ETHNICITY, CITIZENSHIP
AND DEMOCRACY
IN THE
UNITED STATES OF AMERICA

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Professor Shamsudeen O. O. Amali
Dr. Adell Patton, Jr
Dr. Charles Uji
Dr. (Mrs.) Foluke Ogunleye
Dr. Olutayo Adesina
Dr. Zakariya Goshit
ASAN has been growing from strength to strength as an Academic Association that seeks to foster unity and understanding between America and Nigeria, and in some ways, the rest of the world. The Local Organizing Committee, under the Chairmanship of Dr. Francis Mogu is highly commended for bringing the Conference to Calabar. Special thanks and commendation also go to Claudia Anyaso, Dehab Ghebreab, Christine Kane, James Moloom and all the other wonderful staff of PAS that assisted in putting this conference together.

As usual, excellent papers would be presented on the subject of this year’s conference: “Ethnicity, Citizenship and Democracy”. Nigeria, and Nigerians no doubt would learn great lessons from the presentations. Only the best papers would be published. On behalf of ASAN, I welcome everyone to this 9th Annual Conference.

Professor Shamsudeen O.O. Amali,
President, ASAN
2002

KEYNOTE ADDRESS

“Ethnicity, Citizenship, and Democracy in America and in Africa Compared: Who is A Citizen in Africa?”

Adell Patton, Jr.

“The past is never dead. It’s not even past”
—William Faulkner, Requiem For A Nun (1951).

Introduction

The Conference theme “Ethnicity, Citizenship, and Democracy in America” requires first a detour. Some loaded terms still in use in the West and which impacts on Africa require clarification. First of all, the word “tribe” originated from the Latin word “Tribus.” In Rome, “Tribus” referred to three divided people in antiquity, the period from the world’s earliest development to 476 AD at the time of the fall of Rome. In essence, “Tribe” refers to a group of people forming a single linguistic cluster with loyalty to the group, whose agenda is to foster political action or to follow an agenda favorable to its own group.

The consequences that such an agenda might have on the nation notwithstanding. In Africa, for example, the Congo and Nigeria each have over 250 ethnic groups with as many rationales and approaches to
reasoning and logic in their minds. This makes conflict resolution difficult and citizenship within the nation almost unmanageable. More importantly, the British and French "Indirect Rule" froze and conserved each group culturally and technically following the triumph of colonialism in 1900. According to one of the most intelligent minds from Sierra Leone and Nigeria, namely Dr. Davidson S. H. W. Nicol (M.D. Ph.D.—1924-1994), colonialism shackled 90 percent of the intelligentsia (Patton: 1996:19). This prevented mostly inter-generational co-operation between each group in regard to inter-group and cross-cultural leadership; hence, no mechanism for the making of democracy existed. These factors lead to the category of ethnicity based on inter-cultural group rivalry that now replaced the former “tribalism”—at least in African history, if not elsewhere in the world. As matters turned out, ethnicity fosters communal violence and ethno-religious conflicts so prevalent in Nigeria (The Triumph: 2002; 13; Anthony: 2002; Naniya: 2002; 14-31) and Africa today.

In retrospect, the Western world transferred “Tribus” around the globe as “Tribe” with changing etymology. At first “Tribe” meant nation and not pejorative, but by the mid-eighteenth century, industrialization in the West changed the denotation of the word to a pejorative one about people, who were once a nation but by then not industrialized, to a lowly people sometimes referred to as “native” or that “old tribe.” “Native” or “Tribe” is a term whose usage today should be abandon by Africans and all other people around the world. In the post mid-1960s, the American Anthropological Association issued a policy statement that “Tribe” was racist. In lieu of this noun, the terms ethnic group or cultural unit, or just, for example, the Kanuri people and/or the Baule people are deemed more appropriate (Curtin: 1966; 143-153; Ekeh: 1990; 662-666; Ehret: 2002; 3-9). In the United States of America, one hears the word “Tribe” used with frequency in reference to the indigenous Native Americans but the term here, too, should be discarded.

**U.S. History and Periodization**

In the meantime, democracy, citizenship, and ethnic inclusiveness in America can best be illustrated through an itemized perusal or review of the eleven periods of historical development in U.S. history (Patton: 2002; History and Periodization Guide Class Handout):
race relations (and amendments to constitution, 13th, 14th citizenship
defined for first time, 15th—making u.s. constitution relevant to
african americans for first time.
industrialization
urbanization
the compromise of 1877 (end of support to blacks and native
american); federal military protection of blacks in the south
withdrawn; the north bought into confederate symbolic victory and
north-south became “one” in de jure discrimination policies and
behavior against african americans.
v. gilded age (mark twain’s the gilded age, 1873); 1873/1877-
1900; bryant morey french, mark twain and the gilded age, the
book that named an era, 1965; sean dennis cashman, america in
the gilded age: from the death of lincoln to the rise of theodore
roosevelt, 1996.
end of reconstruction (1865-1877) (native americans/indians/
african americans abandoned by national government)
industrialization
urbanization
“robber barons”—john d. rockefeller, et al
financial excesses/conspicuous consumption
abolitionists retired to write their autobiographers
vi. progressive era: 1900-1917
reform
“muckerakers”—upton sinclair, the jungle, louis filler, the
ray stannard baker, following the color line: american negro
citizenship in the progressive era, [1908] 1964; the attack against
lynchings of african americans.
(henry f. may, the end of american innocence: a study of the
first years of our own time 1912-1917, 1959).
president woodrow wilson (1912-1920) segregated federal
establishment in washington, d.c.
rise of nativism—era of anti-immigration and “...america must
be kept american.”
vii. roaring 20s, depression, new deal: 1917-1945
consumerism
growth of the federal government
lord keynes of england—keynesianism (economics)
african americans shift voting loyalty from the republican party of
lincoln to the democratic party.
viii. rise of global power to present: 1945 and cold war
president harry s. truman and civil rights (1946-1952) and inclusion
legal assault against plessy v. ferguson (1896) “separate but equal
document
presidential first civil rights commission 1946 since 1866
restrictive covenants-desegregation of housing 1947
desegregation of federal establishment 1948
desegregation of u.s. arm services 1948
the truman u.s. supreme court and end of “separate but equal”
docctrine—brown vs. board may 17,1954—all trumpn appointees
except supreme court justice earl warren, republican appointed
by president dwight d. eisenhower in 1953).
affluence
cold war
welfare state
civil rights movement (2nd reconstruction wwi, 1953-1976;
demise of 1976-1982)
ix. the great society programs: president lyndon baines johnson
the rise of the middle-class: 52 per cent of society
health care: medicare and medicaid for the elderly
civil rights act 1964
voting rights act 1965
x. clintonism (1992-2000): “the third way” (selective
borrowing from the political center and from the political right)
and economic globalization (?)
free trade (this began in the era of president george h. bush,
1988-1992.)
second war on poverty: from welfare to work federal and state
policy. promoted health care for all (41 million americans without
health)
xii. multi-racialism/cultural diversity and the assault on affirmative
action. from 2000-2003, it is too early for american historians to
define the president george w. bush administration in u.s. history,
but war on terrorism might be acceptable for now in 2003.
American Democracy

In retrospect and upon observation of this American chronicle of development, the American nation began well over 200 years ago. In his book *Immigration As A Factor in American History* (1959:200-206), historian Oscar Handlin noted that America was a land of immigrants. On July 4th, 2002, this made the American nation 226 years old. The question before ASAN and the state-nation of Nigeria is: how then did these groups become inclusive and citizens within the American nation? First, the nation matured as a democracy from the 1770s and to about the 1820s. By the 1820s the American character had emerged with the following traits:

1. Republican form of government in the various states and the first Republican form of government in the Western Hemisphere
2. The citizens of the Republic had shared historical experiences from the state-nation of England and other European nations that numbered in the hundreds and thousands of white Americans

Alexis de Tocqueville, the French classicist, wrote in his famous treatise *Democracy in America* (1831) that in Europe: “aristocracy had made a chain of all members of the community from the peasant to the king.” In America, to the contrary, “…democracy breaks that chain and severs every link to it.” Hence, society was more level and less hierarchical. In America again, individualism remained the most significant symbol of the American character, de Tocqueville stated further. Individualism, however, must be qualified. Historian James A. Henretta, *American History*, Vol. I (1996), reported that de Tocqueville did not adequately explain American character in the 1820s; that his “self reliance” and independent behavior did not reflect on the excluded ethnicity in American society (Heretta: 1996; 279-280). This brings us to our second point.

Inclusiveness and cultural diversity, however, was not achieved without a struggle. For example, the life experiences of African Americans (who were listed in the First American Census of 1790), Native Americans, most white women, and some white men formed the excluded groups in the paradigm of race, gender, and power. Legal rules and customs limited the place of these groups. To the dominant group, citizenship meant putting the welfare of the state above the principle of self-interest and with the Declaration of Independence stated principle of equality; this document was actually an oxymoron.

Along with competitive individualism, republicanism and zealous Protestantism formed the backbone of the emerging national identity. Capitalism and slavery became the embodiment of the economic system that became increasingly commercialized between 1780-1820. The frontier, defined as a zone of penetration against the indigenous with a range of possibilities to the latter, allowed the American settlers to engage in a blanket-migration spreading the English language and culture against the Native American, who like most of Africa, had missed the coming of the printing press and the book. By 1893, the frontier zone became closed (hardly no more room for settlement), and Anglo-America had completely settled over the United States of America.

Through the good fortune of history, disease and immunities, white American were the only citizens in the state-nation. While Native Americans would in time have their own sovereign nations, the citizenship status of African Americans would be achieved through constitutional means. African Americans had to first deal with the issue of their own changing ethnic nomenclature in the struggle for racial dignity. Upon arrival in 1619 at Jamestown, Virginia, they were called African. African changed to Colored in 1831 at the first National Convention of Colored men in Philadelphia. The African designation was thus rejected but the institutions with the name African remained. For example, James Dexter, Richard Allen (founder of the African Methodist Episcopal Church), Adsalom Jones, and others formed the Free African Society in 1787; this was the first rights organization established in America by a self made group and kept “African” in its name.

Up until 1860, the ethnic designations were “white,” “free colored,” and “slaves.” In 1870, the black population was designated as “Colored.” Colored remained until the 1880 U.S. Census when the word “Negro” appeared with a small “n.” This duality—Colored and “Negro”—maintained until the nomenclature came under challenge by James Weldon Johnson, who argued for “Aframerican” in the 1900s, followed by Booker T. Washington and W.E.B. DuBois, both of whom sided with the term...
“Negro” (Bond: 1969; 303-310). The National Association for the Advancement of Colored People (NAACP) and in collusion with students at Howard University sanctioned “Negro,” either before or around 1917. In that year students began protesting over the use of “negro” with a small “n” and agreed to be called “negro” only if the small “n” was capitalized to “Negro.” The change to “Negro” finally began to appear in government records and usage in the popular culture from that time on.

Although Dr. Martin Luther King, Jr. never stopped using “Negro” in his speeches and writings, the Civil Rights Movement of the late 1950s witnessed the new shift again to Afro-American and by the early 1960s Black as a noun and black as an adjective became pronounced. These changes were of significance for three reasons: (1) a renewed sense of self respect and dignity by blacks for themselves, (2) an assault on the Hollywood film moguls with the “De-Tarzanizing of Africa,” and (3) elite constituents advocates of Pan-Africanism and admiration for linkages to the “Homeland” of Africa.

The early 1980s marked the change that remains in 2003, namely to African American. This change links African American in geography to the continent of Africa and gives authenticity to the concept of the African diaspora and to Professor Ali Mazuri’s notion of Africanity. Thus, Africa is given added linkages to its descendants in a wider world. It is important to remember that none of these changes occurred without a struggle and change in mentalité on both sides of the Atlantic and Indian Ocean worlds. This ongoing general survey of democracy and change in the United States of America shows the importance of bold initiatives for other world societies.

Birth of the New African Union and Regional Organizations

African leaders of independent Africa realized the importance of bold initiatives and the moment in time for their undertaking. In 1963, they met at Addis Ababa and organized the Organization of African Unity (OAU) to clarify and bring resolutions to the problems facing the new state-nations. The OAU lasted for thirty-eight years with some lasting accomplishments. With the one-party states and a potpourri of economic ideologies that governed Africa in 1963, the world and Africa of 1963 was not the world and Africa of 2002. The world and Africa in 2002 had to confront new challenges in regard to multi-party democracy, corruption to political accountability, changing economic order of the free market, dismantlement of government owned parastatals, debt relief, internecine wars within state-nations, border wars between them, African genocide, AIDS and with over 20 million dead from this disease in 2002, and with one of the most momentous and problematical questions facing Africa today: WHO IS A CITIZEN WITHIN ONE’S OWN COUNTRY IN AFRICA?

Well, a new generation of African leaders stepped forward during the last week of July 2002 and said bye-bye to the OAU in Durban, South Africa. With a declaration for the renewal of an African Renaissance, the new organization named the African Union was born with its fifty-three nations and regional organizations:

- OAU/AU Organization of African Unity/African Union
- ECOWAS Economic Community of West African States
- SADC The Southern African Development Community
- IGAD Intergovernmental Authority on Development
- COMESA Common Market of Eastern and Southern Africa
- ECCAS Economic Community of Central Africa States
- EAC East African Community
- AMU Arab Maghreb Union

A “9-point communique” marked the new initiatives and one among them all was the pledge for GOOD GOVERNANCE and “the need for the popularization of the African Union and the words of the Secretary-General, the African Union can be truly characterized as a community of peoples... [and] there is a need for the establishment of structures and organs of the Union as institutions that will ensure the realization of the objectives and principles of our new organization” (ThisDay:2002:49; Institute For Security Studies:2002).

Let us hope that the American Studies Association of Nigeria’s 9th Annual Meeting here at Calabar, too, will make some new bold beginnings and departures in American studies beneficial to the Republic of Nigeria! Professor Shamsudeen O. O. Amali and faculty, with Senate
Selective Borrowing, Marked Shift, and Mentalite As The Way Out

Related to this mission is the importance on how SELECTIVE BORROWING from the most advanced nations can accelerate the development process in national development in the new African Union. The process was recognized in antiquity (earliest times to 475 AD). In his book Connections (1978), James Burke shows how ten inventions changed the world and what I find most interesting is how Burke takes note of the fact that in the early development of civilizations in the Mediterranean Basin, people were all SELECTIVELY BORROWING from each other. None of the people had a monopoly on special intelligence or some extraordinary mental capacity over the other in order to achieve. There was one special requirement: individuals and peoples simply had to be present in order to SELECTIVELY BORROW from the ongoing technological and cultural exchanges taking place in the INTERCOMMUNICATION ZONE OF THE MEDITERRANEAN BASIN. (This basin is now designated globalization and conveyed in the information systems technology.)

In the case of Africa, it is significant to note that one does not have to take every component in the process but to take only what is needed and go on to re-define the takings suitable for one’s own setting and conditions. For example, let us take a look at England in her rudimentary stage, namely the Medieval Era, just around the 13th century. Master masons—similar to those in the ancient Zimbabwe ruins of the Leopard’s Kojé sites from the 11th to the 15th centuries—of Gothic cathedral building were purely practical; geometry was achieved through manipulation and tinkering (Oliver and Fagan: 1975; 93-105; 203-214). The learning process was not transmitted through writing, for England and the continent
What England and others learned from the Crusades into the Intercommunication Zone of the Mediterranean Basin from the 12th to 13th centuries must not be ignored either. Islam was at its zenith from 800 AD-1200 AD in mathematics, medicine, science, and philosophy before its fall in these categories shortly thereafter from 1258 AD-1500 AD (Oberbye: 2001; D1, D6; then came the primacy of the West and capitalism that owe its rise mainly to the colonial plantation complex in the use of 15 million African slaves to produce sugar, tobacco, and cotton, which the Muslim world failed to properly anticipate and to participate, namely the Ottoman Empire (Segal: 2001; 104). From the Arabs via India, England learned about the numbering system called the abacus—a counting board and East Asian in origin. [Interesting enough] the abacus was absent from Western Europe between 500 AD-1000 AD. And the “nadir of civilization there” (Crosby: 1997; 44).

Even more, the Portuguese did not invent the Astrolabe that allowed its navigators to pinpoint the constellations of the stars and to explore first the African coastline in the Atlantic Ocean and various other directions in the world during the 15th century onwards. Burke shows that knowledge of the Astrolabe from Claudius Ptolemy’s Mathematik Syntaxis (the System of Mathematics) fell into the Portuguese’s lap from Islamic Jundi Shapur in Iraq and migrated to the Islamic occupation of the Iberian Peninsula. Upon obtaining this thirteen-part document, the Portuguese next set up a navigation school, translated the Arabic document into Latin, began to explore its use at sea, and kept the invention a trade secret from other Europeans not so lucky as long as possible.

I quote extensively from the works of James Burke and Alfred W. Crosby to illustrate again and again how various civilizations in history engaged in SELECTIVE BORROWING in order to gain ascendency in the world order of things but to illustrate further how most of them benefited from the innovations of others that the BORROWERS had nothing to do with in the first place. CULTURAL DIVERSITY is very pronounced and of paramount importance here. People of different ethnicity and language recognized the importance of each other in making their respective societies better and did not winch from the opportunity to work together to in order to make their civilizations or state-nations better. They said simply, I imagined: “Now, I know that we can help each other now, and while we are doing it, we will come to like each other, too.” Let this notion not be lost upon ASAN and upon the citizens of this great democratic Republic of Nigeria!

If I may digress here for a moment, Dr. Benjamin F. Mays (1894—1984), the late President Emeritus of Morehouse College, Atlanta, Georgia, was one of the most profound classical educators of Historically Black Colleges and Universities (HBCUs). He gave the eulogy of Dr. Martin Luther King, Jr. (1929-1968) at Morehouse College on April 9, 1968, and Dr. Mays’ obituary appeared in The New York Times (Mays: 1971/1978). Both were obviously great men, but I mention Dr. Mays here, of whom I met shortly before his passing at Howard University in the 1980s, because of one of his famous apropos adages that seems to me is worth remembering still, even in metaphor, for the mission before the African Union. He once wrote: “A man who starts the race from behind, must run faster than the man in front, or forever remain behind.” (As an aside, I might add that the Honorable and current U.S. Ambassador to Nigeria, Mr. Howard F. Jeter, is a “Morehouse Man”!) In retrospect, also, I recall sitting in the Arewa House Arabic Documentation Centre, Kaduna, in Fall of 1972. I sat and had the extraordinary privilege of listening to an outstanding Islamic scholar—the founder of the Department of History, Ahmadu Bello University (ABU), Samaru-Zaria, and founder and Director of Arewa House as known at that time—namely Professor Abdullahi Smith, who was pontificating on history and on the changing perspectives of Nigerians. In response to some Nigerians’ hostility to the West and some with notions that they need not SELECTIVELY BORROW anything from the United States of America—a statement again echoed to me by one student in a question and answer session at ABU, Monday, July 22, 2002—Professor Smith said to me in recollection: “You see, there is just one thing that the Nigerians just do not understand. Whether you wish to resist or not, the Western movement, or America, this movement is one that is irresistible for Nigeria [and Africa in general].” I shared this thought of Professor Smith on July 22 with the Professor of History (Ph.D.), former Director of Arewa House himself and trained by Smith, and now Vice-Chancellor of ABU, namely Dr. Abdullahi Mahadi, during my homecoming at ABU. (For what it is
worth, I might add, however, that while Professor Smith was being historically, professionally honest, and objective in his statement on the irresistible nature of the Western movement into the Third World, he expressed hostility toward the United States of America because of America's conflicting foreign policy in the Anglo-Sudan in the 1950s. Professor Smith, who was an Englishman then and then formerly H.F.C., was in the Anglo-Sudan at the time and upon becoming disgruntled with America policy, he left and came to Nigeria. He converted to Islam, became a Nigeria citizen, and married a Nigerian from the Northern region. Professor Smith passed in 1984.)

Nevertheless, SELECTIVE BORROWING WILL BE OUR WATCH WORD AS WE SEEK SOLUTIONS TO THE PROBLEMS AND SPEAK TO THE THEME OF THIS ASAN 9TH ANNUAL MEETING: "ETHNICITY, CITIZENSHIP, AND DEMOCRACY IN AMERICA' AND AFRICA COMPARED. WHO IS A CITIZEN IN AFRICA?"

Four Propositions to the African Union

For the remainder of this address, I am going to base my remarks on Four Propositions to the new African Union and please bear in mind Dr. May’s dictum: First, Africa missed the coming of the book when compared to its colonial nemesis. In their book on The Coming of The Book: The Impact of Printing 1450-1800 (1976), Lucien-Febvre and Henri-Jean Martin in a map that even show European societies that did not receive the book first became second class citizens- e.g. serfs on manors of the lords under feudalism—and subjugated in other ways by those who had received the printing press and the book first. Africa was abundant in indigenous knowledge in the ancient and modern eras but this knowledge was held in secrecy and within families. These monopoly holders of this knowledge base became powerful vis-à-vis others without it but this prevented dissemination through associations and from critical assessment continent wide.

The marked shift in ideas and their exchange remained problematical, especially since Africa missed the European Enlightenment (1500-1800), too, due to changes in historical climatology and geographical factors that created the Sahara Desert and to cause people of “Negroid pheno-typical type” to migrate southward into what is today Sub-Saharan Africa. In other words, before 2,500 BCE, blacks lived in aquatic cultures and settlements in Middle-Africa that stretched from Morocco on to the Nile and on to the Kenyan Capsian site (Sutton: 1974; 527-546; Nicoholson: 1979; 31-49; McCann: 1999; 261-280; Brooks: 1993). This migration took blacks away from the Intercommunication Zone of the Mediterranean Basin and caused them to miss writing. Their knowledge and history were passed on through oral tradition and “their books were in their heads”(Vansina: 1985; Vansina: 1961).

In his Pulitzer prize winning book Guns, Germs, And Steel (1997), which I highly recommend, author Jared Steal adds a new interpretation to the mix that eliminates racism and imposition of inferiority from Charles Darwin’s The Origins of the Species (1859)—and his “survival of the fittest” in the historical context. In the examination of world cultures, Diamond notes that development took place along latitudinal lines that he calls the East-West Axis; this Axis ran from the China East into Eurasia and to the West in Europe across the English Channel to what would become England. The domestication of food plants and the domestication of animals travel along this Axis. Peoples that resided along this line did not have to keep on inventing the process—domestication of animals and foods and plants. They only had to be along these lines to receive them, e.g. the Fertile Crescent or Mesopotamia. Save Ethiopia on the Red Sea and Egypt on the Nile, this was another matter for the rest of Africa and the Americas. Their Axis ran from North to South and not even connected to the East-West Axis. Food crops and animals for the most part could not be grown in these Axis that were so abundant in the East-West Axis. Through time one ponders the question that this is really how the Third World condition became so geographically rooted and situated today. (Diamond: 1997; 176-191).

Second, SELECTIVE BORROWING from other nations allows a nation to leap-frog (my emphasis) into the world arena of social and technological progress in one generation rather than waiting to achieve parity in the world through several generations in the making of the national experience. History is on our side on this issue. We have already reviewed
the importance of just being in the INTERCOMMUNICATION ZONE OF THE MEDITERRANEAN BASIN allowed England to take advantage of the learning experience that cultural diversity provided during the Crusades in the 12th and 13th centuries. A marked shift occurred in the mentalité that made 1275 to 1325 (just a fifty year period!) one of the greatest periods of achievement in English history until the 20th century.

Thirdly, Mayor Wellington Webb (Democrat-Denver, Colorado) summed this proposition up best in his address at the National Summit on Africa: National Policy Plan of Action for U.S. Africa Relations IN The 21st Century, Washington, D.C., on February 16-20, 2000. He said: "Life is a two way street. We need to build the bridge of love and respect for each other. Our history ties us together..." (Summit Closing: 2002; Tape #049-A). The mechanisms for love and respect for each other can be achieved through knowing and respecting LIMITATIONS in inter-ethnic group relations (my emphasis), COLLEGIALITY, and through CULTURAL DIVERSITY. For example, although a work in progress that will be going on for along time, the United States of America is learning to appreciate its cultural diversity as a state-nation of immigrants. Cultural diversity allows for the SELECTIVE BORROWING of the talents and geniuses of each other that allows the nation to progress.

Next, I borrow from the U.S. Ambassador to Nigeria The Honorable Howard F. Jeter, who in his many speeches to Nigerians, have said: cultural diversity can speed up the progress of the nation in this way: from the minorities in Nigeria (my emphasis), we can learn about how history has imposed “unfreedoms” on certain ethnic groups and how these continuing “unfreedoms” are destroying the constitutional integrity of the nation; and we can learn the importance of HUMAN RIGHTS and LIMITATIONS AGAINST THE RIGHTS OF OTHERS; from the Hausa, we can gain leadership; from the Yoruba, we can gain education; and from the Igbo, we learn about the boundless tenacity of achievement. And I might add: “From the Igbo, we can appreciate their thirst for knowledge.”

Our fourth proposition deals with citizenship and democracy. Here, we draw upon the work of Ugandan Professor Mahmood Mamdani, Citizen and Subject: Contemporary Africa And Legacy of late Colonialism (1996). In essence, he holds that citizenship and democracy will always be problematical in Africa until its “comes to grips with the nature of the colonial experience in Africa precisely because it ignores the mode of colonial penetration into Africa (Mamdani:1996; 285). The legacy of the Colonial “Native Authority” and its Customary Law of “Tribalism” is still present in contemporary Africa under the guise even of patronage or patronialism rather than by professional appointment based on merit (Weber: 1947; 342-343).

Model Lessons to the Africa Union from The American Experience

Nations worldwide base their policies on what is sometimes called REALPOLITIK, I.S. DECISIONMAKING BEING DETERMINED BY WHAT IS IN THE NATIONAL INTEREST OF THE NATION VIS-À-VIS OTHER NATIONS. SELF INTEREST MIGHT BE A BETTER WORD THAN REALPOLITIK. The question now before us is this and without any intent of paternalism or that America knows best how to solve other nations problems: what LESSONS can Nigeria learned from the United States of America with some 226 years of experience or what LESSONS can Nigeria SELECTIVELY BORROW from the American historical experience? Some LESSONS from the American experience are provided next with some commentary:

RECONCILIATION. During the American Civil War from 1860-1865, 625,000 Americans suffered the loss of life in the conflict between the Confederate forces of the South and the Union forces of the North, including the Border States with slavery that remained with Union. When the war ended in 1865 and the Union was saved intact, the American government welcomed the region of the former Confederacy back into the nation without punishment or demands for reparations for causing the war.

TOWN MEETINGS. Sponsored by the National Federal Government, Nigerian inter-ethnic TOWN MEETINGS could be held for the purpose of learning how to appreciate differences of cultural diversity. Commonalities will be stressed, and the meetings must be televised and on radio. A prepared agenda will be completed before each meeting and agreed upon by the participating and respective groups. Drama departments in the schools and universities could write and produce plays of comedy arising from these town meetings. ASAN at the Calabar July
2002 meeting did this very thing to the amusement of the audience. Peoples might like each other better once they begin to poke fun at themselves and not take themselves so seriously, especially in regard to ethnicity. Drama is actually rooted in African cultures in joking relationships (e.g. in the Hausa language, the expression Ina yin wasa da kai, meaning “I am just playing with you!”)

**CITIZENSHIP. WHO IS A CITIZEN IN THE UNITED STATES OF AMERICA?**

Citizenship is legally defined in ARTICLE XIV of the Constitution of the United States, Section 1:

> All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

**WHO IS A CITIZEN IN NIGERIA?**


1. "The following persons are citizens of Nigeria by birth—namely
   (a) every person born in Nigeria after the date of independence, either of whose parents or any of whose grandparents belongs or belonged to a community indigenous to Nigeria;
   
   Provided that 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.
   
   (b) every person born in Nigeria after the date of independence either of whose parents or any of whose grandparents is a citizen of Nigeria; and
   
   (c) every person born outside Nigeria either of whose parents is a citizen of Nigeria

Key words and clauses here are “born or naturalized,” and “No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.” The equal protection of the laws” is another key clause that will be revisited later when we discuss “inclusion” under the administration of President Harry S. Truman of the United States (1945-1952). It is clear as written that the Nigerian Constitution legal concept of citizenship makes a Nigerian a “STRANGER” in another state of Nigeria where one is not indigenous to that community. In America, one can be born in one State and run for public office in another; and become a resident of that State with six months or less and even vote in that State. In Nigeria, one is a citizen in place of birth and whose grandparents belong to the indigenous community but a “Stranger” outside of it. (As an aside, in Côte D’Voire, one cannot be a citizen unless both parents are already citizens born in the nation. There is
The serious nature of this legal problem was brought to my attention while speaking before ASAN members, the faculty, and students of the University of Jos on Thursday, July 16, 2002. Time ran out before all of the questions from students could be answered but one student sent the following note to me at the dais. It is worth sharing here to illustrate the magnitude of “WHO IS A CITIZEN IN NIGERIA.” The note is quoted in full:

**Question to Professor Patton:**
Sir, following your lecture I discovered that Nigeria has a long way to go. My father was born in Lagos in 1943. From then till now we the children have been living in Lagos. His taxes have been paid to the Lagos State Government, but we the children cannot claim scholarships or have any benefits in Lagos because they believe our grandfather is from the East. Based on this, we are Nigerian citizens but not citizens of Lagos State. In your opinion what do you advice the Government to do on this issue to enable Nigerians to benefit as a citizen? True, there have been conflicting arguments on citizenship and Nigerianization. Sir, who is a citizen and who is an indigene [or indigen]? What should be their benefits and rights in Nigeria?

This note expresses real desperation on behalf of this student along with perhaps some 130 million others in the Republic of Nigeria. Perhaps the seriousness of this problem expressed here will be addressed in the future beyond even Nigeria.

It must be borne in mind, here, that the noun citizen possesses “…agency, a capacity and right to make choices or withhold assent….” Citizenship thus denotes, intrinsically, the possibility of choice, an opportunity or space to act within some form of constitutional setting, a setting that recognizes limitations on legal, political and moral authority. Citizenship thus has integral conceptual links with freedom and agency. This intrinsic connection between citizenship and human agency combines with other fundamental ideas in liberal thought—freedom of conscience, natural, civil, and political rights, basic equality, tolerance of difference, free speech, … [and the] issue of pluralism… wherever their location [North, South, East, or West]” (Vincent 2002:63-64).

Upon reexamining the Nigerian Constitution and the lamentable anguish of the student’s note to me, and keeping in mind that a student from the North in resident elsewhere in the North, that a student from the South resident elsewhere in the South, that a student from the North in the South, that a student from the South in the North, and so on, must feel the same “Stranger” emotion and without benefits, and one can only conclude in a rationale manner that the Nigerian Constitution lacks human agency and replete with “Unfreedoms”—just the opposite of citizenship requirements. This factor also complicates Africa’s Diaspora descendants living abroad with hopes of “returning” to Africa and the probability of not being able to qualify as citizens. The new African Union, too, may wish to give the issue of “WHO IS A CITIZEN IN AFRICA” high priority on its agenda; for the same problem exist in Zambia, Liberia, Sierra Leone, Côte D’Ivoire, and a number of other state-nations in Africa!! In order to change this mentalité of disunity in the nations, another mechanism is needed and/or to be restored in the curriculum.

**Courses in Civics Education.** These courses must be taught at the elementary and secondary level, and if you do not mind me saying this: these courses ought not be taught in indigenous languages but in international languages—English or another Western language—that are already spoken in the nation. The 1200 or so indigenous languages in Africa gives-off too many nuances in word meanings that may not allow the teachers to get across homogeneous pattern of thought so that students and adults in continuing education can be taught the same ideas. The government should establish civics training outreach centers and do further promotion on the radio and TV media. In the case of Nigeria, courses in civics should be followed by two semesters of Nigeria history with emphasis upon reconciliation and pride in the nation. Civics teaches students about pride in the local, state, and national government; further, on the functions of these entities for the people, and on the importance of democracy in making these entities become accountable to the people and not to the “Native Authority”—that must be modernized in order to understand the new world—must receive undue attention. I recall taking courses in civics in the public schools of Arkansas and how we had to say the Pledge of Allegiance facing the American flag, how we were taught the importance of democracy
and the vote, and how we were taught about the Founding Fathers of the United States of America. The change in responsible mentalité of citizenship takes on a marked shift in the minds and behavior of the people when there is respect for the governing leadership. This requires constitutional regulations of all the elected leaders (See CIVICS EDUCATIONAL WEBSITES U.S.A. SECTION IN ENDNOTES).

ACCOUNTABILITY OF ALL PUBLIC OFFICIALS. THIS INCLUDES PUBLIC DISCLOSURE OF ALL FINANCES. In the United States of America, persons elected to high offices must disclose their financial holdings and to place them in so-called “blind trusts” while in office. This prevents them from initiating and manipulating securities and financial regulations to amass fortunes in an unethical manner and from remitting them abroad to foreign banks and/or from so-called “laundering money.”

MULTI-PARTY DEMOCRACY AND TERMS LIMITS FOR ELECTED OFFICIALS. This order requires that the Constitutions of African nations must carry provisions stipulating the number of terms that an official can remain in office. We are beginning to see this work well among some of the nations in the African Union, e.g. in Botswana, South Africa, in Nigeria, in Ghana, in Kenya, but the list is not that exhaustive! Multi-Party Democracy is good for the new African Union because it brings hope and peace to the peoples and prevents various other forms of interventions. Here, the federal government may wish to promote through the various political parties the slating of candidates for office in other than their own states or regions. It is said that a Hausa man recently ran for office in Calabar and won, I believe. All one needs is a good platform that will benefit the people, and they will vote for him or her.

HUMAN RIGHTS. The advancement of human rights entails the creation of a CIVIL RIGHTS COMMISSION by presidents of the various African states consisting of internal and external members. JUSTIFICATION: To investigate and report on the “Unfreedoms” that emanated from grievances that some people might be suffering from in the state-nation, multinationals, and point to the need for civil rights legislation to provide for constitutional protection. The Republic of Liberia in West Africa took action against the discriminatory actions of Firestone Rubber and passed the first Civil Rights Act in Africa in 1958 (Patton: 2002; Shepard and Nanda: 1985).

FEDERAL EQUAL OPPORTUNITY COMMISSION WITH GUIDELINES FOR EMPLOYMENT (FEOCG) AND NATIONAL SEXUAL HARRASSMENT LAW TO PROTECT WOMEN IN THE WORK PLACE AND IN SOCIETY. The GUIDELINES will serve in the interest of equal opportunity base employment on merit instead of on ethnicity in federal and state agencies. In compliance, this would protect “Strangers” beyond their communities of birth and create pride in the nation in a way not present in the Nigerian Constitution of 1999. FEOCG brand offices and officials must be in place in order to see that the GUIDELINES are being followed. Citizens with employment grievances could file a written petition to the respective branch office, and if necessary, they could appeal all the way to the FEDERAL EQUAL OPPORTUNITY COMMISSION WITH GUIDELINES FOR EMPLOYMENT (FEOCG) regardless of gender and the protection of women in the work place. This policy program should open up new innovative courses in the Nigerian schools of law.

NIGERIAN NATIONAL CITIZENSHIP ASSOCIATION (NNCA). Membership in these associations would appear in every state in order to redress grievances in the nation. For example, there are the Niger Delta women at Escravos demonstrating in protest against the multinationals, such as Shell Oil Company and Chevron in July and August in 2002. NNCA aspirant and interested organizers might SELECTIVELY BORROW from U.S.A. models such as the American civil rights organizations used in legal protest; here, examples would include the NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE (NAACP), THE URBAN LEAGUE, SOUTHERN CHRISTIAN LEADERSHIP CONFERENCE (SCLC), NONVIOLENT STUDENT COORDINATION COMMITTEE (SNICC), CONGRESS OF RACIAL EQUALITY (CORE), and from white and black feminist organizations.

In general, one needs a viable middle-class to form such organizations. And in Nigeria, there is no strong middle-class; its near demise can be attributed to the “political conditionalities” of devaluations imposed by the World Bank and the International Monetary Fund. In
Dedication of revenues was assigned to special funds for special purposes that bypassed the appropriation process. Many states already had dedication of revenues. The delegates held that "dedicated revenues constrained the government from pursuing the maximum welfare for its citizens, so they forbade dedication except in certain, limited areas." On September 10, 1969, Alaska received $900,014,605.34 in bonuses for the Prudhoe Bay Oil lease sale. "The $900 million," as the amount came to be referred to, was close to more than all previous state budgets combined. In 1970, the fiscal year (FY) budget totaled only $172.8 million. The question before Alaskans was what to do with the money? The legislature provided a fund to look into the question and sought to SELECTIVELY BORROW from the minds of the Brookings Institute, Washington, D.C. The Institute held four seminars on the question. Kasson reports further that:

There are plenty details, but the basic point is, we're going to invest in Alaska—its people, through education, health and well being opportunities, and in the physical through esthetics and their preservation [my emphasis] and natural resources, using the non-renewable in the best interest of the state, both economically and environmentally.[my emphasis again].

To make detail story general, the voters in the State of Alaska passed a Constitutional amendment establishing the Alaska Permanent Fund in 1976. The amendment stipulated that the dedication of 25 percent of mineral bonuses, royalties and related income to be put into a special fund and to be placed into an income-producing investments. On June 30, 1983, "the assets of the Fund stood at $4.3 billion, a hefty sum by any standards" (Kasson: 1997). The Fund is operated as a trust and similar to trusts it also is like a pension fund and yet a savings account to make money for and to benefit all Alaskans. All views were solicited: voters, business community, banks, fishing and agricultural advocates [members of the community where oil extraction acts destructively to their regional and state environments; making it difficult to carry on patterns of old economic mode of making a living]. The State oil revenues increased with the coming of the Organization and Petroleum Exporting Countries' (OPEC). While gold mining in the interior had only brought wealth to a few, the idea of the Permanent Fund is invest in Alaska's natural resources to benefit future generations.
The identified optional use of the Fund fell into three categories:

Social orientation—income redistribution from high-income to low-income earners, subsidies to low-income families, geographic redistribution, i.e. from urban to rural environments, subsidies to any Alaskans to improve the quality of life:

Economic orientation—subsidizing small businesses, or traditional industries such as fishing and timber, or providing subsidies to create a more broad based economy.

Fiscal management orientation—to save and invest the Fund conservatively to hold for when the revenues fell [very much like but with better intent of the old British Colonial Marketing Board], or to use the Fund to reduce the state debt and/or taxes. (Kasson: 1997; 16)

Hence, the State of Alaska and its statute for oil sharing profits remains an excellent model for the African Union petroleum producers to follow. Angola, for example, could use such a model immediately.

It was reported recently that this republic lacked a national accounting system for oil sold that now numbers into the billions of dollars while some of its citizens are starving from the lack of food. People in Alaska are exempted from paying taxes. The profits from oil sale are shared after expenditures and returned to the people in the form of tax refunds. After expenditures for producing the oil, it is said, Nigeria oil profit sales goes to the federal government. Why not exempt the Niger Delta peoples, where the oil is produced and where the environment is being destroyed from taxes of any kind and provide them from the shares of oil profits with refunds to families and with funds for the development of education first, free electricity second, and thirdly, infrastructure. The Nigerian Supreme Court sided with the government recently on off-shore drilling sites and denied the Delta peoples quest to share a percentage of these future oil profits, according to The New York Times.

Affirmative Action. This legal issue is widely debated in the United States today and a case will come up before the U.S. Supreme Court in April 2003. The Affirmative Action process grew out of the Equal Employment Opportunity Commission (EEOC) that was created by Title VII of the Act July 1965. Under colonial rule in Africa, “Africanization” was the “buzz” word. Affirmative Action should be the new “buzz” word in the independence era for the enhancement of minority group status and women in the Republic of Nigeria and Africa as a whole, especially the new South Africa. The U.S. press and CNN are giving continuous focus to this pressing issue in the U.S.A and zealous feminist organizations are looking into the low status of women in Africa generally. The present image of women in Africa suggest a need to look into their needs of protection in the work place as exist in America and in regard to ethnicity, gender equalization of rights and power, and the employment of women in the same jobs/appointments with men. There should be equal pay for all for the same job done. Gender and ethnic discrimination deprives the government of taxation revenue.

Compulsory Education and The Abrogation of School Fees:

Every one should have access to free education. The Alaska Permanent Fund model can be beneficial here. Funds can be earmarked in the federal budget from natural resource revenues for education for all. As the national Negro College Fund in American national promotion advertisement holds: "A MIND IS A TERRIBLE THING TO WASTE." In Nigeria and beyond, idle and out of school boys and girls can become recruits for ethnic violence and in politicizing unwarranted issues before the nation. The Federal Government, therefore, is responsible for the education of each of its citizens in the nation- women and men, girls and boys. Only then can citizenship within the nation become a reality with PRIDE IN THE NATION. USING SELECTIVE LESSONS FROM THE UNITED STATES OF AMERICA IS THE BEST PLACE TO START!

Minorities in America: Redefining Minority

Here is what is happening in America. The United States of America have now reached a crossroad in regard to the redefining of the word minority. The 2000 Census forms the lynchpin for this reappraisal. The problem lies in the creation of a new category that made the “ancient” groups—African Americans and Native Americans—now inclusive with other groups of “recent origins of inclusion.” Most of the last group came and have not work for uncompensated labor for 300 years as did occur in the case of African Americans. Future reviews might reveal a
process of ongoing social engineering by the federal government. In the 1960s, the minority classification ranking arose out of the Civil Rights Movement. In time, this rank proved more beneficial to other ethnic and gender groups than for blacks, for whom the category was supposedly intended to redress past wrongs and serve initially. Blacks have become mere "tokens" in the work place and in the category. Employers began sending out a federally required separate tab sheet that a potential employee was asked to place a mark in the slot indicating his or her "race," which was to be returned with the application: Caucasian, white, black, Afro-American, Native American, Hispanic, Asian, male or female, others, and the like. Whether one was hired or not with the rationale of "budgetary constraints," employers were now in compelling compliance to receive federal money, tax breaks, and sundry. The employment of black women served the two categories of first being black and then second, the gender female or woman in the count. How and when did this labeling begin? The U.S. Congress passed the Civil Rights Act of 1964 and based its constitutionality on the commerce power as well as the Fourteenth Amendment. This Act set fourth the U.S. policy of providing equal employment opportunity in the federal government through affirmative action programs in federal departments or agencies for African-Americans. The 1964 Act created several agencies that required the reporting of various statistics. For example, the Equal Employment Opportunity Commission (EEOC) was created by Title VII of the Act and became operational in July 1965. It has undergone several changes but basically it typifies the required reporting (see Code of Federal Regulations '29CFR 1600' and U.S. Code '42 USC 2000'). The EEOC "enforced the laws that prohibited discrimination based on race, color, religion, sex, national origin, disability, or age in hiring, promotion, firing, setting wages, testing, training apprenticeships, and all other terms of employment of "minorities" (USGM: 1999:510-511). Hence, the recent grouping of all non-Anglo-Saxon ethnic-and-gender groups under the label of minority tends to make all such groupings equally eligible for federal appropriations and equitable employment, most of whom have not been historically discriminated against as is the case for people of "ancient origins." For example, Egyptians and other people of the Maghreb—i.e. "...the setting sun" West of Egypt—can and do pass in the U.S. as Caucasians or Arab, even if they are black in skin color until of some them find it convenient to reclassify themselves as minority in order to be recipients of affirmative action. Arabic as their first language is the only requirement for them to be classified as Caucasian. Hispanics can and often do pass also as white and list themselves as white or Caucasian as shown in Andrew Hacker's Two Nations: Black And White, Separate, Hostile, Unequal (Hacker: 1992; 10).

The Hispanic option to "crossover or pass" means that blacks of "ancient origins" remains the largest group within the so-called "minority category." Most Hispanics, even, who are black in skin color do not consider themselves as blacks but register themselves by the name of their country, e.g. Puerto Rican, Brazilian, and the like. Native Americans, and the poor whites of Appalachian and beyond represent ethnic-socio-economic groups that have been historically discriminated against in America. The continuing income distribution gap between whites and the remainder of these groups—blacks, Native Americans, and poor whites—serves as a reminder of this fact of inequality rooted in federal and state supported historical oppression.

The New York Times explored this problem and produced a series of 15 installments over a six week period of outstanding articles on "How Race is Lived In America" in June 2000. The continuing "racial" divide is very evident. In its final editorial entitled "Progress and Pain on Race," Sunday, July 16, 2000, it noted that America had moved forward from its separatist society that Ralph Ellison's Invisible Man portrayed in 1952 and that America had become a multiracial society. This must be qualified. This might be true for California because of its proximity to Mexico, but try to tell this to the black parents in Kokomo, Mississippi, in the year 2000, whose son is believed to have been lynched: This is not the official "He committed suicide version" of the local police—because their son dated two white girls. In the meantime, readers on the Times articles submitted numerous and interesting letters to the editor. The paper conducted a poll on June 21-29, 2000, and dealt with many issues. On the very issue about the need for special programs for minorities, blacks favored such
programs 76 percent to 11; whites were ambivalent with 46 percent in favor, and 44 percent opposed. In regard to the playing field, or who gets a head start first, 58 percent of whites thought that the playing field is level, only 35 percent of blacks shared this view; 57 percent of blacks believed that whites still had the advantage, while only 32 percent of blacks disagreed.

Do Americans work together with other races? Eighty-three percent of whites held that they worked with only a few blacks or none at all; ninety percent of whites who attended religious services at least once a month said that none, or only a few of their fellow members were black; while 73 percent of blacks held that almost all of their congregants were black. And the poll now shows that this is still true in the year 2003! Seemingly, not much progress has been made on the future of going to Heaven together! The poll is reviewed again on the “racial” issue: whites “expressed fatigue” with racial issues; fifty-four percent said that the news media devoted too much time to “race”; blacks, 44 percent, said that the media did too little talking about “race”; while 28 percent held that the media talked too much about “race”; and 23 percent said the media was politically correct on “race.” The Times posed another question: “If your political party nominated a black for president, would you vote for that person if he or she were qualified for the job?” Blacks overwhelmingly voted “yes” at 95 five percent. Whites responded in the affirmative with 93 percent. Not representing the thoughts or policies of anyone else, my take on this question is this: There are plenty qualified blacks in the United States that are qualified to be president, and to obtain the party’s nomination has little to do with “qualifications.” One only has to look at the U.S. historians’ evaluations of U.S. presidents throughout history, or just look at those that received their party’s nomination, went to the presidency, or did not win the election. “Imagery” (my emphasis) in the mind of the American people about presidential candidates drives “qualification”—so what does “qualification” actually means? Nevertheless, America has made some progress in resolving the “racial” issue, albeit slowly. Much remains to be done and to be considered on several fronts.

Let us review the 14th Amendment of the U.S. Constitution again.

As you may recall, this Amendment defines who is a citizen and reads: Section 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and the state wherein they reside. No State shall make or enforce any law, which shall abridge the privileges or immunities of citizens of the United States; nor shall deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of laws.

As you may recall, the late Republican U.S. Senator Barry Goldwater was born in the U.S. territory of Arizona before it became a State in 1912. His eligibility to run for president of the United States was raised by the Democrats, but he ran in accordance with the Constitution, Article II, Section 1: “No person except a natural born Citizen, or a Citizen of the United States, at the time of the adoption of the Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen years a Resident within the United States.”

President Harry S. Truman and Inclusion in The United States

Let us review the equal protection and due process clauses again and impact on U.S. SOCIETY. Michael R. Garner is a biographer of President Harry S. Truman, and shows that Truman made America more inclusive for African Americans than any other president since President Abraham Lincoln. I rank President Lyndon Baines Johnson after Truman. In HARRY TRUMAN AND CIVIL RIGHTS: MORAL COURAGE AND POLITICAL RISKS (2002), Gardner shows why and I will draw extensively from his book to make this case. Bare this in mind about Truman in this discussion; his mother from Western Missouri was a Confederate sympathizer and disliked President Franklin D. Roosevelt, of whom Truman succeeded in 1945.

The Truman Administration and the inclusive process can be illustrated as follows during the Second Reconstruction: WWII-1954:

(1) Truman raised the phrase “CIVIL RIGHTS” to a new semantic level in regard to “the old problem of racial discrimination in the United States.” On December 5, 1946, the President issued Executive Order
9808 establishing the first presidential multiracial Civil Rights Committee of 15 distinguished U.S. citizens (whites and blacks), since the 1866 Civil Rights Bill out of which the 13th Amendment grew officially ending slavery. The Executive Order was necessary because the 80th Congress would not cooperate: i.e. Republican dominated with support of Southern conservative Democrats. De jure discrimination or racial segregation was the law of the land! As matters turned out, foreigners to America assimilated to this system and practice after slavery ended in 1865. (2) President Truman spoke on October 29, 1947, before the NAACP National convention at the Lincoln Memorial. (JFK would not speak at the March On Washington in August 28, 1963. He even discouraged the March, saying it would not be peaceful. There was not a single arrest!) Four months after Truman's speech, the 178-page report of the Truman Civil rights Committee appeared (Gardner: 2002; 51).

(3) The civil rights appointees reached deep into history and used the word “disease” in 1946 in reference to racism in the U.S.A....and even raised the issue for the need of a national medical care system for the first time in U.S. history. This last reference was precursor to present day MEDICAID-MEDICAL CARE! (Gardner: 2002; 47)

(4) The Committee issued the “FOUR BASIC-USUALLY ABSENT-CIVIL RIGHTS IN 1946

1. THE RIGHT TO SAFETY AND SECURITY OF THE PERSON
2. THE RIGHT TO CITIZENSHIP AND ITS PRIVILEGES
3. THE RIGHT TO FREEDOM OF CONSCIENCE AND EXPRESSION
4. THE RIGHT OF EQUAL OPPORTUNITY” (Gardner: 2002; 51). The absence of these rights constitutes de jure discrimination!

(5) The presidential election year of 1948 was a test for the Truman administration on the Democratic Party convention and civil rights platform of July 14-15. Garner notes that Truman spoke these words before the convention on July 15: “Everybody knows that I recommended to the [Eightieth] Congress the civil rights program. I did that because I believe it to be my duty under the Constitution-HST, July 15, 1948”(Gardner: 2002; 87). The poll tally showed 82 percent of the American electorate against Truman (Gardner: 2002; 106). A recent New York Times reported that Democratic U.S. Senator Strom Thurman of Edgefield, South Carolina, bolted out of the Democratic Convention; “...went on to Birmingham, Alabama, and received the presidential nomination of the Dixiecrat Party. It was a period of tremendous fear on the part of African Americans. There was just fear,” writes Robin Toner of the New York Times. Thurman went on to campaign against Truman for president in his newly created Dixiecrat Party. Here, Faulkner’s dictum or truth in our epigraph about “The past is never dead. It’s not even past” re-surfaced (Faulkner: 1951; 80). In that same year and time, 1948, the Montgomery Advertiser newspaper of Alabama reported scathingly about how: “...the delegates used the less-refined word for black people and hung President Truman in effigy, the State’s Rights party declared ‘We stand for the segregation of the races and for the racial integrity of each race; the constitutional right to choose one’s associates; to accept private employment without governmental interference, and to earn one’s living in any lawful way. We oppose the elimination of segregation employment by the federal bureaucrats called by the misnamed civil rights program...’...This was the Thurman campaign. It was all about segregation....So in terms of translating promises into action, Mr. Thurman probably would have revoked the executive order President Truman issued that summer to integrate the armed services—postponing indefinitely what has become the most effective instrument for integration of American society”(Cylmer:2002; 5). In the meantime, Truman’s civil rights platform that Thurman opposed died in the Southern dominated-senate. (5) No sooner than the Convention ended on July 26, 1948, Truman issued Executive Order 9980—doing that which FDR did not do:”...unilaterally integrating the workforce and infrastructure of the vast federal government.”—no more white cafeterias only (Gardner:2002;106-107). As you may recall, President Woodrow Wilson (1916-1920) segregated the workforce and federal infrastructure and sanction film “Birth of a Nation” based on the novel of Thomas Dixon, The Clansman: An Historical Romance of The Ku Klux Klan (1905). Wilson followed the long line of presidential politics of de jure discrimination against African Americans first sanctioned by President Andrew Johnson from 1865-1868; in this last year, Johnson suffered impeachment in the Radical Reconstruction Congress (Trefousse: 1999; 29-45).
(6) The BOMBSHELL CAME ON JULY 26, 1948 (my emphasis)! The Armed Services had 800,000 African-Americans in segregated units in WWII. Truman integrated Armed Services in 1948 through issuance of Executive Order 9981 (Gardner: 2002; 111).

(7) CHAPTER ELEVEN, TRUMAN and the Vinson Court [the assault on Plessy v. Ferguson of 1896] began in a brief for the United States as amicus curiae:

“separate but equal” is a constitutional anachronism which no longer deserves a place in our law...It is neither reasonable nor right that colored citizens of the United States be subjected to the humiliation of being segregated by law. A brief for the United States as amicus curiae went before the Supreme Court in Henderson v. United States, December 1947. Truman had appointed his friend Fred Vinson, then his Secretary of the Treasury, as the Supreme Court Chief Justice, June 6, 1946 (Gardner:2002;163-197).

The trilogy of cases that led to the dismantlement of Plessy v. Ferguson of 1896 occurred next in this scenario: The Truman administration filed amicus curiae strategy through its Justice Department, i.e. the filing of friendly briefs in the court on the side of the plaintiffs and on the side of the NAACP Legal Defense Fund; this Fund was headed by the Howard University trained lawyer Thurgood Marshall (graduating class of 1933), who himself was denied admission to the University of Maryland law School, and who would later become the Solicitor General and first African American to be appointed to the U.S. Supreme Court by President Lyndon Baines Johnson: (see further Genna Rae McNeil, Groundwork: Charles Hamilton Houston and the Struggle for Civil Rights (1983). Hamilton was the “Dean” of black lawyers.

(1)”Restrictive Covenants [in deeds of property] were based on race, color, ancestry, or religion and a known phenomenon in every large community of this country, affecting the lives, the health, and well the well-being of millions of Americans. Such restrictions are not confined to any single minority group. While Negroes (of which there are approximately 13 million in the United States) have suffered most because of such discriminations, restrictive covenants are also directed against Indians, Jews, Chinese, Japanese, Mexicans, Hawaiians, Puerto Ricans, Filipinos, and “non-Caucasians”(Gardner: 2002; 174-176). Please note again the “key U.S. constitutional clause of the 14th Amendment (XIV) [1868, first, and radical reconstruction, 1866-1877]—the equal protection of the law clause”:

Section 1 all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws (Henretta, et al: 1997; d-13).

(1) Supreme Court Case (1) Shelly v. Kraemer and Shelly v. Hurd, were argued together before the supreme court on January 15 and 16, 1948. Issue: whether the equal protection clause of the 14th amendment was violated when state courts, in this case Missouri and Michigan, enforced private agreements that prevented African Americans from buying homes in certain “restricted” neighbor-hoods. “Shelly’s companion case involved judicial enforcement of restrictive covenants in the nation’s capitol. On may 3, 1948: The Supreme Court declared restrictive covenants unconstitutional by the States (and undermined one aspect of pervasive racist doctrine” Plessy v. Ferguson—namely state-court enforcement of restrictive covenant) in unanimous Court, 6-to-0 (There are 9 justices but 3 had to recluse themselves because they owned property under restrictive covenants!) Significance: These cases confirmed the new proactive civil rights direction of the Truman-Vinson Court” (Gardner: 2002; 178).

(2) The Supreme Court continued its assault in 1949: Henderson v. United States; on June 5, 1950, the Court struck down segregation in interstate commerce sanction by the federal government’s Interstate Commerce Commission (ICC); railroad corporations offered ten tables on a train’s dinning car for white patrons and offered only one table for black travelers.
Significance: “separate but equal was given yet another blow—importing the invention of the inferiority of the Negro” (Hobsbawm and Ranger: 1983/1997).

(3) The Supreme Court issued unanimous ruling in Sweatt v. Painter and McLaurin v. Oklahoma State Regents, collectively argued with Henderson. In McLaurin, G. W. McLaurin—a black graduate student, who had a Master’s degree and sought the Doctorate in education at the University of Oklahoma—filed suit against the Oklahoma States Regents for denying him admission and that this practice was unconstitutional based on the equal protection clause. Blacks were assigned designated seats in classrooms, libraries, and cafeterias. The unanimous Shelly decision was essential in denying state courts the right to discriminate in graduate education and the same throughout the United States. Blacks could now attend predominantly white universities.

(4) In the Sweatt case, a black man named Heman Sweatt was denied admission to the University of Texas Law School and was admitted to a black only law school at Texas Southern University, Houston—now the Thurgood Marshall Law School. The Court did not settle for a black only law school “because he is Negro,” and the issue of Plessy was revisited again: “We [The Supreme Court] hold that the Equal Protection clause of the Fourteenth Amendment requires that the petitioner be admitted to the University of Texas Law School.”

(5) Gardner wrote further: “Much of the American public was stunned by the collective and radical impact of Sweatt, McLaurin, and Henderson—the cases that would immediately change the racial landscape in higher education and interstate travel throughout the united states.”....” declared Governor Talmadge of Georgia: ‘as long as I am governor, Negroes will not be admitted to white schools. The line is drawn. The threats that have been held over the head of the South for four years are now plunged into the very heart of the southern tradition” (Gardner: 2002; 184).

(6) The 80th Republican Congress would not consider civil rights reform. The South consisted of the one party—The Democratic Party—made up of Southern conservatives with seniority on congressional chairmanships.

(7) Supreme Court Chief Justice Fred Vinson died at age 63 on September 8, 1953. President Dwight D. Eisenhower (Republican) appointed Republican Governor Earl Warren as Chief Justice of the Supreme Court and after Brown decision, it was said that he remarked: “The appointment of Governor Warren was the most damn fool mistake that I ever made.”

(8) President Truman was Lane Duck President in December 1952. His Justice Department seized the moment and filed an amicus curiae brief to now the Warren Court with Truman appointees in Brown V. Board Of Education. Garner reported further: “The Truman Administration helped to define both the judicial record and the final outcome of the Supreme Court’s Brown Decision,” May 17, 1954.

President Harry S. Truman was the most significant President for the American people on civil rights—who themselves were in need of liberation in the era of the Cold War from the “disease,” and the most significant President for African Americans since President Abraham Lincoln, who as a consummate politician said pragmatically in the 1860s: [paraphrasing] “If I must save the Union without destroying slavery, I will, and if I must save the Union by the destruction of slavery, I will.”

Truman went to Howard University, Washington, D.C., and gave the Commencement Address on June 13, 1952. Truman went to Harlem and gave his final Civil Rights Address on October 11, 1952 (Gardner: 2002).

The Civil Rights Movement and Dr. Martin Luther King, Jr.

Thereafter, the civil rights phase became more confrontational partly through SELECTIVE BORROWING from Mohandas “Mahatma” Gandhi Of India (1869-1948, Assassinated) and his Non-Violent Philosophy Called Satyagraha, meaning “The Force Which is Born Of Truth And Love or Non-Violence” (Itzkin: 2000; 3). Gandhi used non-violent means to achieve India independence from British colonialism in 1948. The British Union Jack Flag OfRed-White-Blue was changed to Green-White-Orange. Dr. Martin Luther King, Jr. (1929-1968), SELECTIVELY BORROWED this philosophy and used it as the basis for tactics in the civil rights movement in the Second Reconstruction, WW II-

In Montgomery, Alabama, on December 1, 1955, Mrs. Rosa Parks took the first seat on the bus and refused to move to a rear seat. The Montgomery Improvement Association (MIA), under the leadership of Dr. Martin Luther King, Jr., mobilized the Montgomery bus boycott movement on December 5, 1956. This boycott lasted for 382 days. Sociologist Aldron D. Morris sums up the watershed: “Victory came to the Montgomery movement after an entire year of protest. On September 13, 1956, the United States Supreme Court ruled that Alabama’s state and local laws requiring segregation on the buses were unconstitutional” (Morris: 1984; 51, 63). This date marks the birth of the modern civil rights movement. Its importance became full blown through the media from counter activism of resistance representing the Jim Crow order of the South in the era of the Cold War, or East-West rivalry.

We may read further on this issue in the Pulitzer Prize winning book by an excellent white woman journalist from Alabama, who grew up at the same time in Birmingham but on the other side of town away from the present National Security Advisor to President George W. Bush, Dr. Condoleezza Rice (Ph.D.), Diane McWhorter, CARRY ME HOME, BIRMINGHAM, ALABAMA: THE CLIMACTIC BATTLE OF THE CIVIL RIGHTS MOVEMENTS (2001). “Carry Me Home is the first movement history to uncover the segregationist resistance [of The 1963 Birmingham]” with NAACP, CORE, URBAN LEAGUE, SCLC, SNCC Vs. WHITE CITIZENS COUNCIL’S, KKK, etc.

“WHO IS A CITIZEN IN AFRICA?” AND THE STATE-NATION REVISITED

Having examined these constitutional provisions of inclusion in American law, we will now revisit again the major question of inclusion confronting the nations of the African Union: WHO IS A CITIZEN IN AFRICA? Some conceptual terms will be defined later when we come to these issues in Africa. But when the new independent African states opted for the “state-nation” choice rather than the “nation-state” choice, all persons born or naturalized in these respective states—once colonial territories and boundaries—were and are citizens of these states. This is good Law for any constitution and the U.S. Constitution contains the First Ten Amendments called The Bill of Rights; in an abridge manner, two of them read:

I. Congress shall make no law respecting the establishment of religion, or abridging freed of speech...to petition the government for a redress of grievances [and on the right to feel secure anywhere in the world, there is]

IV. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures...without a warrant.

IV. Writ of Habeas Corpus. This one is very important because Africans living abroad justify their not returning because “We don’t feel safe”—the personal security issue and yet a human rights issue, too.

As you may recall, the African continent has been occupied by some 1200 ethnic groups and as many languages since BCE times. Each pre-colonial political entity consisted of one or more ethnic groups. In the next phase of the colonial take-over, colonial territories consisted of one or more ethnic groups, and often without knowing it or caring for that matter, divided up some groups and left them in another colonial state. Colonial Nigeria, for example, had about 250 ethnic groups or more, and these same numbers would be the inheritance of the independent Republic. The same might be said of the Congo in regard to the number of ethnic groups enclosed within its borders. Some ethnic groups were larger than others, and smaller groups may be defined as minorities, who often were dominated by the larger ones.

Using 1960 as the watershed date for African independence WITHOUT DEMOCRACY, citizenship in the new nations of Africa would be determined by the type of “nation” or “nation” model that the new African leaders adopted. The choices were the “state-nation” and the “nation-state.” We will now review this historical process through the prism of the literature.

E. J. Hobsbaum reported that nationalism is “primarily a principle which holds that the political and national unit should be congruent.” He
goes on to explain that nations, as we know them today, belongs exclusively to a historically recent period since 1780. The concept of nation, therefore, relates to a type of modern territorial state, which he calls the "nation-state." The nation and nationalism must be joined into a single whole or in conjunction with each other. (This model did not appear in Africa upon independence.) There are constraints on this process that determines the appearance or structure in the making of nations, such as inventions and social engineering. Nationalism often takes pre-existing cultures, turns them into nations, and even obliterates these pre-existing cultures: "In short...nationalism comes before nations. Nations do not make states and nationalism but the other way around" (Hobsbawn: 1990; 10).

The ideal-criteria that allow peoples of the world to be classified as nations are fourfold:

1. "Historical association with a current state or a general lengthy and recent past (Ethiopia and Liberia).
2. The existence of a long-established cultural elite—where there is the presence of a written national literary and administrative vernacular; here national or collective identification has been associated with a strong linguistic or language (Ethiopia).
3. A recognized tradition and capacity for conquest. Here, we have what is called an "imperial people making its population conscious of its collective existence. We recall that that the 19th century conquest era provided the Darwinian thinkers with proof of their evolutionary success of the "survival of the fittest" as social species (Ethiopia).
4. A world religion might provide a useful tool in the establishment of a nation and associated structure"(Hobsbawn: 1990; 36-38). The Muslim world suffices here. But beyond Hobsbawn, it is interesting to note that there is no word for "nation" in Arabic, nor a word in Arabic for "Saudi."

As matters turned out in the Atlantic world, the concept of the nation arose within the cocoon of the state. Collective sovereignty provided common institutions and a shared political tradition; out of this pattern arose a sense of nationhood that transcended cultural and ethnic differences. This paradigm is known as the "state-nation." This "state-nation" model is the one that Nigeria and others opted for upon obtaining independence. A different phenomenon arose in eastern and central Europe called the nation-state....:

"The idea of the nation could only develop within the chrysalis of the individual culture, for here the ethnic groups were either radically divided into political fragments, as in the case of Germany and Poland, or they were totally contained within the frontiers of great empires, as in the case of the Czechs, Magyars, Slovaks, Bulgarians, and so on. In these cases, the nation was defined as a cultural rather than a political entity. The growth of national consciousness created a demand for the creation of the 'nation-state.' State-nations and nation-states (that is, nations formed by states and states formed from nations)” marked the typical construct of this bifurcation in European development (Pflanze: 1966; 166-139).

Citizenship in the West: How Different From Citizenship in the African Union?

This brings us now to the issue of citizenship in the Atlantic world of the West. Two distinct elements are crucial in citizenship. First, the individual has certain rights and privileges in the political community as opposed to nonmembers. The individual also has certain duties and obligations that must be performed beneficial to the political community. That the political community may focus upon a different perspective notwithstanding. Hence, citizenship "sensitizes" people in the nation to the two obligations in the ongoing relationship between the individual and the political community in terms of rights and duties. This orientation has the best chances of giving legitimacy to civic courses in the elementary and secondary schools curriculum. We have already noted that civics teach about the "Founding Fathers," patriotism through pledges of allegiance, ethics of behavior, the need to have "Respect" for each other no matter one's ethnic background or religion is, celebration of independence holidays, and when the nation responds with good governance and equal distribution in the allocation of natural resources to all regions within the nation—thereupon and only then do the citizens develop a feeling of pride in the nation. An independent judiciary is essential to act as the custodian of law.
Nigerian own scholar Peter Ekeh, cites T. H. Marshall on citizenship in the Atlantic world and reports further that:

Citizenship is the status bestowed on those who are full members of a community. All who possess the status are equal with respect to the rights and duties with which the status is endowed. There is no universal principle that determines what rights and duties shall be, but societies in which citizenship is a developing institution create an image of an ideal citizenship against which achievement can be measured and towards which aspiration can be directed. (Ekeh: ca.1972; 7)

In retrospect, citizenship in the West has led to a unique analysis of rights. Little attention is paid to the analysis of duties. One plausible reason is that the historical nature of politics placed rights took on egalitarian ideas in the concept of citizenship, and duties to the nation were assumed a given. Rights and duties are functionally related. Let us now turn to citizenship in Africa.

The concept of citizenship in Africa is unique because the concept was shaped by the colonial experience. Ekeh discusses the main themes of citizenship in Africa:

First, whereas the historical circumstances of the West have led to a situation where rights have been problematical in politics, in the colonial and post-colonial nations of African rights are given while duties of the citizen cannot be assumed as given and indeed the duties of the citizen are likely to be problematical in political life. Secondly,...the historical experiences of colonialism and post-colonial politics have led to the dissociation of rights and duties in the conception of citizenship in Africa. Thirdly, as against the West where there exists a unitary conception of the public realm, the historical circumstances of colonialism and post-colonial politics have led to the emergence of two publics in Africa: in the post-colonial nations of Africa there exist a) a moral primordial public and b) an amoral civic public, to which citizens assume different relationships in their definitions of rights and duties. (Ekeh: ca.1972; 10)

In the amoral civic public, “one expects benefits but which is not important in one’s definition of one’s duties but with emphasis on rights; and in the amoral primordial public (defined in terms of one’s ethnic groups), one’s relationship is associated with duties. A number of conclusions may be drawn here.

Further, under colonial ideologies, Nigerian sociologist Peter Ekeh reports further on the difference of history in a colonial setting with emphasis on the ahistorical or “The Backwardness of the African Past: The essence of colonial history is the demonstration of the massive importance of the European ‘intervention’ in Africa and of the ‘fact’ that African contributions to the building of Africa have relevance only when seen in the context of a wider and more significant contributions of the European colonizers. Every school boy in colonial Africa, and many in post-colonial Africa, read in history books that Africa and especially important landmarks and waterways in Africa were ‘discovered’ by European explorers.” There was also emphasis on “The Lack of Contributions By Africans to the Building of Africa”: colonial administrators in stressing the importance of their rule in Africa “down-grading the contributions by Africans to the building of African nations and to history generally.” The essence of history is the demonstration of the massive importance of European ‘intervention’ in and of the ‘fact’ that African contributions to the building of Africa have relevance only in when seen in the context of a wider and more significant contributions of the European colonizer” (Ekeh: ca.1972; 13).

Nations already existed in African before the independence. Europeans designated them as “tribes.” Several, however, had structures or criteria that made them nations: common language, a common territory, common historical tradition, and the institutions of a state to articulate their ideologies and genesis myths. What will be interesting later in our discussion is that most new African nations had these features upon becoming independent. For example, there was no standard Ghanaian nation, only an Ashanti nation with a common destiny, defined territory, which were still preserved in the administrative boundaries of the Gold Coast. The common language was Twi with dialects spoken by non-Ashanti. The Ashanti had a historical tradition with genesis myths of origins to bind people together through patriotism. The Ashanti era from 1702-1902 show
clearly the institutions of a state, some of which would persevere in the colonial government up to independence. If the concept and definition of nationhood can be generalized to include non-Western nations, or European nations before the French revolution of 1789, Ashanti could clearly be considered a nation.

In addition to Ashanti up to 1945, there were other nations, too. For example, Futa Jallon in modern Guinea, the Mossi nation in today’s Burkino Faso, the Kanuri-speaking nation in Borno, now part of Northern Nigeria, a Dahomean nation situated in the Southern and current Republic of Benin, and still to close to call but I will call it—the Yoruba nation in Western Nigeria. In east Africa, there are the lake kingdoms, such as Buganda, Ankole, Bunyoro, Burundi, and Rwanda—all nations. Now we come to Central Africa, such as the Bakongo, Bemba, Barotse, the Luba bound by halopwe, and the thirty or so Lunda nations bound by interpositional succession and perpetual kinship (Vansina: 1968; 27). There is more to come South of the Zambezi, such as the Zulu, Sotho, and the Swazi nation. Each of these had a territory, bounding nationality, language, an entity called the state until recently, and a “consciousness of shared historical experience often through conquest. These nations, too, had a common concept of citizenship but you had to belong to your ethnic group, or possess patronymic connections through affiliative (or ancestral), conjugal relations and relations of affinity with access through social reproduction, elderhood, or through relationships of alliance with neighboring communities in tributary relations. The theme of “Unfreedoms,” such as caste, slavery, and subordinate status of women were most noticeable in these nations. The exploitation of servile groups necessarily excluded them from the social relations of kinship and from citizenship since they were not in control of their social reproduction (Meillassoux: 1986/1991).

Before 1994 and the beginning of non-racialist policy, South Africa was on the road of dual nationality. With its large European minority, it had embark upon what the late economist W. W. Rostow described as “economic take-off” or sustained economic growth of an annual 3 per cent growth rate, which made South Africa both a “First World” and “Third World” country, and with more industrial development than any other country in sub-Saharan Africa. Samir Amin designated South Africa to the migrant labor category, which allowed the Zulu, Sotho, and Swazi individuals to drift into the cities and towns and become urbanized.

They kept their identities to the old countries, although somewhat weakened as they gradually began to be South Africans (Amin: 1972; 503-524). Dual nationality continued with the English-speaking European settler community, who saw themselves as South African, and yet maintained romantic ties with the worldwide British nation. Afrikaans-speaking whites held loyalty to the Union of South Africa and at the same time many held loyalty to the Afrikaner volk. The African majority was excluded from holding nationality with either the English or the Afrikaner. By 1945 and beyond, South Africa was drawn toward the state-nation route and began to include its disparate ethnicities. In 1948, it took another turn with the Afrikaner Party—the National Party—took over the South African state. South Africa rejected the idea of becoming a state-nation and opted for the nation-state instead, where all or the monopoly of political power would be in the hands of those of unmixed European descent. South Africa next initiated policies of “Bantu homelands,” or Bantusans. This meant that each subordinate group was to have a nation-state of its own similar to the factor of national determination found in Eastern Europe. All pretenses were dropped about membership in the state-nation named South Africa.

Nationality in the state-nation became a matter of ethnic identity, but there was a caveat here: political frontiers “were not to coincide with nationality. While Africans were to have their Bantusans, millions of black Africans were left in the so-called white areas.” Rather than adopting the ideal of a nation-state, the National party seeks [sought] to persevere the domination of the Afrikaner volk (in alliance with other Europeans) over a multinational state—and one in which the dominate nation is a small minority.” South Africa had thus become a “Tribal-state,” a term from the original Latin meaning of tribus, one of the three original ethnic divisions among the Roman. As previously noted, “tribalism can be defined as the sentiment of loyalty to an ethnic or linguistic group, which seeks to improve its particular interest within the state. It is distinguished from the ideal of the nation-state type, because the does not seek to segregate itself within
national frontiers. It merely seeks to further its interest within whatever state happens to exist. But the Republic of South Africa today [i.e. pre-1994] can serve as a living ideal-type of a tribal-state” (Curtin: 1966; 143-153).

Colonialism and Legacy in the African Union

In light of Faulkner’s dictum again (“The past is never dead. It’s not even past”), colonialism in Africa must be revisited. Professor J. F. A. Ajayi, the distinguished historian of Nigeria and of the world, assess the impact of colonialism in 1968 at a conference in Dar-es-Salam:

....the main point I would like to underline is that in any long-term historical view of African history, European rule becomes just another episode. In relation to wars and conflicts of people, the rise and fall of empires, linguistic, cultural and religious change and cultivation of new ideas and new ways of life, new economic orientations and so on, in relation to all of these, colonialism must be seen not as a complete departure from the African past, but as one episode in the continuous flow of African history. (Ajayi: 1968).

In 1968, nationalism was rampant as most of the new African nations were experiencing the first phase of their one-party independence, and a period that affected the way we all of that generation viewed Africa in our teachings and writings. The time is now upon us to reconsider the Faulkner dictum in honest and to examine one of Africa’s new thinkers about the “...the past is never past” and to see what political scientist Mahmood Mamdani has to say about the continuing legacy of colonialism in the new African Union. Our premise here is that colonialism was more than “one episode” but a major one in the continuous flow of African history.” The essential assessment points of Professor Mamdani will now be examined.

Mahmood Mamdani and Impact of Colons, the “Native Authority”, Customary Law, and the Bifurcated State

First of all, it is well known that the Europeans initial stated purposes in Africa were twofold: “civilizing mission” and “Christianizing mission.”

Through time these two objectives became wedded into an amalgam into the creation of the colonial state. African resistance to these objectives led to a colonial shift in policy: “...from the zeal of a ‘civilizing mission’ to a calculated preoccupation with holding power, from rejuvenating to conserving society [my emphasis], from being the torchbearers of individual freedom to custodians protecting the customary integrity of dominated “tribes”” (Mamdani: 1996; 286). Not first in Africa, this shift began in the older colonies, such as India and Indochina. Since Africa was the last European parameter of colonization, the lessons learned from other places were fully implemented in Africa. Customary law received unprecedented attention. Near the end of the book, Mamdani takes note of the reason for African resilience to placing the legacy of colonialism in contemporary societies of the African Union. He refers to the “existing Afro-pessimism over the African condition in contemporary times and expressed notions of an unwanted cure. Part of the argument of the book, he says,’ is that Afro-pessimism is unable to come to grips with the nature of colonial experience in Africa precisely because it ignores the mode [my emphasis] of colonial penetration into Africa” (Mamdani: 1996; 285).

We move to his partial thesis for analysis next.

The colonial presence in Africa was dominated by the society of the colons; herein lies the creation of the colonial state. The colons held the rights of citizenship, the rights of association, the rights of free publicity, and the rights of political representation under direct rule. The subjects were indirectly ruled by customarily organized by “tribal authority.” Thus, civil society was racialized with white over black represented by the Native Authority, and the Native Authority was “tribalized” with black over black. The urban-based “native” peoples was the third group in the scenario—between the “rights holding colons and the subjects—consisting of mainly the middle-class and working-class persons; this group was exempted from customary law, but they could not escape from modern racial discriminatory civil legislation. The rights-bearing citizens category were denied to both the subjects and the urban-based middle-class. This structure consisted of the first historical moment in the development of the emerging civil society of the colonial state serving to protect the society of the colons. As matters turned out, there was now in place a bifurcated
state-two layers: citizens and subject-based on what Mamdani describes as a decentralized despotism.

The outcome of this structure was the second movement that witnessed a shift between civil society and the state. The *anticolonial struggle* emerged from this decentralized despotism led by the working class in legal limbo seeking entry into the civil society of the colons. Their rebuttals marked the creation of an anti-colon state struggle and the creation of an indigenous civil society. Not much could be achieved in this struggle because the colonial state of the colons was racialized. The problem for the future of the independent state was how was it going to become a de-racialized state.

The third movement in history was left to the independent African state, i.e. how to de-racialized the state. It is important to note that while the state was de-racialized the civil society was not so structured. Historical experienced had allowed for accumulated privilege—mostly racial—to build up and become institutionalized. Nevertheless, the independent state played a dynamic role in the struggle to de-racialized the state with diminishing antagonisms in the civil-state society. What is today affirmative action, the key policy instrument during the struggle, was then called *Africanization*. This last process was both unifying and fragmentary. In the first movement, the anti-struggle dismantled racial inherited privilege, which brought unity to the victims of colonial racism. The problem came in the second movement that remains a harbinger in conflict resolution even in 2003: the questions of the re-distribution of resources continues to divide the majority along the same lines and though process of about when is re-distribution going to take place.

When Nigeria was amalgamated into a single entity in 1914 forging the geographical regions together into a federation (Steinglass: 2002; 10, the regionals with autonomy, the religious, the familials, and the ethnic groups would continue to question the process of re-distribution and who controls the natural resources. Groupings of federations generates tensions and will continue even under the grouping of states until more *SELECTIVIE BORROWINGS* from the suggested lessons from the United States of America are considered. The tendency in African literature, Mamdani notes, is twofold:

(1) the colonial state and “tribal authority”; and
(2) the anti-struggle against the colonial state—and “...thereby to isolate and decontextualize the moment of redistribution [i.e. corruption] from that of patrimonialism, prebendalism, and so on...”

What exists in the government structure is this: the urban civil society surrounded by the country-side under the pressure of numerous customary powers. Two twin pressures emerged: the pressures of *de-racialization and retribulization-patrimonialism* in the modern state (Weber: 1947; 342-343). In the modern states of the new African Union, there exist a bifurcated state, as was the case under colonialism. Politics is constantly restoring and manipulating—through “divide-and-rule”—this urban-rural linkage that keeps popping up through forms of ethno-religious violence and the perennial and time consuming vexing issue of re-distribution of natural resources.

One possible solution is to modernize the rural-country side bases of patrimonialism with civic education, meritocracy and multiparty term elections of the leaders that now still continue as the “Native Authority.” The establishment of regional centers of CONTINUING EDUCATION AND OUTREACH PROGRAMS IN CIVICS is highly recommended as the way out of the problem of “WHO IS A CITIZEN IN NIGERIA?” The government might wish to experiment with this process model through the funding of outreach programs in selected regions of Nigeria; once success is proven in one or more regions others might then wish to join the program with appropriate inducements. Trade unions, autonomous civil organizations, “Native Authority”, and peoples in the villages all must be brought into this process of continuing outreach education in civics. The African Union must move from de-racialization to “de-tribalization”. The unreformed “Native Authority” must modernize itself or continue its “contamination of the civil society” through ethno-religious violence and corruption of elected leaders. This is not democracy!

It is important to remember that the “Native Authority” in the former British territories bore no resemblance to the “Native Authority” in England. In Britain, the local administration of “Native Authority” was...
elected. Sir Lord Frederick Lugard, the architect of Indirect Rule in Nigeria—a system first used in Natal in the 1840s and then migrated elsewhere—once noted probably in the 1890s:

The first step” ‘in building a regime of “indirect rule….is to endeavour to find a man of influence as chief, and to group under him as many villages or districts as possible, to teach him to delegate powers, and to take an interest in his ‘Native Treasury,’ to support his authority, and to inculcate a sense of responsibility.’ In the edifice of the Native Authority, the chief was the pillar. (Mamdani: 1996; 53)

Mamdani reports further on the “[the Native Authority]…. [He must] function without judicial restraint and was never elected. Appointed from above [the racialized colonial state], they held office so long as they enjoyed the confidence of their superiors. Their power diffused, with little functional specificity. The tree pillars that Lugard claimed as upholding the system of indirect rule-Native Courts, Native Administration, and a Native Treasury—together crystallized the ensemble of powers merged into the office of the chief…. [And these] powers also included a fourth: making rules (Mamdani:1996;53).

It is important to remember that democracy will be difficult to achieve in Nigeria or elsewhere in the African Union as long as the bifurcated state inherited from colonialism remains. Colonialism provided a decentralized despotism that cannot be democractized. The bifurcated state must be transformed with only one layer of government. Nigeria has two layers of “official” government: (1) The Federal Republic of Nigeria, and (2) the traditional “Native Authority” possibly operating with more authority now than it did under colonial rule. Mamdani provides us with the key and the code to this progression: the detribalization of customary law ruled by the Native Authority.

In conclusion, 1960 is a watershed date for the independence era of the OAU in 1963 and now the new African Union in 2002. Similar to Mahmood Mamdani, Nigeria’s most famous novelist Chinua Achebe provides an important perspective in metaphor on the inherited legacy of Africa as it moved from colonialism and into the era of independence. From his famous novel A Man of The People: A Novel of Political Unrest In A New Nation (1966), I leave the African Union and ASAN with Achebe’s statement on the African condition or the condition of a certain state-nation upon the dawn of independence. This story is well known. But Odili Samalu is the character that speaks below. Having been welcomed into the mansion of The Chief Honourable M. A. Nanga, M.P., who was a non-achiever under colonialism (1900-1960) but who has now gone from “rags to riches”—“The Horatio Alger in Africa”—in the new independent nation. Nanga has become quite wealthy and powerful with clandestine romantic designs on Odili’s girl friend Elsie. With no hint yet of Chief Nanga’s intentions, Odili is lying on the bed with his mind on the one-party state of independent Africa and remarked:

A man who has just come in from the rain [colonialism] and dried his body and put on dry clothes is more reluctant to go out again than another who has been indoors all the time [multi-party democracies of the West]. The trouble with our new nation [42 years old in 2002]—as I saw it then lying on that bed—was that none of us had been indoors long enough to be able to say “To hell with it” [not make government appointments the job for life]. We had all been in the rain together until yesterday [colonial era]. Then a handful of us—the smart and the lucky and hardly ever the best [the Africanized elite]—had scramble for the one shelter our former rulers left [the seats of government bureaucracies], and had taken it over and barricaded themselves in. And from within they sought to persuade the rest through loudspeakers, that the first phase of the struggle had been won and that the next phase—the extension of our house—was even more important and called for new and original tactics; it required that all argument should cease [no U.S. Bill of Rights with First Amendment Rights with Freedom of speech and of the press] and the whole speak with one voice and that any more dissent and argument outside the door of the shelter would subvert and bring down the whole house [the rise of military rule without democracy]. Needless to say I did not spend the entire night on these elevated thoughts. Most of the time my mind was on Elsie”. (Achebe: 1966; 37)
Following these remarks, my final wish is for the African Renaissance in the new African Union to be achieved through SELECTIVE BORROWING of lessons cited from the United States of America and that these lessons will lead to a marked shift in the mentalités of the Nigerians and other African minds. Thereupon, Nigeria and other nations in the new African Union will continue to “soar and soar, and soar and soar” on to the world horizons in the Information Age. And in the realpolitik of our times, I believe that the United States of America stands ready to assist Nigeria and the other African nations!

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(Please note that I am the sole author of this revised working paper address and take full responsibility for its interpretation and in the selection of the facts and sources consulted. Hence, this address does not represent any of the governing policies of the United States of America nor any of the same policies of the African Union.)

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SECTION ONE

CONCEPTUALISING CITIZENSHIP, LAW AND DEMOCRACY IN AMERICA