

# **Citizenship and Identity Politics in Nigeria**

**Conference Proceedings**

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The mission of CLEEN Foundation is to promote public safety, security and accessible justice through empirical research, legislative advocacy, demonstration programmes and publications, in partnership with government and civil society.

## TABLE OF CONTENTS

Acknowledgement	<i>v</i>
Preface	<i>vi</i>
<b>Chapter</b>	
I. <i>Citizenship and Identity Politics in Nigeria</i> By Ogob Alubo	1
II. <i>Citizenship and Identity Politics: The Indian Experience</i> By Ashutosh Varsbney	19
<b>Appendix:</b>	
I. <i>Communiqué of the Conference</i>	44
II. <i>Report of the Conference Proceedings</i>	51
III. <i>Communal Violence in Plateau State</i>	64

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## **PREFACE**

In March 2009, the CLEEN Foundation in collaboration with the Ford Foundation organized a two-day national conference on citizenship and identity politics in Nigeria. The event brought together stakeholders from security agencies, academia, non-governmental organizations (NGOs), media, government departments and diplomatic community to the capital city of Abuja, to brainstorm and identify measures that could be implemented to address the problems identity-based politics and conflicts have created for the Nigerian State.

The conference was particularly timely as it held at a time when conflicts arising from identity have led to so much bloodletting, destruction of property, displacements and disruption of peoples' livelihoods across Nigeria. In the ten years of elected civilian government, it is estimated that over 20, 000 people have lost their lives and hundreds of thousands displaced in over 200 outbreaks of violence traceable to identity related disputes. If you break the figure down, it means that an average of 1667 people are killed every year, which makes identity conflicts one of the most important sources of intentional homicide in Nigeria though not recorded by the police. In many parts of Nigeria today, residents are worried more about identity based violence than other priority crimes and organize their daily lives – businesses, choice of residential neighborhoods, schools for their children, hospitals and even relaxation places they patronize – in response to fear of identity based violence.

With this grim picture you would expect that much attention would be devoted in government, scholarship and national discourse to finding solutions to problems posed by mismanagement of our diversity in such a way that these endless cycle of citizen-on-citizen violence would abate to make way for greater national integration and harmonious coexistence. The answer is at best not much. The conference on identity based politics in Nigeria was therefore organized to contribute in filling the void.

This publication is a compilation of proceedings of the conference. It is divided into two chapters and three appendices. Chapter I is a reproduction of Prof.

Ogoh Alubo' presentation, which focuses on the problem of citizenship and identity politics in Nigeria. It defines identity and the basis of identity construction in Nigeria, and draws specific linkage between identity politics and internecine violence in Plateaus State, which has claimed over 2000 lives in the last five years. The paper thereafter discusses the implications of identity based violence on development and national integration, and concluded that using indigeneity as a basis for accessing resources creates the greatest challenge to national integration in Nigeria.

Chapter II dwells on the India experience with citizenship and Identity politics, which was presented by Prof. Ashutosh Varshney. It begins with an stimulating discourse on the critical difference between the concept of 'nation state' and 'state nation', arguing that the big difference is that in 'nation states', ethnic, religious and cultural diversity do not have a territorial base, whereas in the latter it does and that 'state nations' are not simply multiethnic, multireligious or multicultural as some of their diverse groups are also geographically concentrated, making the possibility of separatist nationalisms quite real. He goes on to describe India's key identity groups and their geographical distribution, how India's founding fathers chose to turn such diversities into a nation, the challenges the country has faced as well as an assessment of the success or failure of the efforts.

Appendix I is a reproduction of the communiqué, appendix II presents the report of the conference and appendix III provides a list of communal violence in Plateau State in the last ten years.

**Innocent Chukwuma**  
**Executive Director - CLEEN Foundation**

# Chapter One

## *Citizenship and Identity Politics in Nigeria*

*By Ogob Alubo*

### **Introduction**

Nigeria returned to civil rule in 1999 after a long period of military dictatorship and tortuous democratic transition programmes. One distinguishing characteristic of this return to civil rule is frequent civil strifes and conflicts. Mostly pitting ethnic and religious groups against one another, identity politics and attendant violence have assumed unprecedented dimensions (Alubo 2006, Elaigwu 2005; Best 2007). Some even alleged that it was a deliberate policy of President Obasanjo to create conflicts as part of democracy dividends (Arukwe 2008). For whatever motive, some identity based conflicts have been unfolding somewhere in Nigeria at any point in time since 1999. The headlines are replete with the reportage and attendant toll on human life and property. What are the triggers of these conflicts and what do they say about national integration? Where particular groups are hounded and hunted, what does the situation say about a common citizenship? It is within this rising profile of civil strifes that I focus on Citizenship and Identity Politics in Nigeria.

In what follows, I define identity and dilate on the bases of identity construction and conflicts after which attention turns to discrimination between bearers of particular identities as well as identity based violence. While identity based violence is now widespread in Nigeria, the North central region stands out. I use Plateau State, which has experienced multiple cases, to illustrate the saliency of this phenomenon. The concluding section outlines the possibilities of overcoming violent identity conflicts in Nigeria and building true unity in diversity.

### **Identity and Citizenship Contestations in Nigeria**

Identity may be defined as a combination of socio-cultural characteristics which individuals share, or are presumed to share, with others on the basis of

which one group may be distinguished from others. Identity is a group concept in the sense that it is based on traits which make individuals members of a group; such traits also provide responses to the question, “Who am I?” Identity has a combination of ethnic, religious, gender, class and other layers all of which refer to the same person either in self definition or as defined by others. Identity as other defined persists irrespective of whether people so labeled accept the definition(s). Thus, people who might see themselves as different may be seen by others as “one of them”. There is thus a telling dimension of “othering” and being “othered” in addition to self definitions. As I explore latter, the sense of “othering” is crucial in identity politics. Identity is also about meanings in relations to social existence. In its multi-layered nature, and there is the tendency for some layers to dominate in particular circumstances. Depending on the circumstance, the crucial layer may spell inclusion, exclusion or even violence. It is in this sense that Mohamed Kuna was right in arguing that identity has both objective and subjective components:

*An identity is a distinguishing label that objectively exists, is subjectively felt, and enables its bearers to experience individually and collectively a sense of solidarity. As a label, it can be assumed by, or imposed on bearers. It is also a prism by which objects, people, and collectivities are sorted, organized, mapped and ordered into meaningful [and] understandable units. Identities are socially constructed, dynamic and multifaceted. Subjectively, identification with a category is simultaneously a definition of self, so that groups come to identify themselves as ethnic, religious, occupational, national and other terms. Objectively, individuals do not identify in general, but do so in relation to others’ definitions of themselves and the boundaries implied in such definitions (Kuna 2004:33; emphasis added).*

The complex and often contentious nature of the concept make identity politics a natural outcome. Identity politics is used here to denote the process of categorizing and de-categorizing people (ethnic, religious, gender, etc) into groups on the bases of shared and presumed similarities. More often than not, such similarities may be based on assumptions and stereotypes rather than actual traits, attributes or characteristics. There is thus a regular sense of “in

their character” or, in the more popular Nigerian pigeon English, “na dem-dem”; even when differences between people being pigeonholed into one group are striking. Such categorization and de-categorization become the basis for a range of issues related to rights, opportunities, privileges and entitlements. Identity politics is a basis for determining who is in and who is out (Alubo 2003) and hence there are contestations and struggles to maintain the *status quo* by those favoured and for change by those left out in the cold.

Identity in its ethnic and religious forms is central to the citizenship question in Nigeria because it is a basis for inclusion and exclusion. The issue becomes more crucial because, as in most of Africa, citizenship is tied to group rights and thus, inextricably linked with identity. In effect, identity is a form in which the citizenship question is posed and practically experienced. This perhaps explains the rise in identity politics, especially in relation to material issues.

Citizenship is here defined as a relationship between the individual and the state in relation to mutual rights, duties and obligations. Citizenship is also a form of participation in the running of the state and society, and in this sense an agency and subject. As spelt out in the 1999 constitution, one is a citizen of Nigeria provided such as person:

- Was born in Nigeria before the date of independence either of whose parents or any of grandparents belong or belonged to a community indigenous to Nigeria. Provided a person shall not become a citizen of Nigeria by virtue of this section if neither of his parents nor any of his grandparents was born in Nigeria
- Every person born in Nigeria after the date of independence either of whose parents or any of grandparents is a citizen of Nigeria
- Every person born outside Nigeria either of whose parents is a citizen of Nigeria (Chapter 3, section 1)

- There are also provisions for naturalization and for foreigners to apply for Nigerian citizenship.

The constitutional provision also spells out rights and privileges in a fairly comprehensive manner as to ensure rights of all citizens. The problem is not however, the constitution but the translation of its provisions to reality. Part of this complication is the division of Nigerian citizens—in daily experiences—into *indigenes* and *settlers*. As used in common parlance, an indigene is synonymous with native, autochthon and “son/daughter -of-the soil”, and refers to ascribed identity of being born in a particular location into a specific ethnic group considered to have a “homeland” within the locality. To be an indigene of a place therefore means that the ethnic group can point to a territory as “native land” where such native land is in a local council or state.

The Federal Character Commission has defined indigeneity in the local council and states. It accepts people whose parents and/or grandparents were indigenes and/or people accepted as indigenes by the council. When one is an indigene of a local council in a state s/he is automatically an indigene of that State (Federal Character Commission ND: 16). This position is more trenchantly expressed by Sam Egwu who asserts that “Indigeneity” of a state is conferred on a person whose parents or grandparents were members of a community indigenous to a particular state” (Egwu 2003:37; 2009). Thus Nigerians, who have their ethnic genealogy elsewhere, even if they were born in a particular state or lived all their lives there, are regarded as “settlers” (Alubo 2006; Ibrahim 2006). A settler is regarded as a stranger, a sojourner who may have been born in a location but is regarded as a bird of passage who would ultimately go “home”. Indigenes insist sojourners have a home where they periodically visit for celebration and where prominent members of the former are conveyed for burial. Herein lies an illustration of the nature of identity as both self defined and other imposed. Most of the people defined and treated as settlers do not regard themselves as such. In the Nigerian experience, being an indigene or a settler is a permanent identity, as there is no provision for the latter to convert to the former.

In the daily experiences, the classification of Nigerians into indigenes and settlers only indicates who is native to particular locality and who is not. It creates problems because the classification is a basis for citizenship rights, entitlements and access to opportunities. Nigerians' daily experiences are replete with tales of denial, exclusion and discrimination of some groups on the one hand, and access, inclusion and a sense of belonging by other groups on the other. The more common forms of discrimination against settlers include the following:

- Employment—available jobs are often reserved for indigenes and where non-natives are employed at all, they are placed on contract appointment. This form of employment has no provision for pension benefits. Sometimes, advertisements for employment are run with the proviso that “only indigenes need apply”.
- Since the return of civil rule, all non-indigenes who were employed have been dismissed from many state civil services, obviously to replace them with indigenes. Increasingly, settlers are perceived as snatching food from the mouths of indigenes, a perception which becomes more telling because of the uneven development. Only few centers (such as the former regional capitals, oil producing areas and state and federal capitals) have thriving organizations and easier opportunities for employment.
- Admissions to secondary and higher institutions—these too are reserved for indigenes and only few non-indigenes are offered places. The issue here goes beyond quota and catchment considerations; there is a clear sense of who receives or is denied priority opportunities.
- Scholarships –this is exclusive to indigenes; non-indigenes are required to “go home”, even where they may not have another home.
- Higher schedule of fees for the non-indigenes in educational institutions such as Polytechnics and Universities. This is enforced without distinction to who may have lived for decades and paid all taxes in the state.

- Standing elections—while non-indigenes can vote, they are frequently not allowed to stand elections. Married women also suffer similar discrimination. The only exception is the Federal Capital Territory where Nigerians qua Nigerians can run for office. I will return to this issue in the discussions of implications below.

There are other forms such as headships of federal institutions and establishments which, since the period of Late General Abacha (1993-1998), have gone to indigenes even where the so called settlers are better qualified. Nigeria's is in a situation where federal establishments such as universities, colleges of education, research institutes seem to have been appropriated by the states where these are located. But since the appointment of headships is made by the federal government, there is an apparent complicity of the central government in knuckling to the pressures of indigenes.

Some of these forms of discrimination have been formalized through certificates of indigene (Alubo 2004, Ibrahim 2006, and Human Rights Watch 2006). These certificates have become prerequisite for admission to tertiary schools and employment, including into the federal civil service. The experiences point to a two tier citizenship structure, the first for indigenes and the second for settlers.

In daily encounters, identity and its politics are the bases of contestations for inclusions in opportunities and rights as are available to others. Many of these contestations result in violence. In such conflicts, holders of particular identities as defined by the attackers are singled out for liquidation, forced to relocate and their properties torched. The collective nature of the violence is perhaps serving to strengthen geo-political solidarity. Also important is the near absence of material benefits attached to Nigerian citizenship. This gap is filled by ethnic and religious development associations and thus serving to reinforce divisions. The rise in geo-ethnic movements also serves to weaken national integration as the first priority of various associations such as the *Afenifere* is the Yoruba, the *Obanexé* is the *Ndigbo*, and the Arewa Consultative Forum is the Hausa-Fulani. Similar geopolitical associations exist from the Middle Belt Minorities as well as for oil bearing Niger Delta Region.

These geo-regional movements were preceded by identity construction and reconstruction which provided the bases of further divisions into new majorities and minorities. This was particularly true each time state and local council creation exercises were carried out. Yet, agitations for the creation of more states and local councils, or simply spaces over which groups could exercise more control and influence, are unrelenting. However, the creation of states and local councils has not in themselves, solved the problems of a sense of belonging and integration, nor have they allayed the fears of domination (Alubo 2004). Instead, these exercises create additional theatres for contestations, as new majorities and minorities are created in the process. Illustrations include Kogi, where the Igala as a national minority are the majority; the same is true of the Tiv in Benue and the Uhrobo in Delta. In some states, a few national majorities find themselves as ethnic minorities such as the Yoruba in Kogi and the Hausa/Fulani in Plateau. Indeed, as Obaro Ikime has argued:

...each time a state is created, there is a new majority nationality and new minorities, and relations within the states have been more acrimonious since states were created than before because the struggle for resources and development become more localized and so more intense (Ikime 2002: 65-66).

One only has to recall the relationships after new states were carved out of existing ones to appreciate how an exercise meant to “solve” a problem really creates further fractionalization.

Much more than creating new majorities and minorities, new states also reconfigure the indigene-settler structure. Thus, whenever new states are created, some who were hitherto indigenes of the previous states cease to enjoy that status. In this way, the creation of states, *ipso facto*, redraws the borders and also reconstructs identities. From past experiences, people who lorded it over others as fellow indigenes became bitter enemies. State and local council creations construct and re-construct identities because indigeneity is based on claims to having an ethnic territory within a state. Furthermore, in

daily life indigene/settler status assumes different dimensions, depending on the locus of the contestations: federal, state and local councils. The terrain widens and narrows and the criteria change accordingly. At the federal level, for instance, ethnic groups from the same state are indigenes who unite against contestants for other states. The same “indigenes” in solidarity at the federal context become divided into specific ethnic—and sometimes religious—groups at the state level. This same fission and fusion take place at the local council levels where indigenes break into clans and lineages.

The exclusions and denials of rights and opportunities on the basis of identity have resulted in many cases of violence, especially since the return of civil rule in 1999. It appears that military jackboots more effectively kept the lid on the situation. Secondly, as civil rule returned many politicians are fond of ethnic mobilization during electioneering campaigns and thus whipping up sentiments.

The North central region is overrepresented in the table of identity based violence. Here, the conflicts are frequently over the control of spaces such as a state (Alubo 2008) and local council areas. In many instances, religion is deployed and rather than focus on believers, the entire swathes of territories are redefined as “holy land” to be purified and sustained through new religious codes (Casey 2007; Abdu 2005). This is the genre of violence which attended the *sharia* in most states in the North. Wherever *sharia* was imposed, the state governments became enforcers and through its new police, the *bisbah*, offenders—including non-Muslims—were apprehended and disciplined (Abdu 2005, Kuna 2005; Casey 2007). There were also other conflicts such as disputes over land, chieftaincy and the perennial disputes between pastoralists and agriculturalists. More vicious are conflicts over denial and exclusion of some groups from rights and opportunities enjoyed by others. Identity conflicts have been experienced in Ife-Modakeke, Umulerei Aguleri and virtually all over the country (Federal Government of Nigeria 2003; Otite and Albert 2001; Nnoli 2001; Oshagae et al 2001). It is important to focus on specific instances—Plateau State.

## Identity Politics and Violence in Plateau State

Plateau, a State of plural ethnicity and religion has had several cases of identity based conflicts. As shown elsewhere (Alubo 2006) Plateau is the second most ethnically diverse after Adamawa. It is also important to remember that the problem is not the diversity *per se* but its management. Like elsewhere in Nigeria, this diverse population is seen as bearing two identities: indigenes and settlers. The first include Berom, Taroch, Gomai and others while the settlers are Hausa/Fulani, Igbo, Idoma and others. In Plateau, as indeed all of Nigeria, there are two major religions: Christianity and Islam. There are however traditional religious followers but in terms of identity and agitations, this later group pitch their tent with either Christianity or Islam. In its contemporary situation, most of the so called settlers are Muslim, while indigenes are mostly Christians.

There is some peculiarity to the religious composition in Jos which shows a high number of Yoruba Muslims. Based on past experiences, crises which begin as ethnically based frequently assume religious dimensions (such as in 2001 and 2008 see below) in a telling conflation of religion and ethnicity. However the division is sometimes not respected as some Yoruba Muslims were killed by suspected Hausa/Fulani Muslims in some apparent display of what Conerly Casey has referred to as the “Hausa ethnicization of Islam” (Casey 2007:95).

A recent source (see appendix III) show a count of over 62 identity driven conflicts within a decade, with 22 recorded in 2004 alone (Bagudu 2004). Identity conflicts are mostly between indigenes and settlers. It is noted that while indigenes have different identities, these are neatly folded into a common umbrella (Best 2007) for purposes of uniting against a perceived common enemy. These conflicts illustrate how identity is used as the bases to access opportunities and ultimately inclusive citizenship. Identity conflicts in Plateau, as Sam Egwu has shown, have been facilitated by a phenomenal rise in minority consciousness leading to a construction of Middle Belt identity, itself based on “perception that the indigenous ethnic minorities had long been dominated by the Hausa Fulani community in the control of commerce and politics in

which the former had been reduced to spectator “(Egwu 2009: 73). There are conscious efforts to reclaim the space and in some sense, emancipate themselves from perceived Hausa/Fulani stranglehold (Adeyi 1997; Maier 2000). To illustrate, the former names of several ethnic groups such as *Sura*, *Yerigam*, *Ankwe* and *Bajari*, perceived to be imposed by the Hausa, have now been changed to *Mwagabvuul*, *Taroch*, *Gomai* and *Afizere* respectively. The same is true of names of communities (Best 2007:28-29); many of these have reverted to names by which they are known by the local groups. In Jos and elsewhere in Plateau, there are spirited attempts by the Hausa/Fulani on the one hand and the indigenes (Berom, Afizere and Anaguata) on the other to control political structures such as local councils and representation at the three tiers of government.

In the recent past, representations were made for the creation of additional local councils out of Jos, the state capital; the Hausa Fulani favoured a division of Jos into South and North (which gave them some numerical advantage in Jos North), while the others favoured Jos East and West (which diluted the Hausa Fulani advantage and carved more exclusive spaces for the Afizere and Anaguta). The Hausa/Fulani position won the day resulting in the creation of Jos North and one of their number was made Caretaker chairman. The simmering grievances from the creation of Jos North rather than Jos West or East, along with contestations over the control of Kabong (an outlying slum in Jos) market led to explosion of violence in 1994. As subsequent events illustrate, the 1994 crises became a forerunner for others in the ding-dong conflicts between indigenes and settlers. Some of these recent conflicts are highlighted in very broad strokes.

1. Jos September 7, 2001—this explosion was triggered by an altercation between a Christian woman and Muslims as well as the appointment of Alhaji Muktar Mohammed, a Hausa/Fulani, as Jos North LGA Chairman of the Federal Government Poverty Alleviation Programme. There was some uproar about why such an important appointment should have gone to a “settler” rather than an “indigene”; similar to the appointment of the Chairman of the local council in 1994 (Human Rights Watch 2001; Egwu 2009). Muslims and Christians killed each

other and in several locations people's religion was established by forcing them to recite the *shabada* if apprehended by Muslim youths and where the youths were Christian, the *trinity* was the password for free passage or instant death.

2. In May 2002, the ward congress in Jos of the ruling People's Democratic Party degenerated into violence between the Hausa/Fulani voters on the one side and Berom, Afizere, and Anaguta on the other. The violence engulfed the entire metropolis pitting Muslims against Christians. During this round of violence, businesses of the "enemy" were particular targets. Typically, houses and businesses of "our people" would be spared while those of the "other" would be attacked. Thus, a walk through ethnic neighbourhoods had tell-tales of "strangers in our midst" (Alubo 2006).
3. In 2004 there were two waves of violence in Yelwa/Shendam, over 200km from the State Capital. In the first, on February 24, 2004, Christians alleged that without any provocation, Muslims attacked and began to kill their number. According to the Christians, a group of Muslims swooped on the former during morning prayers in Church of Christ in Nigeria (COCIN) church. The Muslims gave a different account by alleging that the attack was between the Christians and soldiers what had been deployed for peace keeping (Egwu 2009).
4. In May 2, 2004 there was another attack on Yelwa; the entire town was engulfed and almost flattened. As before, Muslims were pitted against Christians, with the latter alleging it was backlash from the February 24 incident. The Christians were allegedly supported by Christian Association of Nigeria, CAN, and the Plateau State government. Others even alleged that the soldiers deployed to keep the peace took sides with the Christians. It was difficult to authenticate these claims.
5. In November 2008 another round of identity conflicts erupted in Jos during the local council elections. This eruption of violence is perhaps

the most controversial. While most of the reportage indicates it was related to the elections, others say it was political (Egwu 2009). The first group alleges that the local council elections in Jos North were being rigged to the disadvantage the Hausa-Fulani (Muslim) candidate but in favour of an indigene (Christian). The other side alleges that elections only provided the cover to act out political action of the Hausa Fulani. These conflicting positions by the two sides were represented by Plateau Indigenous Development Network on the one side and the Hausa Fulani on the other (see Daily Trust January 11, 2009, January 12, 2009; Philips 2008). Some of the controversial aftermath include three parallel investigation panels (one by the federal government, another by the National Assembly and a third by the Plateau State government) effectively pitting the state against the federal government. The Plateau government is in court challenging the *locus standi* of the federal government to institute such panel. By the end of April, the state government withdrew its case paving way for settlement “with the PDP family”. The People’s Democratic Party is the ruling party in the state and in the central government.

Since the April conference there is an important development. Huge numbers of Fulani moved into Wase, a predominantly Muslim local council. Their migration sparked off controversy and they were forcibly removed by early May (Weekend Trust May 16, 2009). This forced removal further soured relations between the state government and the Muslim population.

The frequent eruptions of identity based conflicts in Plateau State are manifestations of the unfinished agenda of 1914 Amalgamation. There are allegations of domination and attempts to do so by a feared “other” against whom no efforts should be spared. Opportunities to run for political office assume indigene and settler dimensions. A recent book on the Plateau Conflict puts the situation in bold relief:

At the bottom of the Jos Conflict is the competition for political control as well as the issue of indigenship. The competition and conflict spring from who is an indigene and who is not, and rights and privileges

derivable from being an indigene. Thus, indigene is not a mere status but a status that begets specific political, economic and psychological benefits. Non indigenes...are not entitled to certain political rights and privileges while indigenes are assumed to be (Best 2007:7-8)

The bottom line is claims and counter claims over who owns Jos. But as Sam Egwu (2009) has argued, claims over ownership of Jos, or that the Hausa Fulani want to dominate the terrain merely skirt around the real issue—citizenship and rights in one Nigeria. It is important to briefly examine some of the implications of the situation.

### **Implications of Identity-based Violence for Development and National Integration**

In this concluding section we point to the challenges thrown up by spate of identity based violence in Plateau State and elsewhere in Nigeria. The following are the key:

1. The immediate and more visible impact of the violence is on development and economic activities such as disruption of markets, closure of businesses. There are no data on number of businesses which collapsed or numbers who lost their lives, livelihoods and employment. The City of Jos is feeling the impact of the various conflicts. As Rodger Blench has shown (Blench 2004) conflicts are antithetical to economic development. In the case of Plateau, the November 2008 conflict only compounds an existing problem. A night time curfew has been in force since the end of November 2008 and this has disrupted night time economic and social life. The curfew has been eased to between 11pm and 5am. The impact is legion: the Jos Main Market was burnt in 2002 in a mysterious inferno. Other markets have been relocated and in a few instances re-designated Muslim and Christian markets. In a situation where there is no security of lives and property, economic activity is a prime causality. This is even more profound in relation to foreign investments which are regularly courted by the state government.

2. Plateau state is regularly advertised as the home of peace and tourism. Its picturesque sceneries were important attractions. However when there are frequent conflicts and explosions of violence the tourism industry too would have been adversely affected.
3. There is now a *de facto* division of Jos into ethnic/religious enclaves. Muslims have moved out of locations considered unsafe; Christians have done the same. In several instances, members of the two groups who discover their houses are in the wrong neighbourhood sought each other out, swooped or traded.
4. The causes of the conflicts point to the nature of national integration and co-existence where all constituent units have a sense of belonging. Specifically, what kind of national integration does Nigeria have where in terms of the practice the right to vote is respected but not to be voted for? This is the supreme irony of euphoria which greeted the emergency of Barack Obama, first as the Democratic flag bearer and now the President of the USA. Had he been in Nigeria, he would have been dismissed as a settler and may never have been allowed by the current ethnic structures to run for the presidency. In our context, candidates are seen as indigenes and settlers rather than what they stand for (Kaza-Toure 2004). This is why legislators and the executives at state and local council levels in virtually all of Nigeria are indigenes, in a telling attestation of the fact that people occupy ethnic rather than civic spaces.
5. *Access to opportunities*  
Before the law all Nigerians are equal but the daily experiences do not always reflect this equality. Access to opportunities now depends on whether one is indigene or settler. Opportunities for education, including admission to secondary schools and tertiary institutions, employment, etc now depend on whether one is an indigene or a settler. In some cases, such opportunities is extended to headship of Federal Institutions most of which now go to indigenes even where the so called settlers are more qualified and senior. There are thus important

questions about the nature of national integration and sense of belonging.

6. *Duplicity in the Constitution*

The current constitution is duplicitous in dealing with the indigene/ settler questions. It espouses universal criteria for Nigerian citizenship but also recognizes indigenes for purposes of appointment of ministers. In daily existence, residency is discarded in favour of indigene/ settler. Again, where is the national unity, especially that there is no opportunity for settlers to convert to indigenes? The experience underscores the nature of one country where citizens have different structures of opportunities not because of any objective criteria but due to ethnic origins. This situation perhaps explains why previous peaceful coexistence between ethnic and religious groups is now blighted by regular bouts of violence.

**Conclusion: From Adversity to Unity in Diversity**

Addressing the indigene versus settler divide is further complicated by the practice of what may be called double homes: where one actually resides and earns a living and a more remote ancestral space visited on special occasions. Many Nigerians in the large urban centers for instance travel “home” for festivities. In effect, because Nigeria is not an immigrant country, there would be double homes, and by the same token, indigenes. Indigeneity for purposes of identity and sense of self poses little problems for citizenship so long as the sphere of indigeneity is kept separate from the issues of citizenship. It is in this sense that Nigeria’s diversity and cultural pluralism are best appreciated. My position is that citizenship criteria must be based on the individual and equality before the law rather than collective “native” or “tribal” identity as has continued since the colonial era. All must belong to a civic rather than an ethnic space. For considerations of citizenship, residency must constitute the operative term, such that wherever Nigerians live, their citizenship rights would be guaranteed. At the moment, the current distinction between indigenes and settlers is in effect a two-tier structure of citizenship. The situation is a denial of inclusive citizenship rights leading to the reality that “...as one moves out

of his/her local government of “origin”, where he/she can lay claims to and authenticate his/her “indigeneity” of a state, the quality of citizenship diminishes” (Egwu 2003: 37).

As the contestations rage about full citizenship, a mediating condition would be more responsive government which attends to basic needs as well as provides more opportunities for education, employment, etc. If and when this happens, many of the bases for exclusion would have been eradicated. However, where the *status quo* remains, the prognosis points to more intensification of the identity politics and the potentials for violence because there is no alternative to full and inclusive citizenship for all. But where this does not obtain, the situation points to one Nigeria of many citizenships where some are citizens of some locations and not of others.

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## Chapter Two

### *Citizenship and Identity Politics: The Indian Experience* By Asbutosh Varsbney

#### Introduction

India's experience with citizenship and identity politics is best summarized by the concept of "state nation". This concept, recently coined by Stepan, Linz and Yadav, is critically different from that of "nation state".<sup>1</sup> The two point to a very different structure of politics and a varying set of state policies. If political leaders and policy makers conflate one with the other, the results can be politically disastrous. Conventionally used to describe nation-building processes and elaborated most clearly in recent decades by Gellner, a nation state essentially represents a coincidence of the territorial boundaries of a state and the cultural boundaries of a nation.<sup>2</sup> France is viewed as the best historical example of such fusion, though it is not the only one.

In the emerging literature on citizenship and nationalism, the French model of *undifferentiated citizenship* is being increasingly viewed as a 19<sup>th</sup> century curiosity, to be studied primarily to understand why the Basques and Bretons, existing at the periphery of the French nation, did not rebel against the profoundly assimilationist thrust of Paris. Japan, Portugal and some Scandinavian countries still approximate the French model, but most of the contemporary world is either multicultural, as for example the US and Switzerland, or it consists of what Stepan *et al* call "states that have strong cultural diversity, some of which is territorially based and politically articulated by significant groups that in the name of nationalism and self determination, advance claims of independence".<sup>3</sup> The big difference between multicultural

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<sup>1</sup> Alfred Stepan, Juan Linz and Yogendra Yadav, forthcoming, *Democracy in Multinational Societies: India and Other Politics*, Baltimore: The Johns Hopkins University Press.

<sup>2</sup> Ernest Gellner, 1983, *Nations and Nationalism*, London: Polity Press.

<sup>3</sup> Stepan et al, page number thus far only in the manuscript.

nations and state nations is that the ethnic, religious and cultural diversity in the former does not have a territorial base, whereas in the latter it does. State nations are not simply multiethnic, multireligious or broadly multicultural, some of their diverse groups are also geographically concentrated, making the possibility of separatist nationalisms quite real.

India, of course, is not the only example of the latter type of society. Stepan *et al* say that Canada, Spain and Belgium are also to be viewed as state nations. Nation states tend to be assimilationist, but “state nation” policies “involve creating a sense of belonging with respect to the statewide political community, while simultaneously creating institutional safeguards for respecting and protecting politically salient socio-cultural diversities”, such as language, religion and culturally sacred norms.<sup>4</sup> Federalism is normally a necessary condition for the protection of such diversities, if they are territorially specific. And *having two or more political identities is not considered subversive to the nation.*

One can thus be a Punjabi and an Indian, a Catalan and a Spaniard, a Quebecois and a Canadian at the same time. Undifferentiated and singular Indians, Canadians and Spaniards do exist. For example, substantial chunks of metropolitan and English-speaking Indians do think of themselves only as Indians, without any prior hyphens such as Punjabi, Tamil, Muslim or Hindu. But a lot of citizens in India – and in other state nations — tend to have multiple, though complimentary, identities. To try to hammer these various identities into a singular national identity *a la* France would in fact fracture state nations, not solidify them. Unity in such cases requires recognition of multiplicity, not a flattening of diversity.

Is Nigeria a nation state or a state nation? For the purposes of this paper, it is worth pondering this question. Since many of Nigeria’s ethnic diversities are territorially based, it is best described as a state nation, not as a nation state. Therefore, the Indian experience with citizenship and identity politics has a lot of relevance and may well be worthy of a comparative study for similarities and differences. As I will argue later, affirmative action is one of the greatest differences in the way India and Nigeria have handled ethnic

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<sup>4</sup> Ibid.

diversities. In India, affirmative action is not based on who is indigenous and who is a settler. Rather, groups viewed as *socioeconomically disadvantaged* are given the benefit of affirmative action. Such groups may well be indigenous to a state, but *not all indigenous people get benefits of affirmative action*. Only those that are disadvantaged, called “lower castes” or “backward castes”, do.

In what follows, I shall begin with a description of India’s key identity groups and their geographical distribution. I will then concentrate on how India’s founding fathers chose to turn such diversities into a nation, and what the main challenges have been. I will then assess the success or failure of such efforts. Finally, I will draw some larger conclusions.

### **India’s Master Diversities**

In its nation-building effort since independence, India has primarily had to deal with four major social diversities: language, religion, caste, and tribe.<sup>5</sup> Nearly 40 per cent of the country speaks Hindi as its “mother tongue”, but there are at least 15 other languages spoken as a “mother tongue” by at least ten million people each (Table 1). Though having a Hindu majority, India has several other religions (Table 2). There are three meta-categories of caste — upper, middle, and ex-untouchables (Table 3)<sup>6</sup>. The last two, viewed as historically deprived, constitute a majority by a huge margin; the upper castes, not more than 16-17 per cent of the country, have on the whole dominated the nation’s political, social and economic landscape. Tribes, constituting 8.1 per cent of the population (called “the scheduled tribes, Table 3), are the least known but an important category, and culturally quite distinct from the mainstream. They are mostly concentrated in the middle and northeastern part of the nation. On the whole, language and tribe tend to be geographically concentrated, whereas religion and caste are more evenly spread throughout the country.

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<sup>5</sup> Class as a category has not determined India’s politics beyond a few states. It has never been a nationwide political concern.

<sup>6</sup> Caste is essentially a local category, and there are thousands of castes in India. With some qualification, they can, however, be grouped together in larger, meta-categories.

How did India's founding fathers seek to deal with these diverse group identities? Their strategy was three-fold: (i) acceptance of what has come to be called the *jus solis* model of citizenship; ii) adoption of a "salad bowl", as opposed to a "melting pot" view of the national identity, a view that came to be called "composite nationalism"; and (iii) a reliance on democracy to resolve conflicts. A *jus solis* principle of citizenship gives priority to territory over blood lines, and a "salad bowl" view of national identity recognizes diversities as central to the nation. However, despite this principle, it is possible that some groups remain discontented, either because their distinctiveness is not recognized, or if recognized, not given equal treatment. If so, democratic mobilization of disaffection and making a point through the election process would be the way to show that the claim about the group's distinctiveness had popular support. Once popular support was demonstrated, it would allow Delhi to make adequate concessions.

Thus, the government would not accept all claims about cultural distinctiveness, only those which were demonstrably popularly backed. This gave a great incentive to political entrepreneurs to mobilize identity groups, making group conflict quite ubiquitous in India. If diversity and democracy had to coexist together, there was no other way out: groups were free to mobilize and make claims. The assumption also was that the greater the freedom to mobilize, the lesser would be the drive towards secession. The accommodation inherent in India's salad bowl strategy was expected to make insurgencies redundant. India's founding leaders were clear that if a violent insurgency nonetheless arose, it would not be tolerated and force would be used. Nehru, it is said, used to keep two statuettes on his desk: Gandhi's and Lincoln's. The former symbolized the willing embrace of diversities, the latter an unwavering opposition to violent insurgencies.<sup>7</sup>

#### *Jus Solis versus Jus Sanguinis*

How does one define an Indian? Are millions of non-resident Indians (NRIs), ethnically Indian but citizens of other lands, really Indian? Is an Indian citizen, even if born outside India, someone like Sonia Gandhi, not Indian? Indeed, it was the intervention of Sonia Gandhi in India's electoral politics in 1998

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<sup>7</sup> M. J. Akbar, 1988, *Nehru: The Making of India*, Delhi: Penguin, p. 565.

that gave an enormous intensity to this debate. Currently the head of Congress party, Sonia Gandhi is the widow of Rajiv Gandhi. The latter was the younger son of Indira Gandhi and a grandson of Jawaharlal Nehru, India's first Prime Minister (1947-64) and a leader widely viewed as second only to Mahatma Gandhi in the nation's modern history,

On how a citizen is defined, there are basically two models available in the world. Some nations are based on what is called the principle of *jus solis* (soil); others on *jus sanguinis* (blood). These ideal types are not perfectly realized anywhere.

The best real-world examples of the first model are France and the US; and the typical illustrations of the second would be Germany and Japan.<sup>8</sup>

Nationhood in the first model is defined either in terms of birth in a land, or as a set of principles: liberty, equality and fraternity in France, and the five principles of the Declaration of Independence — liberty, equality, individualism, democracy and the rule of law — in the US.<sup>9</sup> *Anyone* can be “French” or “American”, including ethnic Indians, so long as they are born in France or the US, and subscribe to these principles. Naturalization is relatively easy in these countries. In the Olympic teams of France and USA, naturalized citizens, migrants until recently or children of migrants, belonging to all sorts of races, are present by the dozen. They hold the American and French flags.

The second model does not allow easy naturalization, but let's ethnicity be the decisive, often the only factor, in citizenship. Those born to ethnically German parents anywhere in the world can become German citizens without any difficulty, even if they have lost German as their language. After the disintegration of the Soviet Union, many ethnic Germans, who had lived in the Soviet Union and come to speak Russian as their first language, migrated

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<sup>8</sup> Rogers Brubaker, 1992, *Citizenship and Nationhood in France and Germany*, Cambridge: Harvard University Press.

<sup>9</sup> Samuel Huntington, *American Politics: The Promise of Disharmony*, Cambridge: Harvard University Press, 1983. Huntington's view changed before his death. For the argument that American is not defined by political ideas, but by cultural inheritance, see his *who Are We?* New York: Simon and Schuster, 2004.

to Germany and became German citizens. In contrast, several million Turks, living in Germany since the 1960s, including a large proportion, who were born in Germany, remained “guest workers” for decades. Until recently when German citizenship policies became more liberal, only a small fraction of “guest workers” were allowed German citizenship. Japan has a roughly similar idea driving its nationhood and citizenship.

The leaders of Indian freedom struggle, Gandhi and Nehru, never defined the Indian nation ethnically. Rather, they gave Indianness a cultural and territorial definition: those who were born in India and/or those foreigners who naturalized and accepted Indian culture. Mahatma Gandhi famously argued that even Englishmen could be Indians so long as they accepted Indian culture as their own. “It is not necessary for us”, said the Mahatma, “to have as our goal the expulsion of the English. If the English become Indianized, we can accommodate them.”<sup>10</sup> Since the term “ethnic Indian” for many in the world incorrectly means “Hindu Indian”, Gandhi’s argument about Hinduism and India is also worth noting: “If the Hindus believe that India should be peopled only by Hindus, they are living in a dreamland. The Hindus, the Muslims, the Parsis and the Christians who have made India their country are fellow countrymen.”<sup>11</sup>

After a vigorous debate marked by some dissent, India’s Constituent Assembly (1946-50) accepted the Gandhian idea of citizenship. Indians settled in Southeast Asia, the Caribbean and in South and East Africa, the Assembly argued, had to be citizens of their adopted countries, not of India. During British rule (1757-1947), several million Indians had migrated to these lands, voluntarily or out of economic deprivation. There was a demand in some quarters that they be given Indian citizenship.

To illustrate the implications of these principles, let us return to Sonia Gandhi, the most interesting contemporary case of this debate. By Mahatma Gandhi’s definition, which India’s constitution adopted, Sonia Gandhi is only *ethnically*

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<sup>10</sup> Mahatma Gandhi, *Hind Swaraj*, Ahmedabad: Navjivan Press, 1938 edition, pp 45-6.

<sup>11</sup> *Ibid.*

Italian, but *culturally* Indian. Even though “constructed” in the long run, ethnicity is typically inherited in the short run. In contrast, cultures can be more easily adopted. By accepting Indian ethos, making a family in India and living in the country, and finally engaging in political campaigns, Sonia Gandhi had made her ethnicity, as in the Franco-American model, irrelevant to her citizenship. Her political opponents asked: Can a foreign born and ethnically unIndian person be Indian? India’s constitution has no doubts on this matter. The answer is yes.

None of what I have said above should be construed to argue that contemporary India should be indifferent to the Indian Diaspora, normally called non-resident Indians (NRIs). Thanks to globalization and advances in communication technology, the first decade of the 21<sup>st</sup> century is not the same as the 1950s. Frequent contact with the ancestral homeland is possible, and diasporas in contemporary world have become an asset to many countries. If Diaspora Indians are willing to contribute to the lands they came from, there is every reason to embrace their goodwill, ideas, resources and energy. It will not only be unpragmatic, but an utter folly, to do otherwise. But defensible pragmatism is not the same as an overarching principle. The Indian nation cannot be defined *as a community of blood*.

### **A Salad Bowl, not a Melting Pot<sup>12</sup>**

The view above is grounded in the conception of national identity, or the genre of nationalism, that India developed during the freedom movement. The movement began in 1885 and became increasingly mass-based after Mahatma Gandhi returned from a 23-year long sojourn in South Africa and took control of the movement’s politics and arguments. The freedom movement used the term “composite nationalism” or “unity in diversity”, to present what it had in mind, a view legitimated by the country’s constitution after independence.

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<sup>12</sup> I had first developed the arguments that follow in the next two sections in “Contested Meanings: Hindu Nationalism, India’s National Identity, and the Politics of Anxiety”, *Daedalus*, Summer 1993. A revised version of the arguments appeared in Ashutosh Varshney, *Ethnic Conflict and Civic Life: Hindus and Muslims in India* (Yale University Press, 2002 and 2003).

Fundamentally, this view of the nation evokes the image of nation as a family. In principle, all religions (as well as languages, castes and tribes) have an equal place in the national family, and none will dominate the functioning of the state. In practice, this ideal has not been fully realized, nor is it easy to realize it, but the important point is that ideal was never given up formally. India's founding fathers never developed a notion of *bhumiputras* (sons of the soil). One's religious faith, linguistic, caste or social background would not determine citizenship in the country and the rights that go with it; birth in India, or naturalization, would be the sole legal criterion.

Though the Congress party, which led the freedom movement, has been the prime representative of this narrative in Indian politics, most political parties and currents have on the whole subscribed to this view of diversities and the nation. The main challenges to this ideology have come from two sources: religion and caste. They have clear implications for how the nation deals with group diversities.

### *Hindu Nationalism*

In the sphere where religion came to interact with politics, the “salad bowl” ideology came to be called “secular nationalism”. A state governed by such an ideology would maintain “equal distance” from all religions, privileging none. The greatest challenge to this view has come from Hindu nationalism, a powerful force since 1989. The Hindu nationalist view of the nation is embedded in a “melting pot” model. Hinduism, according to this narrative, gives India its distinctive national identity, and other religions must *assimilate* to the Hindu center. India, according to this narrative, is originally the land of the Hindus. Most of India is, and has been, Hindu by religion<sup>13</sup> — anywhere between 65 to 70 per cent in the early 20th century India and 82 per cent today. India thus viewed is a Hindu nation.<sup>14</sup>

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<sup>13</sup> Some historians disagree. They argue that a Hindu identity is at best a creation of the last 200-300 years. Before that, there were different sects, but no Hindu identity as such. See Romila Thapar, “Imagined Religious Communities? Ancient History and the Modern Search for Hindu Identity”, *Modern Asian Studies*, Vol. 23, no. 2, 1989

<sup>14</sup> H.V. Sheshadri, “Hindu Rashtra: What and Why”, *Hindu Vishva*, Vol. 25, No. 12, Silver Jubilee Special Issue, 1989-90, p. 30. .Nanaji Deshmukh, *Rethinking Secularism*, Suruchi Prakashan, Delhi, 1989.

Who then is a Hindu? The term is further specified by Hindu nationalists. The definition that Savarkar, the ideological father of Hindu nationalism, gave in *Hindutva*, the foundational text of Hindu nationalism, embraces the importance of the land of India based on notions of territory, genealogy, and religion. Hindus, Sikhs, Jains, Buddhists meet all three criteria of this definition, for each of these religions emerged in India. Christians, Jews, Parsis and Muslims can meet only two; as these religions were born elsewhere, they lack the same religious connection to the land. “Their love is divided.”<sup>15</sup>

For Hindu nationalists, thus *Muslims and Christians are the principal internal adversaries* – especially the former, partly because of their numbers, and partly because a Muslim homeland in the form of Pakistan after all did partition India in 1947. The Muslims were 25 per cent of the pre-1947 India, and even after the formation of Pakistan, they have been the largest minority, about 12.8 per cent of the country’s population at this point.

What should these communities, especially the Muslims, do to show that they are part of the Indian nation? In extreme versions of Hindu nationalism, a claim about the legal primacy of Hindus, which the Muslims must accept, is made. In other words, a differential bundle of *citizenship rights* is proposed. Expressing his admiration for how Hitler dealt with the Jews, Golwalkar, one of the fathers of Hindu nationalism, wrote:

“Race pride at its highest has been manifested (in)... Germany. .... The foreign races in Hindustan [i.e., the Muslims] must adopt the Hindu culture and language, must learn to respect and hold in reverence the Hindu religion, must entertain no ideas but those of glorification of the Hindu race and culture [...and] may [only] stay in the country wholly subordinated to the Hindu nation, claiming nothing—not even citizen’s rights.”<sup>16</sup>

This extreme view is no longer fashionable. Muslim acceptance of the cultural and political, not legal, primacy of Hindus for shaping India’s future is now the generic Hindu nationalist argument, shared by moderates as well. At the

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<sup>15</sup> V.D. Savarkar, *Hindutva*, op. cit., p. 113.

<sup>16</sup> M.S. Golwalkar, *We or Our Nationhood Defined*, Nagpur: Bharat Publications, 1939

height of the Hindu nationalist movement – during 1989-93 –the Hindu nationalists argued that the Muslims must take the following steps to enter into national mainstream: assent to the central role of Hinduism in defining Indian civilization; embrace crucial Hindu figures as civilizational heroes; remorsefully acknowledge that Muslim rulers of India between 1000 A.D. to 1757 A.D. destroyed pillars of Hindu civilization, particularly Hindu Temples; and renounce claims to the maintenance of religious personal laws and to the need for special state grants for their educational institutions. Through these steps, and via *Ekyā* (assimilation), India’s Muslims will demonstrate their loyalty to the nation. Maintaining distinctiveness would simply mean that “their love”, as Savarkar put it, “is divided”.

It is important to understand what is at stake here. Drawing a distinction between three terms – pluralism, syncretism, and assimilation – is perhaps the best way to illustrate the differences between the two views. Composite nationalism insists on pluralism and syncretism; Hindu nationalism on assimilation.

Pluralism would indicate co-existence of distinctive identities (*A respects, and lives peacefully, with B*). An example of pluralistic tolerance from Hinduism would be Mahatma Gandhi, who was an intensely religious Hindu. Syncretism would signify not a tolerant co-existence of distinctions, but a merging of cultures/religions, leading to a new form of culture/religion (*A interacts with B, and an amalgam C emerges as a result*). In its interaction with Hinduism, Islam, especially Sufism, developed forms of piety and culture that represented Indian as opposed to Arab versions of Islam.<sup>17</sup> Syncretism should also be distinguished from assimilation. Assimilation means absorption into the dominant culture/religion (*A merges into B, losing its distinctive identity*); syncretism implies a give-and-take between cultures and religions (*C represents elements of A and B*). The Sikh religion is a syncretistic religion par excellence, combining elements of Islam and Hinduism, and becoming a faith in itself.

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<sup>17</sup> Worship at the graves of great Sufi saints resembles Hindu forms of piety in several ways: Devotional music, deposition of flowers, and a priestly offering of the “sacred sweets” (*prasad*) bring the two together; idols (Hinduism) and graves (Islam) separate them.

Pluralism in the secular nationalist view is embodied in laws and political institutions (such as personal laws of minorities about divorce, marriage and inheritance, and protection of minority educational institutions). The Hindu nationalists argue that emotions and loyalty make a nation, not politics, laws and institutions. Laws, they say, can always be politically manipulated.

In India, Islam has historically developed two broad forms: syncretistic and exclusivist. Syncretistic Islam integrated into the pre-existing Indian culture, just as Indonesian Muslims retained their pre-Islamic heritage of Ramayana and Mahabharata. Exclusivist Islam can be a personal faith, or may also enter the political sphere, thus becoming an ideology, displaying sometimes what are known as fundamentalist qualities. Syncretistic Islam has produced some of the pillars of Indian culture, music, poetry, literature.<sup>18</sup> Indian Muslims of various hues have, moreover, also fought wars against Pakistan. By not making these distinctions, the Hindu nationalists embitter even those Muslims who are syncretistic in their religiosity and culture, as also those for whom Islam is a faith, a way to sustain troubled private lives, but not a political ideology. In the Hindu nationalist discourse, these important distinctions blur. An anti-Muslim hysteria, witnessed in its most acute form during the 2002 anti-Muslim pogroms in the state of Gujarat, can easily be an outgrowth of such discourse.<sup>19</sup>

Since 1947, the Bharatiya Janata Party (BJP) has been the principal patron of religious nationalism in politics. The party was called the Bharatiya Jan Sangh (BJS) until 1977. The aim of Hindu nationalists, one should also note, is not only to emphasize the centrality of Hinduism to India, but also to build Hindu unity. The Hindus, after all, are a religious majority only in a manner of speaking. They are divided internally by multiple caste cleavages. As an ideology, Hindu nationalism is thus opposed both to salad bowl view of the

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<sup>18</sup>A very large number of Muslims have been exponents of Indian classical music. Muslim playwrights and poets, writing in Hindi, have also existed. Similarly, some of the leading Urdu poets have been Hindu (e.g. Firaq Gorakhpuri). The Taj Mahal, the most popular monument of India, has syncretistic Indo-Persian motifs. The tomb of Salim Chishti, a Sufi saint, is visited by millions of Hindus and Sikhs, not simply Muslims.

<sup>19</sup>For the links between Gujarat pogroms and Hindu nationalism, Ashutosh Varshney, "Understanding Gujarat Violence" *Items and Issues*, (Social Science Research Council, New York), Fall 2002.

nation and to the other principal caste-based ideology of the last hundred years discussed below.

*Lower Caste Politics and Affirmative Action*

Another big ideological challenge to composite nationalism has come from lower caste political parties and organizations.<sup>20</sup> Their ideology is not directly opposed to composite nationalism; rather, their notion of which diversities are important and should be central to nation making is different. The lower caste ideology speaks of the deeply hierarchical and unjust nature of the Hindu social order, in which the lower castes have historically had a lower bundle of rights and some have been most shabbily treated and oppressed by the upper castes. An egalitarian restructuring of Hindu society is the chief goal of the caste narrative: caste should not determine whether an individual is treated as an inferior or superior human being.<sup>21</sup> This ideology, thus, concentrates on India's religious majority, the Hindus. When it speaks of non-Hindu groups, it does so by arguing that both religious minorities as well as the lower Hindu castes suffer from discrimination by the higher castes. An alliance of lower castes and religious minorities, therefore, is natural. Moreover, according to this narrative, to make up for centuries of caste oppression, affirmative action favoring the lower castes in government jobs and education should be the primary vehicle of achieving social justice.

The "lower caste narrative" has, by and large, risen to all-India prominence of late. It was a South Indian narrative to begin with, used as it was to mobilize the masses in the first half of the 20<sup>th</sup> century.<sup>22</sup> Capitalizing on their numbers in a democracy, the lower castes of South India ended the political dominance of the upper castes by the 1960s. In the 1980s and 1990s, this ideology of politics finally spread to the North. Given their vast numbers, a universal

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<sup>20</sup>For an account by one of the founders of the ideology, see Rammanohar Lohia, 1964, *The Caste System*, Hyderabad: Lohia Samata Vidyalaya Nyas.

<sup>21</sup>For an overview of caste identities and caste politics, see Vibha Pingle, 2003, "Caste: Continuity and Change", in Sumit Ganguly and Neil deVota, (eds.), *Understanding Contemporary India*, Boulder, Colorado: Lynne Rienner.

<sup>22</sup>Marguerite Ross Barnett, *The Politics of Cultural Nationalism in South India*, Princeton, NJ: Princeton University Press, 1967; and Robert Hardgrave, *The Nadars of Tamil Nadu*, Berkeley: University of California Press, 1969.

franchise democracy has become the greatest ally of lower caste politicians. The lower castes have come of political age in much of India, pressing the polity in new directions and achieving significant public policy successes. India's affirmative action program, as it exists today, has a great deal to do with the rise of lower castes in politics.<sup>23</sup> The affirmative action policies are of two types: reservations in *higher education and government employment*, and *legislative representation*.

By now, 49.5 per cent of all government jobs and 49.5 per cent of all seats in higher education institutions are reserved for SCs, STs and the "other backward castes" (OBCs). Table 3 profiles the demographic proportions of these groups. India's Supreme Court has basically settled the various affirmative action controversies in favor of the following principle: half of government jobs and half of educational seats will be fully competitive, and the other half will be reserved on the basis of socio-economic disadvantage. In other words, all castes except the upper castes (and non-Hindu minorities) can get the benefits of affirmative action in higher education and government employment. The upper castes (and non-Hindu minorities) are eligible for only half of the jobs and educational seats.

In India's legislatures, federal, state and local, reservations take a different form. Legislative seats are reserved for the two most disadvantaged groups only: the Scheduled Castes (ex-untouchables), called SCs, and Scheduled Tribes, called STs (Table 3). Also, legislative reservation is demographically proportionate: if the SCs or STs constitute, let us say, 20 per cent of a state's population, then 20 per cent of all seats in the state legislature are reserved for them. In the federal parliament, the 1950 constitution reserved 22.5 per cent seats for both SCs and STs.<sup>24</sup> OBCs were not given legislative reservation,

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<sup>23</sup> For a detailed treatment how lower castes have used democracy to advance their claims and power, see Ashutosh Varshney, 2000, "Is India Becoming More Democratic?", *Journal of Asian Studies*, March; Myron Weiner, 2001, "The Struggle for Equality: Caste in Indian Politics", in Atul Kohli, ed., *The Success of Indian Democracy*, Cambridge: Cambridge University Press 2001; and Lloyd Rudolph and Susanne Rudolph, 1968, *The Modernity of Tradition*, Chicago: University of Chicago Press.

<sup>24</sup> In 1950, their proportion in the total national population was 22.5 per cent

for it was believed that their numbers were so large (Table 3) that no legislative reservation would be necessary. If the OBCs wanted to elect only OBC politicians as their leaders, they would be able to do so without reservation of legislative seats. Finally, at the local government level — and at that level only — one third of all seats are reserved for women (over and above reservations for SCs and STs). Of the 3 million local legislators elected in India every five years, one million are women.

This system differs from the Nigerian affirmative action in quite fundamental ways. Consider some of the greatest differences.

- i) Nigeria's affirmative action is based principally on who is indigenous and who is a settler. Indegeneity is not the basis of Indian affirmative action; socioeconomic disadvantage is. The SCs, the OBCs are to be found all over India, and the STs in many states, if not all. They are not indigenous to some states only. Women, needless to add, are also not geographically concentrated.
- ii) It is true that most SCs, STs and OBCs are too poor to afford interstate migration. They are also primarily rural. In effect, therefore, one could say that they are indigenous to a given state. But that still does not constitute an indigeneity principle. Because they are historically privileged, *the upper castes, even if indigenous, do not get the benefits of affirmative action.*
- iii) No one is banned from running for office in an election on an indigenous versus settler basis. Migrants have often run for office and won elections. Migrants end up speaking the language of their adopted states and are, therefore, able to campaign in the language the voters understand. Language is the only effective barrier. The legislative seats reserved for the SCs and STs have some other exclusions, but indigeneity is not their basis. Only the SCs and STs can run for office from reserved seats.
- iv) There are no differential fees in schools. All state citizens, including the migrants, pay the same tuition that the others do. Only the SCs and STs get tuition benefits as a matter of principle. Other than the SCs and STs, those too poor to pay school fees can also get tuition benefits, but the upper castes in general are not given any tuition subsidies on the basis of indigeneity.

- v) Local governments have no authority to decide who is indigenous and who is a migrant, nor which castes are disadvantaged. This is a state-level question.
- vi) India's top central services – including administration, education and police – have no state-based quotas. Those selected nationally are assigned to various states on the basis of merit and the number of openings. Top civil servants and top police officers of a given state are often not from that state.

To be sure, India's affirmative action has had its share of conflicts, especially on the question of whether its benefits should be confined to the SCs and STs only, historically the two most disadvantaged groups, or such benefits should also be extended to the OBCs. There has been a consensus on the former, but not on the latter. But even when conflicts over affirmative action have broken out, they do not normally pitch sons-of-the-soil against the migrants/settlers.<sup>25</sup> The conflict is about which OBCs are disadvantaged and what kinds of benefits they can legitimately receive. Since this is a state-level question, the political system has been able to contain conflicts: conflicts have not proliferated from one local government to another.

### **Language and Indian Federation**

Religion has often been the center of intellectual attention in India. Religiously based personal laws (on marriage, divorce, property inheritance etc) given to each religious community, an insurgency in Muslim-majority Kashmir and the incidence of Hindu-Muslim riots have generated a lot of scholarship and commentary.<sup>26</sup> But central to India's federation are language groups, and without understanding India's federal principles, it is impossible to figure out how citizenship and identity politics were combined in India. India's federalism is

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<sup>25</sup> The exceptions are the sons-of-the-soil movements in Assam and Mumbai. See Myron Weiner, 1978, *Sons of the Soil: Migration and Conflict in India*, Princeton: Princeton University Press.

<sup>26</sup> For personal laws, see Rina V. Williams, 2006, *Postcolonial Politics and Personal Laws*, Oxford University Press. For Kashmir, see Ashutosh Varshney, 1991, "India, Pakistan and Kashmir: Antinomies of Nationalism", *Asian Survey*, November. For Hindu-Muslim violence, see Varshney, *Ethnic Conflict and Civic Life*, op. cit.

also a prime example of India's state-nation politics and policies, as opposed to the nation-state politics of singular identities and assimilation.

India is a "holding together" federation, not a "coming together" federation. States did not join a federation; rather, a constituent assembly created a federal center and states. The US is the prime example of the "coming together" variety of federalism, but "most democratic countries that have adopted federal systems have chosen not to follow the US model".<sup>27</sup> "Holding together" federations typically have a stronger center than the US does. The powers of states are clearly laid out in the constitution and the state governments, elected by the state electorate, can be quite powerful, but the center has extensive and constitutionally assigned powers over them. A strong center, argue Stepan et al, is consistent with the state-nation model.<sup>28</sup> Respect for pluralism does not mean that the center should be so weak as to be unable to preempt drift of federating units into separatism, should tendencies in that direction surface in the politics of some states.

### ***The Linguistic Principle***

India in 1947 comprised of three politically and geographically distinct groups of territories: the directly British governed provinces comprising two thirds of British India; over six hundred large and small princely states, which fell under British domain but were not directly administered by the British; and the tribal territories, also more or less autonomous under British India. Compressing these areas into a single political entity and devising a power sharing arrangement was never going to be easy. The challenges were addressed by creating federal states, whose boundaries would correspond to populations with important cultural similarities.

But which federating logic should be used? As it turned out, language in most of India and tribe in the seven small northeastern states became the key principle.<sup>29</sup> Of all of India's cultural identities, only these two were

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<sup>27</sup> Alfred Stepan, 1999, "Federalism and Democracy: Beyond the US Model", *Journal of Democracy*, October.

<sup>28</sup> Stepan et al, op. cit.

<sup>29</sup> For further details of Indian federalism, see Amit Ahuja and Ashutosh Varshney, 2005, "Antecedent Nationhood, Subsequent Statehood: Explaining the Success of Indian Federalism", in Phillip Roeder and Donald Rothchild, eds, *Sustaining Peace*, Cornell University Press.

geographically based. Religion and caste, spread all over the country, could not be the constitutive basis for India's federation. Because language was the rationale for statehood for most parts of India, the federal scheme came to be called linguistic. Each state has its own official language; central government business is conducted either in Hindi or in English.<sup>30</sup> Fifteen languages are spoken by an overwhelming majority of people in their respective states. These fifteen form the basis of most Indian state boundaries.<sup>31</sup> With the exception of Hindi (which is the lingua franca in six states), each of the fifteen languages is both the main language in a single state and is rarely spoken outside that state.<sup>32</sup>

Major language groups were simultaneously given a direct stake in the Indian system and separated from one another. Their stake came in the form of a *politically legitimized regional subnationalism*. A political party in the states of Tamil Nadu or Assam would be hard pressed to come to power in that state without invoking commonly held notions of Tamil, or Assamese cultural pride, or keeping such notions in mind. But language groups are also separated because claims supporting Tamil heritage, for example, are meaningless outside the state of Tamil Nadu. Hindus, Muslims and Christians, and castes can be found in most states, but not the speakers of Tamil or Assamese.

Language made great sense from a regional perspective, but what about language communities that do not speak the state's official language? Each state in India has substantial populations not speaking the state's dominant, or "official"

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<sup>30</sup> The term "official language" is to be distinguished from another term, "national language". An official language in India refers to a designated language approved for official transactions of the state mainly at the administrative levels and for formal political communication. A national language implies a much wider range of communication.

<sup>31</sup> English, Sanskrit, and Sindhi are also included in the Eighth Schedule for political or historical reasons...

<sup>32</sup> Looking back, fifteen looks natural. Ex-ante, it was not so. The 1951 census reported 845 languages and dialects in India, but the designation of a language or dialect is both subjective and political. The 1961 census mentioned 1,642 "mother tongues" as reported by Indian citizens, but did not clarify the meaning of "mother tongue." Citizens sensitive to the political meaning of language enumeration have used the census strategically. During the 1950s and beyond, upper-caste Sikhs pressed for a revision of the Punjab state boundary such that a majority of the population spoke Gurumukhi (rather, they claimed to write it, for script is the main difference between Gurumukhi and Hindi). In response, Hindus and lower-caste Sikhs who were opposed to the proposed state reported in the 1961 census that they spoke Hindi.

language. First, Articles 29 and 30 of the Indian constitution guarantee that all children may receive primary education in their “mother tongue” and that the state government may not discriminate against educational institutions on the basis of the language of instruction. Second, Article 351 mandates a Special Officer for linguistic minorities who will serve as a watchdog over these communities’ social and cultural rights. Despite these cultural protections, great pressure for regional assimilation remains. Most pupils, whose mother tongue is different from the official language of the state, tend to go to mainstream schools.

From an all-India perspective, multiple languages as a basis of state communication seemed problematic to begin with. For greater national cohesion, Article 351 directs the central government to promote Hindi “so that it may serve as a medium of expression for all the elements of the composite culture of India,” and Article 343 provides for the English language only for a period of fifteen years. In practice, however, the challenge of several official languages was not as intense as the challenge of quelling social mobilization that followed the hasty attempts to de-legitimize regional language groups and introduce Hindi as an all-India language. After the early and adverse experiences, the central government limited its efforts at Hindi evangelism and, every fifteen years, Parliament reinstates English as an official language. Basically, a multi-lingual India has been accepted as a reality, especially after it became clear that the linguistic formation of states had led to a decline in language-based violence. By giving each major language group a territorial home and state-level power, India has made language groups psychologically and culturally secure.

One must add that the choice of linguistic identities as a basis for statehood in the federation was not simply an act of far-sighted statesmanship. Many of India’s most violent social mobilizations in the post-independence period were organized along linguistic lines. The first linguistic state, Andhra, was created in 1953 following riots touched off by a “fast unto death” by a linguistic

promoter.<sup>33</sup> As it finally emerged, the linguistic basis of federalism was a synthesis of principles, pragmatism, and learning through experimentation. Nehru, India's first Prime Minister, had initially argued that the newly independent nation should concentrate its energies on economic development, not on language-based state boundaries.<sup>34</sup> Though the Congress party had agreed in theory that language would be the federal principle as far back as the 1920s, this principle was given concrete institutional and administrative form only following linguistically based social mobilization in the 1950s. And the first round of successful linguistic federalization generated support for additional linguistic states later. By the late 1960s, India's state boundaries had been fundamentally reorganized along linguistic lines.

### **Constitutional Division of Powers**

The debate in India's constituent assembly showed a fair degree of consensus on the subject of centralization. The horrors of India's 1947 partition – about 250,000 deaths, and nearly 10-12 million migrations on either side of the India-Pakistan border – provided the context for such a consensus. Members of the constitutional assembly argued vociferously for the division of powers, but these arguments were more on the techniques and details of division rather than the direction. In order to cope with the continuing challenge of nation building and the new task of economic development, a strong central government was a necessary prerequisite. The states were denied the right to secede from the union.

The constitution created three lists: Union, State, and Concurrent. The union list of legislative powers includes 99 subjects and the state list 61, and concurrent powers belonging to the union and the states extend to 52 items.<sup>35</sup>

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<sup>33</sup> Andhra was comprised of the Andhra-speaking portion of Madras province. It evolved into Andhra Pradesh in 1956, when the Andhra-speaking portion of neighboring Hyderabad was added. That portion, known also as Telengana, was the site first of a violent communist secessionist struggle and then of a violent Muslim secessionist one. Linguistic statehood effectively lowered Telengana problem to a simmering level, where it has remained—unresolved but, by and large, nonviolent.

<sup>34</sup>For a description of Prime Minister Nehru's vacillations, Robert D King, 1997, *Nehru and the Language Politics of India*, Delhi: Oxford University Press.

<sup>35</sup> For a full-length treatment of divisions of powers between central and state governments, Granville Austin, 1999, *The Indian Constitution: Cornerstone of a Nation*, Delhi: Oxford University Press.

The first list includes defense, external affairs, major taxes, etc.; the second covers public order, police, agriculture, primary and secondary education etc; the third includes economic and social planning and higher education. All the residual powers are vested in the center. The constitution also lays out the division of financial powers between the union and state governments. Taxes that have an inter-state base are under the legislative jurisdiction of the Union, while those that have a local base fall under the legislative jurisdiction of the states. The constitution vests in the Center (called the Union) the power to make grants and capital transfers to the states.<sup>36</sup>

The constitution lays down only how certain revenues are to be levied and collected, and not how the proceeds from them are to be distributed. This was left for the Finance Commission, a constitutional creation, to decide. There have been twelve such Finance Commissions so far, each lasting roughly five years. In each Finance Commission, the center and states have bargained vigorously over how to distribute national revenue. On the whole, the state share of national revenue has been consistently going up.

The most center-oriented provisions of the constitution cover the powers of the national cabinet and parliament over the making and functioning of states. The constitution offers extensive formal authority to the national parliament to reorganize states.<sup>37</sup> The part of the constitution that has generated the maximum, and often bitter, debate covers Articles 352-360. These are the emergency provisions, when the country begins to function more or less like a unitary state. On taking effect, these provisions concentrate all power in the hands of the center. They can be invoked in situations of national and state level emergencies. The National emergencies are broadly defined as: financial

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<sup>36</sup> As for loans, the Union, or the federal government, may borrow on the security of the national revenues. The state governments may also borrow within limits set by their legislatures, but those legislatures must follow the restrictions imposed by the constitution. A state government, for example, cannot borrow in Euro markets, though the central government can.

<sup>37</sup> These provisions “enable Parliament by law to admit a new state, increase, diminish the area of any State or alter the boundaries or name of any State”. The exercise of these powers requires that the recommendation of the president, a nominal head of government under India’s parliamentary system, is necessary and that the president shall ascertain the views of the legislature of the concerned state.

emergency, external threat to the state, and cases of internal disturbance. The worst abuse of emergency powers at the national level took place in June 1975 and continued until March 1977. The then Prime Minister Indira Gandhi declared emergency under Article 352 on grounds of internal disturbance.<sup>38</sup> The emergency was the only time in India's post-independence history when most opposition leaders were sent to prison on charges of undermining internal order. India's parliament as well as state governments had become the central executive's rubber stamp.

Under the provision of Article 356, also among the most controversial parts of the constitution, the center has at its disposal a most potent instrument for the intervention in state politics. In the event of a state-level break down of the constitutional machinery, Article 356 allows for the invocation of the "President's Rule", whereby the president, on the recommendation of the Union cabinet, can assume the normal powers of a state, remove a state government, dissolve the state legislature, and empower the Union legislature to exercise the respective state's power for a temporary period.

Over the past six decades, Article 356 has been used on more than a hundred occasions. A commission appointed by the Government of India to investigate the abuse of this provision found that out of 75 cases until then, only in 26 was the use clearly justified or inevitable.<sup>39</sup> The pattern, however, changed in the 1990s, when the frequency of President's Rule and the use of Article 356 went down significantly. In 1994, the Supreme Court ruled that a proclamation under Article 356 can be judicially reviewed, and the central government would have to reveal to the court the relevant material justifying its decision to exercise its power under the provisions of this article. The President has also of late exercised the constitutional privilege to return to the cabinet the executive request to impose President's rule on a state.<sup>40</sup> These interventions,

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<sup>38</sup> During the term of the emergency, the 42<sup>nd</sup> amendment was passed which seriously affected the constitution, making it more centralized. More than sixty clauses of the document were affected. Later, after the post-emergency electoral defeat of Indira Gandhi and the Congress party in 1977, the 43<sup>rd</sup> and 44<sup>th</sup> amendments corrected the imbalance temporarily introduced by the amendments voted in by a docile parliament of those eighteen months.

<sup>39</sup> The Sarkaria Commission, as it came to be called.

<sup>40</sup> Over the past decade, three such requests have either been denied or sent back for review.

by the Supreme Court and President, have seriously reduced the risk of arbitrary central intervention in state politics and begun to restrain central leaders from using exceptional powers for partisan purposes. A political consensus that the use of Article 356 should be minimized has emerged in India, which appears to have made federalism deeper and more secure. Since 1996, regional political parties have also become a critical part of the governing coalition in Delhi. That, in addition, has led to a rise in the power of states.

*What Kind of Success?*

In a comparative third world perspective, Indian federalism has on the whole been a substantial, if not a spectacular, success.<sup>41</sup> Consider the following indices:

- a) India's 1950 constitution, which laid down the federal framework, has not been overthrown, and its legitimacy only occasionally challenged by states. On the central side, Indira Gandhi did seek to challenge the overall principles of federal functioning, but the centralization she attempted has long been reversed. Her favorite argument that if states became powerful the nation would be weakened has *completely* disappeared from the political sphere. Central leaders over the last decade have instead argued that the more powerful the states become, the lesser would be the governance problems for the nation as a whole. More new states have been voluntarily created, not resisted, by the Center. In 1957, India had 14 states; in 1971, the number had grown to 17, and in 1981 to 23; by 2001, to 28 states.
- b) Language riots, which preceded the formation of linguistic states, and continued through the 1960s, have precipitously declined since the emergence of linguistic states. Language is no longer a divisive political force in India. It used to be a source of great conflict in the 1950s and 1960s.

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<sup>41</sup> If we use the criteria of "coming together" federations to judge how Indian federalism has done, the case of Indian success would not be clear-cut. As already stated, the center has on many occasions violated state-level authority, though each such violation has been constitutionally justified in terms of Article 356. The "coming together" criteria, however, are not the best ones to use here, for Indian federalism is based on "holding together" principles. It is quite different from the American model.

- c) Despite a relative lack of geographical mobility, which normally runs against the development of larger national consciousness, there has been no serious threat to Indian nationhood since 1947. There have, indeed, been four exceptions: Nagaland and Mizoram in the Northeast, and Punjab and Kashmir in the North. But two facts should be noted. First, none out of the remaining states, currently 28, has ever raised the banner of secessionary revolt. Second, at no point did more than two insurgencies rock the polity simultaneously. The worst year was 1990, when the insurgency in Punjab hadn't quite died out, and in Kashmir, it had recently burst on the scene. Even at this moment, a mere 3.5 per cent of the national population, spread over these two states, was affected. In other instances, the affected percentages were considerably lower.
- d) Dispute resolution mechanisms between the Center and states have become institutionalized. The disputes are either settled in the National Development Council, which is the forum for bargaining over investment funds, or in the Finance Commission, which is the forum for distribution of national revenue, or in the highest reaches of ruling political parties. If nothing works, all units of the federation have learned to accept the Supreme Court's judgments. In some institutional arena or the other, disputes get resolved, and problems managed.

My assessment of India's federalism is by now quite widely shared. In a recent book, Stepan *et al* have also argued that India's federalism has been a success. For them, the contrast between Sri Lanka's and India's handling of their Tamil minorities is profoundly illustrative. India's state-nation model successfully dealt with a potentially separatist Tamil rebellion, successfully including the Tamils in the mainstream of Indian politics, whereas Sri Lanka's pursuit of nation-state policies engendered the awfully bloody civil war in the North and the East.<sup>42</sup> Sri Lanka's civil war might be at its end by now, but its furies have consumed thousands of lives since 1983.

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<sup>42</sup> Stepan et al, op. cit.

## Conclusion

One of the greatest objectives of India's nation-building process was to inculcate a national feeling without necessarily eliminating the linguistic, religious, caste and tribal identities that its citizens felt. By following a state-nation model of politics, which respected diversities, including those territorially based, India was able to mold its massive diversities into a political community. The record is not flawless and the pursuit of nation-building is not yet over, but it is also clear that if India had followed the French model of singular identity and suppressed ethnic, religious and caste identities, it would probably have led to national disintegration, not national unity. Finally, respect for diversities has not led to policies that do not at the same time generate a national-level feeling. In the minds of most Indians, the linguistic, religious or caste identities have come to coexist with strong national identities.

**Table 1**  
*India's Principal Languages*

Language	Spoken by percentage of India's population
Hindi	39.9
Bengali	8.2
Telugu	7.8
Marathi	7.4
Tamil	6.3
Urdu	5.1
Gujarati	4.8
Kannada	3.9
Malayalam	3.6
Oriya	3.3
Punjabi	2.8
Assamese	1.5

**Source: Census of India**

Table 2

**INDIA'S RELIGIOUS PROFILE**  
(in percentages)

Hindus	82 %
Muslims	12.9 %
Christians	2.1 %
Sikhs	2.1 %
Buddhists	
& Jains	0.9 %

Source: Census of India

Table 3

**INDIA'S CASTE COMPOSITION**

Group	Percentage of Population
Upper Castes	16.1
OBCs	43.7
Scheduled Castes	14.9
Scheduled Tribes	8.1
Non-Hindu Minorities	17.2

NOTE: Since no caste census has been taken since 1931, the figures above can be seen as best guesses, not exact estimates. They are sufficient to show the overall magnitudes, however. Also, the upper castes in this calculation include the "dominant castes" that are no longer considered deprived, even though they were ritually not placed in the upper category.

Source: Government of India, *Report of the Backward Classes Commission*, (The Mandal Commission Report), 1980, First Part, Vol. 1, p. 56.

## Appendix I

### *Communiqué of the Conference*

#### **Preamble**

Against the background of increasing spate of identity-based discrimination and violence in the last ten years of elected civilian government in Nigeria, which have led to loss of thousands of lives, displacements and disruptions of livelihood pursuits, the CLEEN Foundation in collaboration with the Ford Foundation organized a two-day national conference on Citizenship and Identity Politics in Nigeria. The conference, which was organized to commemorate 50 years of Ford Foundation's grant making on governance and humans rights in Nigeria, held at the NICON Luxury Hotel Abuja, March 25-26, 2009.

It was attended by members of the National Assembly, representatives of government and security agencies, civil society organizations, international development agencies, academia, diplomatic community and the media. In all, 70 persons took part in the conference. After very engaging discussions on incisive papers and keynote remarks presented by renowned scholars and practitioners on the issue of identity politics and attendant conflicts, the participants focused on three major themes identified in the presentations, using the principles of identifying core blockages and high impact solutions. These are: *National integration and coexistence; Constitutional and legal framework for addressing identity based discrimination; and Intelligence and security response to identity based conflicts.*

#### **CORE BLOCKAGES**

##### ***National Integration and Coexistence:***

- Declining sentiments of Nigerians towards the nation and seeming transfer of loyalties to ethnic and religious cleavages as a result of inability of the Nigerian state to meet the social welfare and security

needs of the citizenry, which have increased the importance of communal, ethnic and religious identities in political mobilization;

- Policies and practices of government at all levels, which by design or in effect, have continued to promote the dominance of some groups and alienated other groups, especially the so-called ethnic and religious minorities;
- Tendency of governments at various levels to operate without proper consultation and engagement of communities, which have produced outcomes that sometimes pitch communities against one another;
- Low level of economic integration and interdependence among regions and states, thereby limiting the possibilities for inter-state and regional cooperation;
- Post cold war decline in religious tolerance and growing influence of fundamentalist religious groups that refuse to recognize any virtue in other religions and sects;
- Decline in good governance, which has spread poverty to unprecedented levels, thereby making vast sections of the population, especially the youth, vulnerable to being mobilized for violent conflicts;
- Disappearance of ideology and issued based politics in the electoral process;
- Anti-developmental focus on sharing of the national cake (distribution) rather than baking the cake (production);
- Absence of national consensus on social values and appropriate behavior in public office;
- Failure of the state and society to effectively recognize and celebrate national icons, heroes and heroines in Nigeria and abroad, in preference for people with questionable wealth and political influence;

- Abdication of responsibility to inculcate patriotic values on young people through civic education in schools by the family, society and state;

### ***Constitutional and Legal Framework***

- Widespread belief that the 1999 Constitution of the Federal Republic of Nigeria is not a document that reflects the wishes and aspirations of Nigerian peoples but was imposed on Nigerians by a military dictatorship;
- Contradictory provisions on citizenship in the 1999 Constitution, which in one breath grants citizenship and in another denies rights associated with citizenship by the requirement of indigeneity;
- Centralization of the architecture of Nigeria's federalism in the Constitution, which does not allow for effective devolution of powers to federating units, thereby weakening their ability to mobilize security resources for dealing with identity based violence;
- Widespread believe that the constitutional provision on federal character is not an effective approach to affirmative action. It consolidates and enhances the hegemony of dominant groups, stifles healthy competition and promotes mediocrity with adverse implications for the attainment of the developmental aspirations of the country.
- Listing of Local government areas in the constitution, which unduly restricts the ability of federating units (states) to create new local governments without recourse to the National Assembly;
- Silence of the Constitution on citizenship eligibility of the non-Nigerian spouses of Nigerian women;

### ***Intelligence and security Response to Identity based Violence***

- Allegiance of top officials of law enforcement and security agencies to parochial ethnic and religious interests rather than national interests

as a result of appointment, posting and promotion policies that celebrate ethnicity and religion at the expense of merit;

- Undue centralization of control of law enforcement and security agencies, which does not give sufficient room to local commanders to take initiatives of their own to restore peace in situation that threaten law and order, such as identity based conflicts;
- Failure of successive government to adequately equip law enforcement and security agencies, especially the police, with the wherewithal to perform their functions and effectively hold them accountable, which make them easily overwhelmed in responding to crisis situations.
- Weak intelligence gathering capability among law enforcement and security agencies, which has contributed to high incidence of false and inaccurate intelligence; and inability of government at various levels to act on occasions when reliable and actionable intelligence are provided, due to vested interests of some persons in government.
- Lack of effective interagency coordination and collaboration among law enforcement and security agencies in gathering intelligence on identity based conflicts and responding in a coordinated manner to outbreaks of identity based violence.
- Failure of the criminal justice system to bring to justice perpetrators of identity based violence, which has created a culture of impunity among conflict entrepreneurs.
- Inadequate early warning and early response system to identity based conflicts among law enforcement and security agencies.
- Disproportionate use of lethal force by law enforcement and security agencies during outbreaks of identity based violence.

## HIGH IMPACT SOLUTIONS

### *Government*

Government at all levels should:

- Improve governance and service delivery to the populace to engender a greater sense of belonging among Nigerian peoples.
- Re-invigorate national consensus on values in contrast to the federal character. The aim should be to inculcate in citizens a greater sense of patriotism and loyalty to the nation.
- Consult and engage with communities before introduction of new policies in order to carry communities along in the implementation of government policies and programmes.
- Introduce policies that promote economic integration and interdependence among regions and states, thereby promoting the possibilities for inter-state and ethnic cooperation;
- Reform the principles and application of federal character to ensure that it does not encourage discrimination against minorities and does not give undue advantage to the majorities
- Collaborate with civil society to promote civic education with emphasis on teaching of national history, languages and social studies.
- Improve the effectiveness of law enforcement and security agencies in the area of intelligence gathering and management to prevent violent conflicts.
- Make public the reports of government panels and committees established to look into previous outbreaks of identity-based violence and implement their recommendations.

- Support research by the academic communities on the question of identity conflicts.

### ***National Assembly***

The National Assembly should in the discharge of its powers to amend the constitution:

- Redress the over centralization of powers at the centre by devolving powers to the federating units to encourage production instead of distribution of resources.
- Prioritize electoral reform and identity-based discrimination in the constitutional reform process.
- Expunge the Federal Character Principle from the Constitution as it has become counterproductive and currently used by major ethnic groups to oppress minorities instead of empowering them.
- Amend relevant sections of the constitution to make residency the basis for determining citizens' rights and responsibilities instead of indigeneity as it's currently the case. However, customary and traditional rights such as kingship should continue to be based on indigeneity.

### ***Law Enforcement and Security Agencies***

Law Enforcement and security agencies should:

- Improve coordination and collaboration amongst themselves in gathering intelligence on identity based conflicts and respond in a coordinated manner to outbreaks of identity based violence.
- Devolve powers to line commanders and unit to enable them take initiatives of their own within the law to restore peace in situation that threaten law and order.

- Refrain from sending inaccurate or false intelligence to governments when looking for funding as such practices tend to undermine the willingness of government to act on occasions when reliable and actionable intelligence are provided.
- Sanction officials found to have compromised their functions in gathering intelligence on identity based conflicts and/or abused their powers in responding to outbreaks of identity-based violence;
- Create mechanisms for gathering community early warning signals and responding swiftly and appropriately when such signals are obtained.
- Break the cycle of impunity in identity based violence by fishing out and bringing perpetrators to justice.
- Revise rules of engagement given to personnel of law enforcement and security agencies deployed to restore peace during outbreaks of identity based violence to ensure adherence to the principles that firearms can only be used to protect human life; when less extreme measures are insufficient and must be proportionate to the threat.

**Innocent Chukwuma**  
**Executive Director - CLEEN Foundation**

## Appendix II

### *Report of the Conference Proceedings*

#### **Introduction**

From March 25-26, The CLEEN Foundation in collaboration with the Ford Foundation organized a two-day national conference on Citizenship and Identity Politics in Nigeria at the Nicon Luxury Hotel, Abuja.

The objectives of the conference were to provide a platform for stakeholders to reflect on the issue of citizenship and identity politics and suggest measures that could be fed into national laws, policies and administrative practices that would give each and every citizen of Nigeria a sense of national belonging and hopefully contribute to reducing to barest minimum the increasing spate of violence, destructions and killings arising from identity based conflicts.

Over 70 persons participated robustly in the conference including representatives of the national assembly, security agencies, government departments, academia, civil society organizations, ethnic and religious associations, the media and members of the diplomatic community. What follows are highlights of the proceedings.

#### **Opening session**

In his welcome remarks, Dr. Joseph Gitari, Programme Officer for Human Rights, Ford Foundation's West Africa office, expressed the happiness of his Foundation in supporting governance and human rights work in Nigeria. He informed that the Ford Foundation work through grantees such as CLEEN Foundation and that the conference was the first of four series of conferences that would be put together to mark the Foundation's 50<sup>th</sup> anniversary of grant making in Nigeria. He reflected that 2009 started on an interesting note in Africa, particularly with the success of the general election in Ghana in January. For Nigeria, much is still expected because to whom much is given much is

expected; he intoned and admonished that Nigeria needed to not only be on track within the West Africa sub-region but to Africa as a whole.

Mr. Innocent Chukwuma, the Executive Director of CLEEN Foundation, in his own remarks welcomed the participants and underscored the sombre contest around which the conference was organized – increasing spate of bloodletting, looting and wanton destruction each time identity-based conflict breaks out and seeming inability of the government and security agencies respond adequately to the safety and security needs of the people. He went on to outline the objectives, expected products and structure of the conference. He ended by thanking the Ford Foundation for its support over the past fifty years to governance and human rights work in Nigeria and for collaborating with the CLEEN Foundation to organize the conference and hoped that the support of the Foundation would be complemented by a resolve on the part of the participants to work tirelessly to rescue Nigeria from its current challenges and set it on the part of actualizing its enormous potentials.

The chairman of the conference, Prof. Okwudiba Nnoli, in his address, congratulated Ford Foundation on its successful 50<sup>th</sup> anniversary. He thanked the Foundation for its support, especially to the young scholars to do research. He wished the foundation continuous stay in Nigeria. He pointed out that citizenship “is the linkage between the individual and the state. It is a mutual relationship that is determined by the dynamics of the state and that of the individuals. Therefore, the relationships of citizenship vary based on these dynamics. This relationship underpins the issue of identity. There are various forms of identity on which the individual is involved. Therefore, all these identities have to be linked. You can be a class person, a religious person, ethnic person, etc, but it is important to know the linkages between these identities.”

Continuing, he made a profound observation about the missing link in identity discourse in Nigeria. In his words: “Usually, the focus of identity is linked to distribution but the linkage of identity to production has received little or no attention. We have always looked at the identity of distribution but similar attention need to be paid to the linkage to production. Also, the debate around identity has been around individual’s right and group rights. One group argues

that citizenship is based on individual's right and another argues that it is based on group rights. We may need to put an end to this debate by bring out the linkage of identity to production and the market. In looking at the linkage of identity to production he said that it is important to consider the question: what is the market based? Is it based on group dynamics or individual dynamics? This means that there is need to integrate the whole concept of production to the discourse of identity as it is in the capitalist framework of production.”

The conference was declared open by Mr. Toby Okechukwu, who represented the Deputy Senate President at the meeting. In his remarks before the declaration, Mr. Okechukwu pointed out that the issue of identity is not peculiar to Nigeria or Africa alone and advised that the attempt should not be limited to academic debate, it is important to situate this in the context of our existence to allow the citizens to know how their potentials are being harnessed. It is also important to locate the issue of identity within our context so as to allow us to have laws backing them. He requested that at the end of the conference, the proceedings should be sent to him to forward to the Deputy Senate President, which he said would aid them in the constitutional review process.

### **Plenary Session**

Two papers were presented in the plenary session. The first was on Citizenship and Identity Politics in Nigeria, presented by Prof. Ogoh Alubo of the Department of Sociology, University of Jos. The second was on Citizenship and Identity Politics: the Indian Experience.

Prof. Alubo's paper is divided into four sessions. In the first session dealing with identity and citizenship contestation in Nigeria, he defined identity as a 'combination of socio-cultural characteristics which individuals share, or are presumed to share, with others on the basis of which one group may be distinguished from others. Identity is a group concept in the sense that it is based on traits which make individuals members of a group; such traits also provide responses to the question, "Who am I?" Identity has a combination

of ethnic, religious, gender, class and other layers all of which refer to the same person either in self definition or as defined by others.”

In the second session dealing with identity politics and violence in Plateau State, cited a source that suggest that over 62 cases of identity-based conflicts had taken place in Plateau State in the past ten years of elected civilian government and argues that the conflicts illustrate how identity is used as the bases to access opportunities and ultimately inclusive citizenship. ‘Identity conflicts in Plateau’, he argues, ‘have been facilitated by a phenomenal rise in minority consciousness leading to a construction of Middle Belt identity, itself based on “perception that the indigenous ethnic minorities had long been dominated by the Hausa Fulani community in the control of commerce and politics in which the former had been reduced to spectator. There are conscious efforts to reclaim the space and in some sense, emancipate themselves from perceived Hausa/Fulani stranglehold.’

In the third session on implications of identity-based violence on development and national integration, Prof. Alubo stated that the immediate and more visible impact of the violence is on development and economic activities such as disruption of markets, closure of businesses. There are no data on number of businesses which collapsed or numbers who lost their lives, livelihoods and employment. The City of Jos is feeling the impact of the various conflicts. Conflicts are antithetical to economic development. In the case of Plateau, the November 2008 conflict only compounds an existing problem. A night time curfew has been in force since the end of November 2008 and this has disrupted night time economic and social. The curfew has been eased to now commence at 11pm till dawn. The impact is legion: the Jos Main Market was burnt in 2002 in a mysterious inferno. Other markets have been relocated and in a few instances re-designated Muslim and Christian markets. In a situation where there is no security of lives and property, economic activity is a prime causality. This is even more profound in relation to foreign investments which are regularly courted by the state government. In the fourth and final session, he concluded the paper and offered some recommendations for addressing the situation.

In the second paper on India's experience with identity politics, Prof. Ashutosh Varshney began by making a few preliminary clarifications. According to him, 'why it is true that India experience is one of relative success but it is not true that it is a spectacular success of nation building. There have been conflicts in India, moment of anxieties, two civil wars and there are many crises. Indian affirmative action is not defined in terms of indigene but in terms of caste (and tribes). The law in India does not give indigenous people an advantage anywhere in India, regardless of any where you are in India.'

He started his paper presentation with a focus on the argument of 'State Nation' versus 'Nation State' models of national building. Quoting Stepan and Linz (2009) he argued that 'nation states' tended to be assimilationist, while 'state nation' policies involve creating a sense of belonging with respect to the statewide political community, while simultaneously creating institutional safeguards for respecting and protecting politically salient socio-cultural diversities, such as language, religion and culturally sacred norms. The remaining parts of the presentation focused on India experiences by looking at India's master diversities: Language, Religion, Caste and Tribe. Citizenship Principle: Jus Solis, not Jus Sanguinis; National Identity: Salad Bowl, Not a Melting Pot; and Language and Indian Federation. He concluded that if India had followed a nation-state model insisting on assimilation and erasure of diversities, it would have in all probability failed as a nation, and would have disintegrated. State-nation policies have promoted unity within diversity, he emphasized.

### **Questions, Comments and Discussion**

The questions, comments and discussions based on the papers presented were taken simultaneously. These are summarized below:

**C1:** Based on the submission that we have not sufficiently engaged with the issue of production in the approach to identity, but lot of work has been done in this respect, particularly in terms of land. Also, in terms of labour, the issue has been linked – The Ibos for instance are known as traders and the

Hausas known mainly to be in government. Even the Niger Delta struggle is on the basis of we own the land.

**C2:** Is the issue talked about here a matter of historical circumstance? In India it seems that the minority group of Gandhi became more important and looking at the language, how did that happened?

Today in Nigeria the role of the military is still relevant.

**C3:** What is useful is that the issues raise is not ending here. The factor driving these issues needs to be looked at in terms of the stages of inter-group relations. By doing so it is important to derive specific policies that will prioritise livelihoods in our states because one of the major issues relate to poverty.

Nigeria is largely a country of settlers. We have a very rich history that need to be revisited. But unfortunately, this is being eroded today.

The elite factor in the crisis we are dealing with is very important.

We need to study good practices as part of advocacy so that we can move forward.

**C4:** In relation to the chap 3 of the Nigeria constitution, my worry is the issue of discrimination against women, especially as it relate to marriage.

In terms of claiming indigene in place like Odi that was destroyed, where will one point to be his/her house?

Why do we still create state knowing that it brings about violence?

Drawing from the experience of India, why should we be made to learn only three languages in Nigeria?

We also have to harmonise the federal character in the area of citizenship and identity.

**C5:** Nigeria and India have been faced with similar problem, while India has been rebuilding Nigeria is re-branding, why?

The cultural thing is so important in the new world order. Therefore we cannot ignore our difference in building a nation state. We have to confront our differences as India has done.

Our diversities can be managed if we approach it properly. In the midst of the economic crises we are going to have more cultural conflicts which are linked to poverty.

**C6:** Is civil unrest directly linked to creation of democratic state?

I am not very clear about the usage of settlers in the paper presented by Prof. Alubo.

How does social economic disadvantage reflect at the level of political power struggle?

**C7:** What is the basis of the classification of the caste as affirmative action in India?

The conclusion on the use of indigeneity as a basis of identity that our problems will remain has narrowed down the problem for us. The issue for us now is the way that the government will handle some of the recommendations being made to address the problem.

**C8:** In the political struggle we should try to balance the equation of representation.

**C9:** Nigeria as a nation and indigene, which is more important, indigeneity or Nigeria

**C10:** As a minority group within northern Kaduna, is it possible for a Hausa man in Ogbomoso/Onitsha to claim indigene of these places? In looking at

the issues of indigene, identity, citizens it should be holistic. Until the majority group open space for everyone, our fight will ever continue.

**C11:** What does Nigeria actually want? Our constitution states clearly that you can be a citizen of Nigeria by birth or marriage. The issue of identity conflicts is widespread in Nigeria.

**C12:** We should try and learn from the India experience. At a certain time in India Gandhi's influence became important. For instance, Tanzania has over 100 ethnic groups and for a very long time they did not have crisis. The federalism in India is based on caste. The Nigeria situation took a different dimension, which created the problem we are dealing with today. As the political process developed people started using the ethnic game as political influence. No politician can make significant progress without mobilising ethnic groups. Also money has taken over just like the ethnic group thing. Another dimension now is the use of force.

### **Responses**

*Prof. Varsbney:* We do not understand ethnic politics without understanding ethnicity. Ethnicity has to be factored in somehow in citizenship but not the overriding factor/basis.

The second point is to define the kind of incentive structure you envisage to reduce the politicians from stirring up and creating trouble and conflicts. This has to be looked at in terms of the cultural context. In Nigeria where there is more than 700 LGAs it is very dangerous to build ethnic federalism.

*Prof. Alubo* reiterated the role of elites in our ethnic politics in Nigeria. We also need to change our practice at all levels. Let indigene be restricted to the issue of language and where you come from but not access to citizenship.

In all, the problem of violence and conflict was narrowed to the issue of settler and indigene. This formed the basis of discussions, which aimed at finding ways of addressing the problems. Indigenes and settlers discrimination are at the centre of the problem of national unity. Using affirmative action to deal with issues of access to resources than primordial measures could be a

better option in Nigeria. The approach focusing on the linkages between identity and productions was also proposed. These issues were considered in generating ideas of the impediments and high impact solutions under each of the thematic areas of discourse. The points that were raised can be read as following:

### **Thematic Discussion**

#### **National integration and co-existence in Nigeria**

##### *Impediments*

1. Political merchandise and jobbers – Manipulation of people by those in power for parochial ideas.
2. Lack of national consensus
3. Laws and the policy of quota system
4. Imbalance nature of our production and distribution
5. Lopsided development
6. Colonial structures – the division of the country by colonial masters to harness production
7. State unilateral policy making, e.g., Bachama land
8. State favouritism in relations between ethnic groups
9. Lack of will by the state - the unwillingness of the government to talk about the issues in the conflicts and violence
10. State encouraged divisiveness
11. The way and manner the state respond to the issues of conflicts is often questionable
12. There are too many points of loyalties
13. Questionable conflict management system
14. The wrong formation and structure of political parties along ethnic cleavages
15. Religion – if you do not belong to one religion or another you are not recognised.

##### *Solution*

1. Development of leadership structure that gets legitimacy from the people – there is need for reliable economic, political and socially driven leadership system.

2. Certainty of sanction - there is need for appropriate sanction for the behaviour people.
3. Broad minded leaderships – Not to be short sighted but to have long-term view of issues
4. Build national identity rather than ethnic identity – Identification through nationality rather than tribes
5. Have a national character for Nigeria
6. Enforcement of existing rules – we need to ask what is happening to existing policies.
7. Value reorientations for Nigerians
8. Peace education is required – we need to look at the national peace policy that has been developed by the Institute for Peace and Conflict Resolution. This is important to educate Nigerian on the national peace policy.
9. Improved delivery of good governance – the government need to be more responsible to the citizens
10. There is need to re-emphasise systematic way of educating Nigerian in our history
11. There should also be appreciation of contemporary giants or icons in our education system.
12. We need to find alternative channels to deliver the education on our history.
13. A system of residency should be clearly established through the constitution

**Effective constitutional and Legal Framework for dealing with Identity based discrimination**

1. Nigerian asks for new laws but not able yet to state what is wrong with existing laws. But a follow up reaction pointed out that what is wrong with existing law is that it is not our own making. The current laws were handed down by the military.
2. We need a truly people oriented constitution. Many Nigerians do not believe in the constitution we are parading now.

3. The use of federation account should be abolished. This is because those in the state and local levels actually think that what comes to them is their own share of the national cake, therefore, no one else should come to partake from it. The reaction to this is that the federation account is not the problem but the federal character clause in the constitution, which also introduced the indigene clause. The federal character was created to enable the minority group to rise but now the majority group is using this to their own advantage.
4. There is bias of identity of distribution rather than production. If the production approach is adopted, this will help interdependence of the regions. For instance, oil can be produced in the Niger Delta but refined in the north.
5. Although we claim federalism but what we have is still questionable. A single power centre is not in tune with federalism. The current federal structure we operate has huge cost implications
6. We need to look at the devolution of power to units towards strengthening a national unity
7. Many issues that are stipulated in our constitutions are not yet addressed. These have to be followed through carefully.
8. State creation does not translate to effective development. We have to come to terms with the reality of development by collapsing some of the existing region into management units.
9. The devolution of power to state is very important to take back the right of production to the state.
10. The creation of joint account between the state and the local government council has been used to perpetrate poverty in the communities in the local areas. The law should be changed in such a way that the local council can have direct access to their allocations.
11. The constitution as it is not the problem, but the people who is using the constitution. After all, there are countries without a written constitution and yet are able to manage their affairs.
12. The use of settlers and indigenship is quite unfortunate. There should be representation of people not ethnic groups. State is created to represent the people not ethnic groups.

13. We have to find alternative sources of revenue and get out of the business of oil. The state can tax the oil and therefore use taxation as a major source of state revenue
14. The forthcoming constitution review should be limited to addressing electoral reform and identity based discrimination in the constitutional amendment.
15. There should be a provision on issue of discrimination in the constitution that can be evoked by the Supreme Court in case of infringements.
16. There should be a provision in the constitution to reward outstanding states on national unity, this can provide incentives.

### **Effective intelligence and security response to identity based conflicts**

1. Centrally command structure – there is need to decentralise the security forces, like having the state police force.
2. There is need for early warning system and signals of conflicts
3. The security systems and agencies are compromised. We need to revive and democratise our security systems.
4. The role of the judiciary has also been compromised
5. The judiciary system does not respond to the cases emanating from crisis and conflicts in Nigeria. Therefore, we need to get the system to respond to cases of conflicts and to deal with the issues appropriately.
6. We need to strengthen the response capability. For instance, in India it is extremely difficult to prove individual capability in right than group rights
7. There is intelligence in the Niger Delta but the problem is lack of early response.
8. The quality of security personnel is weak. The level and quality of policing efforts matters, it is difficult to use a less qualified police officer to monitor an unemployed graduate.
9. The high stakes nature of conflicts and involvement. The security personnel have allegiance to people they have to defend, this compromises their legitimate roles
10. Poor welfare package for security personnel

11. The security agencies also do not have fair knowledge of the community they are to defend
12. Those involved in conflicts sometimes have more sophisticated weapons than the security agencies
13. Sanctions for erring security personnel. Any security official that is involved in crisis should be dealt with rather than transferring such official to another location
14. There is also false intelligence report by the security agencies. How do we deal with this?
15. The kind of rules of engagement given to the security agencies is also questionable
16. Another issue is the rule of deployment of the security officials. The police are deployed to police strangers – stranger policing strangers. How do we deal with this?
17. The issue of logistic is also important. If the police are properly equipped this would help too.
18. We also need to look at the issue of social relationship between security agencies and the community
19. We need to address the role of the young people in conflict?
20. The state of the Nigerian police indicates institutional failure. Therefore, police institution has to be rebuilt.
21. The role of the police in conflict could be passive or active. A system of sanction and incentive for behaviour of the police in Nigeria has to be established.

### Appendix III

#### Communal Violence in Plateau State

S/No.	Date	Scenes and Communities of Violence	Parties Involved
1.	April 1994	Jos North LGA	The Berom, Anagutas and Afizeres Vs. Hausa/Fulani
2.	22 <sup>nd</sup> February 1997	Lokmak and Sabon Layi communal clash, Langtang North	Taroh
3.	10 <sup>th</sup> April 1997	Jos South LGA	Berom/Hausa/Fulani
4.	10 <sup>th</sup> April 1997	Mangu LGA	
5.	27 <sup>th</sup> March 2001	Qua'an Pan LGA Kundun in Bakin ciyawa kwande district	Kwall, Tiv and Hausa/Fulani
6.	30 <sup>th</sup> March 2001	A spill over from Qua'an-Pan, Shendam LGAs, Gidan Zuru village	Tiv/Hausa/Fulani
7.	11 <sup>th</sup> -15 <sup>th</sup> April 2001	Wase LGA	A Taroh Christian and a Bogghom Muslim
8.	20 <sup>th</sup> May 2001	Reprisal attack Langtang North	Langtang Vs. Wase
9.	12 <sup>th</sup> June 2001	Barkin Ladi LGA	
10.	7 <sup>th</sup> – 12 September 2001	Jos riots, Barkin Ladi, Jos South, Riyom and Bassa LGAs.	Christian Vs. Muslim
11.	30 <sup>th</sup> December 2001	Vom, Jos South LGA	Berom Christians Vs. Hausa/Fulani Muslim
12.	31 <sup>st</sup> December 2001	Vwang district of Jos South LGA, Turu and Chugwi villages, kwal district in BassaLGA	Fulani ethnic militias attacked the natives.
13.	11 <sup>th</sup> February 2002	Jos Main Market guttered by fire	
14.	May 2002	Kwi, Barkin Ladi	Berom Vs. Hausa/Fulani
15.	2 <sup>nd</sup> May 2002	Eto Baba, Jos North LGA Anagutas and Afizeres	Hausa/Fulani, Vs. the Beroms,

16.	12 <sup>th</sup> June 2002	Kwi, Kassa, Sho, Rakot	
17.	22 <sup>nd</sup> June 2002	Wong-Barkin Ladi LGA	Hausa/Fulani Vs. Berom
18.	26 <sup>th</sup> June 2002	Yelwa, Shendam, Dadin Kowa, Mabudi, Langtang, Quan'an-Pan	Hausa/Fulani Vs. Christians
19.	27 <sup>th</sup> June 2002	Reprisal attacks over Yelwa, Shendam killings in Shendam and Langtang South LGAs	Taroh Vs. Hausa Fulani
20.	28 <sup>th</sup> June 2002	Wase LGA	Hausa/Fulani Vs. Taroh
21.	30 <sup>th</sup> June 2002	Wase LGA	
22.	1 <sup>st</sup> July 2002	Kadarko, Wadata, Farin Ruwa in Wase LGA	Natives Vs. Hausa/Fulani
23.	4 <sup>th</sup> July 2002	A reprisal attack was carried out in Wase after the killing of four prominent Taroh elders. 100 settlements belonging to Tarohs in Kadarko and Yesi in Langtang South were razed down	Taroh Christians Vs. Hausa/Fulani
24.	5 <sup>th</sup> July 2002	Kurmin Gajere, Pako, Mampyen, Bwarat, Yaudara, Kumbur, Timcwat, Chuwi, Barkin Rejiya, Wase and Langtang North LGAs	Hausa/Fulani Vs. Taroh, 250 people were killed
25.	10 <sup>th</sup> July 2002	Zunzukur, Karashi, Gbak, Dabino, Ruwan Corggo, Hamale, Wadara Arewa, Nasarawa, kuka, Wase LGA	Hausa/Fulani attacked the natives, Agricultural produce were destroyed 50 people killed
26.	28 <sup>th</sup> July 2002	Four villages in Bachit district in Riyom LGA were attacked in Church attending Sunday service	Fulani herdsmen
27.	11 <sup>th</sup> August 2002	An attempt to blow off a colonial bridge on Riyom failed. The bridge built around 1929 is the major link between the community of Rim and Bachit in Riyom LGA two of the planted explosives exploded causing damage to the bridge.	

28.	21 <sup>st</sup> September 2002	Wunko a village in Langtang North was attacked by people suspected to be Fulanis	Most assailants were military uniforms
29.	4 <sup>th</sup> October 2002	Mabur and Kunkwan in Kanam and Langtang North LGAs	Taroh Vs. Dengi people
30.	4 <sup>th</sup> – 17 <sup>th</sup> October 2002	Fagui, Kofai, Yelwa, Bejak Langtang LGA	Over two hundred armed ethnic militia from Chad and Niger Republics
31.	16 <sup>th</sup> October 2002	Ibi LGA in Taraba State and Wase/ Langtang in Plateau State	Fulanis Vs. Akwangawas and Taroh
32.	23 <sup>rd</sup> October 2002	Fifty people were arrested over an attack on Maza in Jos North	Aanaguta Vs. Hausa/Fulani, of those arrested were muslims
33.	24 <sup>th</sup> October 2002	Fajui, Langtang-South LGA	Hausa/Fulani believe to be in company of mercenaries, killed forty persons, raped women and ambushed 17 policemen sent to quell the attack
34.	8 <sup>th</sup> December 2002	Jos North, three areas were ransacked including Rikkos, Yan Dankali and Rafin-Pa	Police raided suspected Maitatsine cells
35.	12 <sup>th</sup> December	Vwang district of Jos South LGA, Turu and Chugwi in Kwal Bassa LGA	Suspected Fulani ethnic militias
36.	4 <sup>th</sup> April 2003	Fobur – Jos East LGA	Hausa/Fulani militia attacked and killed one woman
37.	13 <sup>th</sup> and 16 <sup>th</sup> April 2003	Timshat, Fajul and Langtang South	Hausa/Fulani militia with mercenaries from Chad and Niger republics Vs. Taroh, 64 persons were killed
38.	3 <sup>rd</sup> June 2003	Limun in Bwarat district Langtang North LGA	Hausa/Fulani Vs. Taroh
39.	10 <sup>th</sup> June November 2003	Hamale, Wase LGA	Displaced Taroh returnees were reconstructing their burnt houses Hausa/Fulani raided and burnt down all the houses

40.	8 <sup>th</sup> February 2004	Christians returnees from Langtanh North to Yaudawa Village along Wase-Langtang road	
41.	9 <sup>th</sup> February 2004	Wase	One Mr. Lipdo Wapven was killed in cold blood by some youths in Wase
42.	12 <sup>th</sup> February 2004	Border villages of Duwi, Yaudara Kirim, Hamale and Tsamiya in Wase LGA were attacked	Ethnic militias dislodged the heavy security in those places
43.	15 <sup>th</sup> February 2004	Shimakar Shendam LGA there was an unusual movement of strange faces and goods noticed by the locals who reported to the police	Four of the Policemen sent to investigate the reports later became victims of the attacks
44.	22 <sup>nd</sup> February 2004	Fulani herdsmen in pursuit of cattle completely in shendam LGA	rustlers raced down Yamini village Fulani herdmen Vs. Natives
45.	20 <sup>th</sup> – 24 <sup>th</sup> February 2004	150 houses burnt including Nshar village that gave birth to Yelwa over 250 were killed including the village head of Yemini and over 1000 displaced	Duben, Yemini, Tumbi and Yelwa Hausa/Fulani Vs. Taroh
46.	24 <sup>th</sup> February 2004	Eight Christians places of worship were completely razed down and 48 people were slaughtered in a Church in Yelwa-Shendam	Hausa/Fulani Vs. Christian Natives
47.	26 <sup>th</sup> February 2004	Fighting in Garkawa, Mikang LGA over 200 reportedly people killed and over 300 injured	Involving the Youm, Taroh and Hausa/Fulani
48.	12 <sup>th</sup> March 2004	Njaju Dolori and Ndualak villages sacked	
49.	15 <sup>th</sup> March 2004	Yelwa	3 Christian women were killed when they went to retrieve their belongings
50.	30 <sup>th</sup> March 2004	Yelwa-Shendam	3 Igbo traders returning from Garkawa to Shendam were killed and their pick-up destroyed
51.	2 <sup>nd</sup> April 2004	Yelwa-Shendam	
52.	3 <sup>rd</sup> April 2004	Yelwa-Shendam reprisal attacked by the Christian natives from surrounding areas	Hausa/Fulani Vs. Christian Natives

53.	23 <sup>rd</sup> April 2004	Durka Bakin Ciyawa, Biem-Biem, Rafin Baba (Hambang)	Several houses burnt including local government staff
54.	30 <sup>th</sup> April 2004	Karbang husband and wife were killed	Karbang
55.	2 <sup>nd</sup> May 2004	Two Christians women were murdered in Yelwa Shendam while making attempts to return back to their homes	This led to Yelwa crisis of 2 <sup>nd</sup> and 3 <sup>rd</sup> May, 2004
56.	3 <sup>rd</sup> May 2004	Reprisal attack carried out by a combine team of the Akwagawas from Shendam, the Tarohs from Langtang North/South and the Garkawa people of Mikang LGA. All neighboring LGAs to Yelwa Shendam, houses belonging to the Hausa/Fulani were completely razed down	Hausa/Fulani Vs. Akwagawas and Tarohs
57.	Tuesday May 18 2004	Sabon Gida, Makera, Ngat, Jirim, Gidan Sabo, Saminaka	Militia men from Atiri and Azara villages in Nassarawa State attack was carried out on the day the State of Emergency was being declared
58.	Thursday May 20 2004	Qua,an-Pan LGA	Suspected Fulani insurgents killed 30 persons
59.	Sunday May 22 2004	Tenewed fighting in five Gamai villages of Quan'an-Pan LGA	Casualty figures, reached 74 people
60.	Tuesday May 2004	Lyangjit village in Wase	Five persons were killed
61.	9 <sup>th</sup> July 2004	A Station-Wagon taxi purportedly driven by a Yelwa resident carried five men and three women. They were on their way to Shendam and other neighboring towns. Aji Kamai/Yamini enroute Yelwa. The driver diverted to Yelwa where the men and women were abducted. The men were killed and their private parts removed. While the women were beaten drugged and repeatedly raped by 4 men for 8 days (July 9 <sup>th</sup> – 16 <sup>th</sup> )	About 40 people dressed in security uniforms with arms whose identity is uncertain
62.	20 <sup>th</sup> June 2004	Two people feared killed and five others seriously injured	Mabudi, Langtang South LGA

Source: Bagudu 2004: 314-316

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