
- Pius XI (1931), *Quadragesimo Anno*, Oxford; Catholic Social Guild.
- Rousseau, J.J. (1968), *The Social Contract*. England; Penguin Books Ltd.
- Shaw, M. N. (1997) *International Law*, United Kingdom: Cambridge Univ. Press.
- Smith, A. (1994), *The Wealth of Nations*, England: Penguin Books Lid.,
- Wade. E.C.S. (1960), *Constitutional Law*, London: Green and Co. Ltd.
- Ward, L (1965), *Ethics, A College Text*, New York: Harper and Row Publishers.