

## THE DISCOURSE OF NATIONALITY AND CITIZENSHIP IN PITA NWANA'S *OMENUKO* AND THE CRISES OF INDIGENEITY IN NIGERIA

F.O. Orabueze\* & Chiamaka I. Orabueze\*\*

\*Department of English & Literary Studies,  
University of Nigeria, Nsukka

\*Department of Commercial & Corporate Law,  
University of Nigeria, Enugu Campus

### Abstract

Pita Nwana's *Omenuko* is one of the first literary texts that was written and published in black Africa. However, because it was in the indigenous Igbo language, it was not accessible to global readership, until it was translated into the English language in 2014; yet, not much literary critical essays had been written on it. This study intends to investigate the issues of nationality and citizenship as a result of migration of some literary characters in the fictive world of the novel with appropriate legal framework of statutory and constitutional provisions and qualitative research methodology. The study's findings include that the problems of indigeneity, which has polarized and fragmented the country into ethno-religious-based warring entities in Nigeria are as a result of the policies of the British colonization. Moreover, the terrorist and militant groups that maim and kill citizens in every nook and cranny of the country today are the offshoots of what the novelist, as a prophet, Pita Nwana foresees almost a hundred years ago in his canonical novel. Finally, the study recommends that there is no way the country can experience democratic governance with its outcomes as long as these divisive colonial legacies that survive political decolonization of the country operate, without the governments at all levels making unrelenting efforts to enforce the rights and freedoms of the citizens as provided in the constitution and other municipal, regional and international laws and statutes.

### Introduction

In Western epistemology, it is believed that the concept of citizenship originally began in the Greek city-states, where citizens had certain rights and were also expected to do certain duties, like the payment of taxes, military service and voting rights, which women, slaves and the poor were denied of. In modern times, 'citizenship' has "triggered a burgeoning literature from a wide variety of

disciplines, including political theories, sociology" (Henrard, 269). However, this study argues that the discourse of 'citizenship' and even nationality are not limited to these fields of knowledge, but extends to the literary studies also. Creative writers are also aware of this discourse, and Pita Nwana's *Omenuko* would be used to explore the two concepts of 'citizenship and nationality' in the novel, after the exposition of the legal underpinnings of the concepts.

The General Assembly of the United Nations' announcement of Universal Declaration of Human Rights, with its rights and freedoms provided therein, formed the basis of all the international rights law that has been domesticated by almost all the state parties or the membership of the United Nations. In Kelson's Monoistic Theory of Law, every aspect of human life which warrants international legal protection of human rights should be domesticated as municipal laws, and possibly enshrined as basic or fundamental rights in constitutions of states (cited in Rigaux, 1998). Therefore, in Article 15 of the international grund norm for human rights, *Universal Declaration of Human Rights*, provides "Everyone has the right to a nationality. No one shall be arbitrarily deprived of his nationality, nor denied the right to change his nationality." Nationality and citizenship are very closely related concepts and very important on any discourse on human rights and international law. This is because the status of nationality and citizenship confers on an individual the realization of the basic or fundamental human rights and freedoms. According to Spiro:

Historically, citizenship status has been considered a matter of national self-definition, jealously insulated more as a matter of reflex than justification.

Nationality has been equated with identity, in most cases coinciding with ethnic, religious or other sociocultural community markers, which in turn, have more or less mapped on to territorial spaces (694).

Like it has been stated earlier, the two concepts – nationality and citizenship - are related and could be said to be synonymous. However, while nationality is the belongingness of a person to a state on ground that his birth is in that state or his ethnicity or culture, citizenship is acquired by the operations of the law of the state that is granting the citizenship to the individual. However, there are minor differences between them. One, nobody can change his place of birth, but citizenship can be changed. Two, while nationality cannot be revoked, citizenship can be revoked by the state. Three, one has only one nationality but an individual can be a citizen of two or more countries, if he or she wishes and

the states allow it. There are benefits which are associated with nationality or citizenship, and they include protection of the individual by the country that he or she is a citizen; protection from deportation, citizenship for the children and families of the citizen as they would be allowed by the state to visit him or her; eligibility to be given government jobs; freedom to travel in and outside the state without fear of deportation; the right to participate in the electoral process of the state. It should be noted that in most states, citizenship can be got either by birth or naturalization or registration as provided, for example, in section 26(2) of the *Constitution of the Federal Republic of Nigeria, 1999* as amended in 2018. Like in most countries, one can lose his citizenship either by revocation of the citizenship by the state, if the citizen commits a crime that has punishment of imprisonment for certain number of years, or the citizen acquires the citizenship of another country, or he serves in a foreign military or serves in the government of a foreign country, or the failure of the citizen to affirm one's citizenship at a certain stated age or to revoke other citizenship they hold. For instance, the celebrated case of *Beys Afroyim V. Dean Rusk*, Secretary of State, the U.S. Supreme Court gave a landmark judgment that reversed its earlier decision in *Perez V. Brownell*. In the case of Afroyim, he was born in Poland, but a naturalized American who voted in the 1951 Israeli election. However, when he applied to the US State Department to renew his passport, it was rejected on the ground that in voting in the election, he has lost his citizenship under Nationality Act of 1940. In this stare decisis case, *New York Times* of May, 1967, reports that "The Supreme Court held that the Congress lacks the constitutional authority to pass laws that strip American citizens of their nationality without their consent."

The importance of Article 15 of *UDHR* already stated above cannot be overstressed. In the opinion of Adjami and Harrington, "Enshrining citizenship and the right to be free from arbitrary deprivation of citizenship as human rights, Article 15 of the *UDHR* establishes the bedrock of legal relationship between individuals and states" (2008). In fact, this article is principally calculated to stop completely, if possible, or to minimize the status of statelessness of persons all over the world. In international law, a stateless person is one who is not a national of any state (Hovy, 2011). One does not need to leave his country of birth to be regarded as being stateless, as Bhabha warns that "People who reside in their country of birth, have neither crossed a border but had never had their birth registered by the state are effectively considered stateless" (90). In other words, such stateless people are devoid of rights and freedoms like the refugees. In an earlier studies, Bhabha claims that

large numbers of child migrants she refers to as "Arendt's children" are functionally stateless (2009). She further suggests that 36 percent of all births in the world are unregistered, and this accounts for 48 million children below the age of five years being unregistered (2011).

In November 12, 2018, the United Nations High Commissioner for Refugees reports that there are about 12 million stateless people in the world. However, in the *UNHCR Global Trends Reports* in August 2020, it was reported that 4.2 million people are stateless. However, it is suggested that large countries with large populations of stateless people do not provide it with their data. Therefore, it concludes that "millions of people are stateless across the world"(2).

Having seen the provisions of the laws, decided cases and opinions of jurists on nationality and citizenship, this study investigates the discourse of the two concepts in a literary text, *Omenuko*, by Pita Nwana. This is a novel published in 1933; however, because it was written and published in Igbo language, it was not accessible to wide readership, until it was translated into the English language by Ernest Emenyonu. According to the translator, *Omenuko* won the All-African Literary Contest in Indigenous Languages organized by International Institute of Languages and Cultures. And he further suggests that *Omenuko*, together with *Chaka* and *Oguboji Ode Nini Igbo Irunmale*, is an African classic, particularly in Igbo literature, and these three canonical novels published in the 1930s mark "the beginnings of the African Languages Novel (ALN)" (X). Though *Omenuko* was published more than twenty-five years before Chinua Achebe's *Things Fall Apart*, and it has a lot of tremendous influence on Achebe's text, it does not draw global readership because it was originally written and published in the Igbo language, before it was translated into the English language in 2014. It is novel despite its important discourse on nationality and citizenship viz-a-vis the indigeneity crises which have bedeviled Nigeria since 1960, that one would appreciate Achebe's wisdom in suggesting that the colonial language of former colonial masters would give the African literature - novel, poetry, drama - better global visibility and readership than indigenous African mother tongues. To Achebe, though it would appear as a betrayal, but he has no choice than, "I feel that English language will be able to carry the weight of my African experience. But it will have to be a new English, still in full communion with its ancestral home but altered to suit new African surroundings"(1975). Gabriel Okara also agrees with Achebe's position on the use of the inherited colonial languages for African literature, even after the decolonization of the continent. He suggests that

African writers should use African ideas, African philosophy, African folkore and imagery and translate them effectively into whatever European language he is using as a medium of expression (1963). However, there are African writers and critics who are of different opinions. The champions of the use of indigenous African languages for African literature are Ngugi wa Thong'O and Obiajunwa Wali. To Ngugi wa Thong'O, the subjugation of African language, African people and their culture is achieved by the colonizers through language. According to him, "the bullet was the means of physical subjugation. Language was the means of the spiritual subjugation"(437). Wali also posed a strong opposition to the use of the colonial languages. He calls it uncritical acceptance of English and French languages for African writing and foresees the consequences of this thus:

...until these writers and their western midwives accept the fact that any African literature must be written in the African languages, they would be merely pursuing a dead end, which can only lead to sterility, uncreativity, and frustration (14 ).

By the translation of this colonial novel, *Omenuko*, into the English language that it has been opened to critical discourse from different perspectives, including this present study, which would not have been possible, if not for the English translation. And by subjecting it to the x-ray of criticism, it has led to what Frank Kermode states that literary fiction leads to discovery and recognition by an unexpected and instructive route (1967). And what has been discovered in this novel is what Achebe has earlier claimed that it would be foolish for any African to believe that because colonization has ended in all parts of Africa; yet, "it would be foolish to pretend that we have fully recovered from the traumatic effects of our confrontation with Europe"(105). The ugliness of the confrontation with Europe is what Pita Nwana in *Omenuko* beamed his creative searchlight on, as he was almost a hundred years ago "concerned with social and cultural forces that create a community or that threaten it" (Dobie, 175). Therefore, Nwana has shared the information about the threat of British colonization policies of warrant and paramount chieftaincies, the native or indigene and non- indigene or "settler" laws and the enforcement of residential segregation policies in Nigeria. It is, therefore, the duty of any critical discourse to retrieve the information from the literary text (Akwanya, 2011). And this critical discourse would unearth from *Omenuko*, set in Igbo land of South Eastern Nigeria like Achebe's *Things Fall Apart*, the identity and cultural practices of the Igbo, which are still struggling from impositions of British

colonization and the identity of the group in multi-ethnic and multi-religious Nigeria, which is very supreme because:

The identity of a people is defined by their history and culture. It is defined by the story of their life, their struggles against the forces of nature and man, the creative values and principles, the ethos or spirit which animates their being as a people, the sum-total of the material and spiritual institutions they create which embody their perceptions, feelings, and representations of the future for themselves and progenies (Nwala, 6).

In *Omenuko*, therefore, the novelist as a prophet predicts the problems of "Natives" and "Settlers" crises within the steady boundaries of nationality and citizenship and within the shifting boundaries of migration and chieftaincy warrants granted by the colonial British Empire in Nigeria.

The Discourse of Nationality and Citizenship in *Omenuko*

The story of *Omenuko*, on the surface, looks like the story of the commission of crime, punishment, repentance, restitution and forgiveness. It encompasses all these, and it is also the tale of self-exile and the physical or territorial banishment of the exilic figure, but includes the traumatic psychological and emotional "alienation, dispossession and the absence of power that characterizes everyday human existence"(Okolie,1). Beyond these aforementioned thematic preoccupations, the novel's themes could be properly located in the discourse of nationality, citizenship and indigeneity that are associated with migration. Though the novel was written in the 20<sup>th</sup> century, it foresees the crises that would besiege Nigeria, the question of indigeneity, nature and settler issues of the 21<sup>st</sup> century Nigeria.

The eighty-two paged novel in short fifteen chapters with prologue and epilogue opens with the story of the principal character, Omenuko, which the novel is also named after. He is a man that is from a very humble background, whose parents have no assured means of sustaining the future of their children. Therefore, they adopted the ancient Igbo apprenticeship system, which has been called stakeholder capitalism, and Ekekwe claims "has been recognized as the largest business incubator in the whole world"(2021). Omenuko's parents attaches him to a wealthy trader, Omemgboji, and after he stays from the time he was a little boy until he matures into a man (3), his master settles him and sets him up as a long-distance trader with apprentices and shat help him carry the goods he buys and sells at a market in Bende. One day, on his way to the

market, River Igwu is swollen after a heavy rain- fall. As Omenuko and his apprentices and carriers try to cross over the river's bridge, it collapses. Though the men survived the natural disaster as the swim ashore, but:

...all the goods carried by Omenuko's men were totally lost in a twinkle of an eye, including all his life savings in cash which he carried to buy goods with. Omenuko was reduced to wretchedness and abject poverty (4-5).

He could not withstand the tragedy that befalls him, and he is averse to being thrown back into the abject poverty that he has gone through earlier in life. With his materialistic and cargo mentality, he quickly decides to sell some of his apprentices and some of his carriers into slavery at Bende. In the absence of other goods to sell, his apprentices and some of his carries, including his cousin, Obioha, are referred to as goods, he sells them off to slave merchants.

The sale of his people is an abomination to the gods of their land, the ancestors and the entire community. When he comes home, he intends to commit a bigger abomination by inviting the chiefs of the land and the parents of the young men he sold into slavery, and when they have assembled in his house, he plans to "set on fire two barrels of gun power which he had been storing in his bed room. That way, everybody in the building would be burnt to death"(8-9). His brothers dissuade him from this line of action, which will make them "remain outcast forever and ever"(9). They decide to take a better option, which is self-exile by all the members of their family, including their married sister.

The self-exile of the family is by migrating to Mgborogwu, where their own community has an unwritten customary treaty. According to the omniscient narrator:

It had always been the custom of their people that when anyone did anything which was an abomination to the land, the person could go into exile among the people of Mgborogwu. In the same way, fleeing criminals from Mgborogwu always took refuge in Omenuko's town. The custom began from time immemorial land no one could explain its origin or the reason behind it. It had simply lived down in history. And it was honored and respected by the two communities (9).

With their voluntary migration into self-exile in Mgborogwu, Omenuko and his family members have become immigrants. Though there exists an unwritten reciprocal treaty between Mgborogwu and Aru Elugwu, they are

neither nationals or citizens of Mgborogwu. Therefore, as immigrants who intend to live and work at mgborogwu for an extended period of time, though not permanently, they need the grant of citizenship from the warrant chief of Mgborogwu. The first thing they did on entry into the community when they fled their hometown is to take "refuge at the palace of the ruler of Mgborogwu"(12). The chief and his people welcome him and his family with fanfare befitting a dignity with twenty-one gun salute. This warm reception is as a result of his antecedent as "Omenuko had a very large family, and was known to be affluent and very generous to neighbors". With these qualities which Omenuko possesses, which in modern state are also reasons for the grant of citizenship by the leadership or president of a country, the chief of Mgborogwu granted Omenuko and his brothers the status of naturalized citizens on the bases of existing customary treaty, his family size, his vast wealth and his generosity. The chief allows them to enjoy the rights of naturalized citizenship. Not only that he treats them with high affection, but he holds Omenuko in "very high esteem and appointed him a councilor in his court"(15). He further demonstrates that Omenuko and his family are fully integrated members of Mgborogwu by giving Omenuko and Okorafo a "piece of land adjacent to his palace"(15) for them to build their houses, while assigning their unmarried brother, Nwabueze, rooms in his palace to live in. But as if his act of giving them citizenship rights are not enough, he appreciates Omenuko's attributes of intelligence, resourcefulness, keen perception and wisdom. Chief Mgborogwu appoints him a judge in Mgborogwu and he trusts Omenuko more than his subjects that, on his death bed, he made his last wish that Omenuko should succeed him as a regent until his only son, who is a teenager, would grow up and take back his warrant chieftaincy. He reasons that if he does not do that, the white district commissioner would withdraw his warrant, on his death, and give it to another person.

However, on his death, after he has discharged the duties he owed the late monarch by according him "all the rites and fanfare which a great noble man who had mature sons received at death"(16) so that he joined his ancestor without being a laughing stock, as he makes "his journey to another plane of existence"(Okafor and Okagu, 87). These rites of passage which Omenuko performs for the late chief is claimed to be the "characteristic of most traditional societies of the world" (Goody, 1962). Despite the fact that he did everything humanly possible to present himself to the people as a responsible citizen of Mgborogwu, and despite the fact that the chief of the town" never treated him as a "stranger"(15) or settler, when he was alive, on the death or the



chief, his people withdraw some of the rights and privileges he enjoys as a naturalized citizen, and treat him like a stranger, First, when he invites them to a meeting to discuss the warrant chieftaincy, "The people got together and held another meeting in secret from which Omenuko was excluded because they did not want him to know about it since the meeting was held to talk about him and his proposal"(17-18). It is obvious that the meeting is held without including him, because he is a "stranger" or a "settler" to them. At the meeting, they look at two critical issues- whether they will allow Omenuko to be the regent as their late chief wished before his death, and who would live in the palace. At the appointed time when they meet Omenuko, it is obvious that the people have circumscribed his powers as their regent, and they will not allow him to enjoy the full powers of his office because he is only a stranger and a settler among them. Uba presents the position of Mgborogwu thus:

"Omenuko should live in his own house near the court, while the heir –apparent, Obiefula, lives in the palace. Obiefula should right from now, be assigned some responsibilities so that he would begin to acquire some administrative skills and experiences. If we keep pampering him as a child, these things might be too difficult for him to handle when he comes of age. Let us assign to him domestic affairs in the court while Omenuko deals with the more complicated external affairs"(18-19).

With this decision, the people ensure that Omenuko does not have the full powers of a regent but, at best, he is simply a minister for Mgborogwu for external affairs, while the teenage Obiefula serves as the minister of interior. It is on the basis of this agreement that Omenuko, Obiefula and the elders of Mgborogwu go to Awka and the white man gives them late Chief Mgborogwu's warrant chieftaincy.

Omenuko acts responsibly as Mgborogwu's regent for eight years. During that period,"his great sense of responsibility and his integrity as a ruler" (23),who has the interest of his people at heart endear him to his people, the other warrant chiefs around Mgborogwu and the court officials at Awka, particularly the white district commissioner. Also because he is generous to his people, no one thought of "him again as a stranger in Mgborogwu"(23). To further consummate their naturalized citizenship status, they performed one of the acts that even today, the modern state would grant citizenship right by marriage. In Mgborogwu too, "Nobody ever regarded or treated him as stranger anymore because both he and his brothers had in addition married

from Mgborogwu and the surrounding towns”(24). At a point when the community feels that Omenuko would have given Obiefula back the warrant, they conspired against him and held three meetings and his back, which Omenuko considers a betrayal and a treasonable felony that should have fetched prison terms, if he ever complains to the district commissioner. He further tells them that in their conspiracy against, they have “removed me from among your group, isolating me like an outcast. For all these, I would now prefer to live apart from you like the stranger that you have made me” (28).

It dawns on Omenuko that the community has subtly withdrawn his citizenship, and he makes a spurious effort to avoid the status of statelessness with the other members of his family. He decides to get a new warrant from the colonial government as he intends to develop and move a new land, Ikpa Oyi, which:

...was so called because it was a dumping ground for those who died especially of dreaded diseases such as swollen sickness, hernia, smallpox, as well as women who died in their pregnancies. It became a no- man’s land, a vast expanse of land that everyone dreaded and no one dared step into for any reason (25).

He and his brothers hurriedly develop the Ikpa Oyi and move into it. It is during the building and parking into the new place that it dawns on him that Mgborogwu community resents his presence in their land and the regeancy he still holds on behalf of Obiefula, who is already fully grown. Not only that the people refused to assist him in building the houses, but also they refused “to help them move his properties to the new residence”(31), when he appeals to them. After he has founded his own community at Ikpa Oyi, he takes Obiefula to Awka, where the district commissioner “entered Obiefula’s name on the list of warrant chiefs” (32). And warns him to rule his people well for, “when Omenuko was chief of Mgborogwu, there were no uprising and no troubles”(32). The district commissioner also hands a new warrant to Omenuko, whom he has confidence in as an administrator and judicial officer, over Ikpa Oyi, where he has moved into with his family. While Omenuko’s people are celebrating his warrant chieftaincy in their own autonomous community as he is no longer acting on behalf of anyone, “Obiefula’s group was also exceedingly filled with joy and was also celebrating the fact that at last “their own warrant had returned to the original family of Mgborogwu”(33). In other words, they feel

that the sovereignty of the town is at stake and the power of the state is in the hands of a "settler", a migrant, who is not a "native" of Mgborogwu.

With the end or revocation of his naturalized citizenship of Mgborogwu, Omenuko invites the other chiefs to his autonomous community where he holds the warrant. And they are there, he entertained them and they give him gifts. According to the narrator, "They all came and were full of praises for all his accomplishments" (33). Omenuko also tells them the story of his return of Obiefula's warrant and the issuance of a new warrant to him, "when the chiefs heard all this, they rejoiced with Omenuko because they never really thought that it would have been wise to deprive Omenuko of full chieftaincy of his own" (33-35).

As Omenuko and his brothers and families continue to live in Ikpa Oyi, their fortunes continue to grow in leaps and bounds. Though he is now a full chief of the community he founded, Omenuko still sees himself as an exile and is haunted by his people he sells into exile in Aru Ulo several years ago. From the very time he fled into exile:

He was always depressed about what he had done and his conscience blamed him to no end. Even though he had fled from his town, that did not atone for his crime against the people of the land. In his mind, he was like a convicted murderer, a fugitive from justice (13).

He continues to feel guilty about the people he sold in slavery until he takes steps to redeem the situation. He invites his very close friend and negotiates for him to search for the slaves he sold many years ago at Bende market. He also promises to pay him five pounds for every slave he is able to find. Some of the slaves like Obioha, his cousin, Arisa and Elebeke are still living in Aru Ulo, "Oti had died the previous year"(39) and the other young men he sells as slaves are not found, because they are chattels or property by their original owner. Omenuko sends his brothers, Nwabueze and Okoroafo, to ransom the slaves from their masters, who agreed to take the original price they paid on the slaves. After freeing the men from their bondage, Omenuko follows this with restitution. He gives money for the men to get married and settles them with the some sums of money for them to rehabilitate themselves. As the freed men leaves Ikpa Oyi for their home town, they and their families eat "together, this time with Omenuko's family to show, according to custom, that harmony and peace had been restored"(48). And realizing that "I am not now a citizen of Mgborogwu and I have for long been rejected by my original homeland" (49), he seeks "reconciliation with our townspeople, and appease the gods and

ancestors that I had greatly offended and sinned against, and thus re-establish myself in their good judgments" (49). Through Igwe who consults the priests of the two deities, Aniche and Iyiwa, the priests of the Earth goddess and the Sky god, he brought sacrificial items with which the priests cleanse and sanctify the land he polluted by the sale of his own people. After the rituals have been performed, some are thrown into the evil forest, some offered to the gods and they ate and drank together, which symbolized that Omenuko's reunion with the people, gods and ancestors had been consummated" (59-60).

The effects of the ritual cleansing and reconciliation with the gods, ancestors and the people are that Omenuko and his family are now acceptable as full citizens and nationals of their fatherland; they can interact with the people; they can also marry from their fatherland and other people from there can also marry members from their family, etc. Most importantly, they can go back home and end their immigrant or settler status outside their homeland.

Omenuko's wealth grows in exile and he finds favour before the white District Commissioner who recognizes "his astute wisdom and uncommon abilities" (65), his dedication to his judicial duties and compensates him by appointing him:

"Paramount Chief", the highest rank in warrant chieftaincy. He was given the right to hold and try certain cases in his residence. He did so well in these matters that the Whiteman assigned him more powers and more cases. All these meant that all the other chiefs in the land were now under Omenuko's supervision (65).

His new position irks the other forty-five chiefs in the division, and they resent the imposition of a "stranger", a "settler" and an "immigrant" on them as their supervisor in judicial matters. They decide thus:

"We can never allow this to happen in our own land, that one who is after all, a stranger should be our executive head and overseer. If they intend him to be the government itself, he should go and be that in his homeland, not on our soil" (65).

They see this as loss of their collective patrimony and sovereignty to a settler, which they cannot tolerate and accommodate. They go to the white man and complain that Omenuko cannot continue to be their "paramount chief on the grounds that he was a stranger in the land" (65), and the District Commissioner ignores their request. They conspired with the chief who is the part owner of the Ikpa Oyi land to withdraw Omenuko's tenancy from the land,

so that Omenuko and his family members would be stateless, a situation that would force them to go back to their homeland. Despite their false accusation of Omenuko's refusal to either pay rent to the owner or vacate the land, the District commissioner believes in the integrity of Omenuko. The chiefs are desperate to uproot Omenuko and send him out of their place back to his original homeland, somewhere in Okigwe. At night, they go to his property at Ikpa Oyi, destroys his economic trees and vegetables and levies a war on him. He fights back the attackers in self-defence, which results in the death of two people, one from each side of the combatants. At the Districts Commissioner's office in Awka where the two groups went, he blames the chiefs for provoking the fight. However, instead of being remorseful for their actions, they tell him:

"We will be prepared to listen to the law, only when we have killed Omenuko . If you want to execute all of us, because of a stranger who came into our midst, we would prefer to die, rather than allow our eyes to see our ears" (73).

At this statement, it dawns on the white administrator who is the head of the colonial government in Awka Division that the chiefs are determined to murder Omenuko whom they have stripped of his naturalized citizenship and nationality. After this revocation, they see him as a squatter or a settler in their land, who wants to usurp their rights and powers. At this point, the white man advises him to go home, promising to give him his judicial powers and duties at his home town in Okigwe Division, instead of staying at Ikpa Oyi and being murdered by the jealous and enraged chiefs. Omenuko and his brothers concede to the wise counsel of the District Commissioner and pack back to their home town, where they have their nationality and full citizenship by birth, therefore, ending their years of unwanted immigrant status and the self-imposed exile.

Another group of immigrants in *Omenuko* are slaves who are forcefully exiled from their home. These are young men - Omenuko's apprentices and carriers - who carry goods for him to sell at the Bende market before natural disaster takes Omenuko's goods and money at the Iguru River. Instead of going back home a poor man, "Omenuko visited his friends who were slave dealers and told them that he had brought some "goods" which must be disposed of that very night" (5-6). Having sold them as chattels, he goes home and none of them is aware of what he has done. At home, no one knows also that he has sold some of the young men he has travelled with, not even their parent. The only time they became aware of his atrocious act is when he flees to

Mgborogwu as an exile with his family members. A delegation which is sent to Bende brings the sad news "that Omenuko did in fact sell his carriers and apprentices into slavery" (3). The whole town sheds tears, and the " parents of the young men wept bitterly for their sons"(3).

Of course, with being sold into slavery as "goods", the young men become chattels or property of the people who bought them. As goods, they are human beings who are devoid of any rights and freedoms and can be treated by their owners as they deem fit, like other domestic animals. Obioha, Omenuko's cousin, Elebeke, and Arisa are lucky to live with those that originally bought them, and that Omenuko is able to ransom them. Oti was not that lucky as he died earlier before Omenuko sends people for them to be redeemed. Other slaves Omenuko have sold are not that lucky as they have been sold out and cannot be traced; he implores those families he brought back their sons to have a low key celebration of their reunion at home because, "You know that I did succeed in bringing back everybody; if you celebrate too profusely or loudly, it would make the families of the boys I couldn't find very sad and ill-disposed towards me"(49). Interestingly, as chattels, the slaves are not considered nationals of the place they are sold into or as citizens. In fact, they do not have any rights at all. Obioha, Elebeke and Arisa would not have been ransomed if their owners refused. However, Mazi Oji intelligently advises Ezuma on the two grounds they should release the slaves thus, "We all belong to Aru whether we live at home or outside. If Omenuko treats us well, we simply have to cooperate with him. Remember, too, these are the days of the white man" (38). From this conversation, the white man has presumably stopped slavery, but domestic slavery still thrives. And as slaves without rights, not even the rights of non- indigenes or "settlers," the slaves need the consent of their masters, before they can agree to be ransomed. They are simply articles of trade that can be kept in the house to do the masters bidding, sold to another person, as moveable or immovable property that the owner can bequeath to another person. Mazi Oji and Ezuma are critical of the way Okpara never asks Arisa whether he wants to be ransomed, but he simply collects thirty pounds from Okorafo for Arisa to be redeemed. Mazi Oji explains to Ezuma the possible reason for Okpara's attitude, "As you know, Arisa was not bought with his own money. Arisa was like any other thing that he inherited from his late father"(44).

As chattels that can be disposed of by the owners and at whatever price, the slaves are devoid of any rights and humanity. They are stateless and only there to deliver good services to their owners. For instance, all the men that are

redeemed, and who are of marriageable age, are not married. This is because their lives are in a suspected state of unbeing until they are ransomed, for it is Omenuko, who "made adequate provisions for the rehabilitation of the three of them just liberated" (45). At their masters' place, they are denied their humanity and treated as logs of wood. It is after their ransom that Omenuko tells the parents of Elebeke and Arisa, "Go and find Elebeke two beautiful girls for marriage" (48). And when they had concluded the arrangements they would ask him for money. He also paid money for his cousin, Obioha, to marry three beautiful women. And before the men leave for home with their parents, "Omenuko gave each of them seven pounds in cash and various other gifts"(48). For his cousin, Obioha, after he has cleansed the land he polluted by the sale of his towns men into slavery, "Omenuko went to his own town and married three wives for Obioha" (62). It is only when the slaves have been redeemed, restituted and reunited with their families and community that they, once again, become full human beings with rights –their nationality and citizenship restored to them. It is only then, and then only, that brought to an end the imageless, silence and voiceless shadows of chattels, which their status as slaves confers on them, ends and they become again full human beings with rights and freedoms – nationals and citizens of their original homeland.

### **Are the Nationality and Citizenship Rights Respected in Nigeria Today?**

The novel, *Omenuko*, which was written almost a hundred years ago raises the crucial issues of migration, indigeneity, nationality and citizenship, which are critical issues that have polarized Nigeria since its independence in 1960. In the literary text under study, the flash point as a "settler" and the native population in the fictive setting is the issue of warrant chieftaincy. The Mgborogwu people revokes Omenuko's naturalized citizenship immediately Obiefula comes of age. There are no two sovereigns that can live in the same community; therefore, he has to move to Ikpa Oyi with his family in order to avoid the crises of statelessness, because he has not yet been reconciled to his people, the gods and ancestors. Again, the other forty-five chiefs who had always worked with him and accommodated him also revoked his status of naturalized citizen at Ikpa Oyi immediately he is made a sovereign over them. To them, there is no way a non-indigene, a settler and an immigrant and a stranger can be imposed on them as their superior. Therefore, Pita Nwana raises the issue of indigeneship as a result of migration several decades ago. However, massive migration began in Africa and Nigeria during the colonial period, when citizens

and non-citizen migrate to other places in the country in search of better job opportunities, education, better living conditions, e.t.c.

With migration of people from one part of the country or outside the country into Nigeria, the British colonial administration through its policy of making a distinction between indigene or "native" and non-indigene or "settler" communities in its Native law of 1954, introduced indigeneity into the country. To the British colonial authorities, a "non-indigene" or "stranger" is anybody who is not a member of the indigenous community, but who lives in the area of its colonial authority (Rienner, 1997). As if this policy of indigeneity is not divisive enough for the people, it also enforces rigidly residential segregation regulation between "natives" and "settlers", which is deliberately aimed to ensure that there is no aggregated opposition against the British colonial authorities (Mandani, 1996). The British Empire, therefore, used these sledge-hammer non-integrative policies to run the country. However, after independence in 1960, the present constitution and the previous ones have provided for citizenship rights and particularly the basic or fundamental rights and freedoms enshrined in section 42 of the Constitution of the Federal Republic Of Nigeria, 1999, which provides for the freedom of the individual from discrimination, which is an internationally recognized right enshrined in international human rights law like Universal Declaration of Human Rights, International Covenant on Civil and Political Rights and International Covenant on Economic, Social and Cultural Rights. This Nigerian domesticated provision that flows from The International Bill of Rights already makes it clear in section 42(1) that:

- 1) A citizen of Nigeria of a particular community, ethnic group, place of origin, sex, religion or political opinion shall not, by reason only that he is such a person.
  - a. Be subjected expressly by, or in the practical application of, any law in force in Nigeria or any executive administrative action of the government, to disabilities or restrictions to which citizens of Nigeria of other communities, ethnic groups places of origin, sex religions, or political opinions not made subject; or
  - b. Be accorded either expressly by, or on the practical application of any law in force in Nigeria or any such executive order or administrative action, any privilege or advantage that is not accorded to citizens of Nigeria of other communities, ethnic groups, place of origin, sex, religion or political opinions.



Despite this elaborate provision of the municipal law, the constitution, which is the grund norm or the apex law, where other laws in Nigeria derive their validity, nationals and citizens of Nigeria are discriminated against in other parts of the country, as if they are "strangers" or "settlers" and not Nigerians. However, Human Rights Watch gives reasons for such indigeneship problems thus:

Most concretely, many Nigeria communities use the distinction between indigenes and non-indigenes as a way of demarcating boundaries between people who are eligible to hold chieftaincy titles in a particular place, and participate in traditional institution of governance, more generally, serves as a way for communities to keep land within the hands of their own group - a goal that is controversial but important to many Nigerians whose ethnic identity is tied to a small geographical area. In a boarder and more amorphous sense, indigeneity reflects the communities' efforts to keep track of who their members are by placing an emphasis on historical memory of individuals' familial connection to a particular place (2021).

This report from the human rights watchdog is exactly what is reflected in *Omenuko*, a novel published in 1933 at the time of British colonial administration in Nigeria.

Today in Nigeria, the evil of the indigeneity problems by British colonization are staring everybody in the face with its ugliness. A lot of blood-letting, violence, rampage, criminality, have followed the indigeneity policies of governments and ethnic groups. For instance, in Delta State, the status of Warri with its three local governments areas have been a continuous flashpoint between the dominant Itsekiri dominant ethnic group which exercises political and economic power in Warri's three local government areas and the dominated Urhobo and Ijaw ethnic groups. Again, Kaduna State is a conundrum of ethnic-killings in the Zango-Kataf area of Kaduna that has made the places killing fields for different ethnic groups. The indigeneity struggle between the Atyap and the Hausa Muslims has brought untold violence and arson for decades in the area. And still in the same Kaduna State but in the metropolis, Christians have complained about the refusal of district heads to issue them indigeneship certificates, and these district heads are appointed by the Emir of Zauzau in Zaria. In Plateau state, the once beautiful and peaceful state has been under the hammer of violent ethnic cleansing since 2001. The mismanagement of the ethno-religious conflicts and tensions between the

Hausa-Fulani settlers and the native Beron has made the city a killing point. Also in the same Plateau State, the Jawara settlers are denied the issuance of indigeneship certificates, because they are regarded as non-indigenes by the Gemai natives. Igbo land is not also spared of the scourge of indigeneship question, which has been described as “the politics of the soil, which thrives in Nigeria”(Geschire, 2009). And this has become effectively implemented as indigeneship certificates, issued by local government areas, like in other states of the federation, a trump card that assures the bearers “open doors to political appointments, public economic opportunities, and political participation” (Fourchard, 2015; Ehrhardt, 2017). The indigeneship certificates, therefore, becomes a “secondary tier of citizenship, administered by the states and local governments” (Mang and Erhardt, 2108: 332). This process of indigeneship certification makes nonsense of citizenship provisions and the fundamental human rights in section 42 of the constitution as Nigerians who are resident in a particular state, even when they and their parents are born in the state, are still regarded as non-indigenes or settlers and are deprived their constitutionally guaranteed rights to education, health, jobs, etc, as they are discriminated against. Even under military regimes, this crippling situation continues unabated, as for instance, under the long military regime of General Ibrahim Babangida, the Nigerian state was mired into a limbo, a transition without an end (Diamond, Kirk-Greene & Oyediran, 1997). Moreover, a searchlight that beams on the developing countries, like Nigeria, since their periods of political decolonization, has implicated monumental corruption, conflicts and repression of dissent as part of the reasons in the lack of developmental outcomes in these countries (Kingsbury, 2019). This position is also the finding in an earlier study by Diamond, et al that political and economic crisis in Nigeria is part of the reasons it falls short of a good democratic system (1995). And these pitfalls sare the problems recognized a hundred years ago by Pita Nwana and thematically presented in *Omenuko*. To him, the British indirect rule would create problems in the future and the indigeneship policy which they introduce to divide the communities have taken a hydra-headed posture, as it has become a permanent way the host communities or natives preserved their cultures and a survival strategy for them, despite the fact that it is against constitutional provisions. In fact, the state and local government have used the indigeneship policies to punish non-indigenes in their places and even dispossess them of their lands without compensation, as seen in *Omenuko*, where the main character after the massive developments he made in Ikpa Oyi is unceremoniously dispossessed of the land by the natives, because he is a

stranger or a settler whose naturalization citizenship has been revoked. As he prepares to go home, he rejects the advice of the district commissioner to give out the houses to natives or sell them out to them. Out of bitterness, he replies him:

“If I find anyone in that compound, I will deal very seriously with that person. When the houses have all crumbled and became waste, whoever wishes can go and live there but for now my answer is no” (76).

It is, therefore, the same bitterness in Omenuko that exhibits itself in his being treated as a stranger, an outcast in a community he has built and ruled in colonial time that we see today in Nigeria, which has exacerbated into ethnic-religious tensions with the connivance of executive and legislative arms of government to produce militant and terrorist groups like Boko Haram, Fulani Herdsmen, bandits and cattle rustlers, Indigeneous People of Biafra, The Niger Delta Avengers, the Odua’a Peoples’ Congress, whose pressures on the state has made Nigeria a failed state that is still working.

### **Conclusion**

This study investigates the citizenship and nationality issues raised in Pita Nwana’s *Omenuko*, a novel published almost a hundred years ago in the Igbo language. Until its translation into English in 2014 by Ernest Emenyonu, this literary text has a tremendous impact on Chinua Achebe’s *Things Fall Apart*, but it was not accessible to global readership. This study intends to make an inroad and a critical revelation that the perennial conflicts, crises, tensions, conflagrations, and wars as a result of ethno-religious divisions and suspicions is not a thing that started today. Like a prophet, Pita Nwana sees into the future of Nigeria – the divisiveness of the introduction of chieftaincy and paramount warrants and other residential regulations of the British colonial administration in Nigeria. Through the migration and self-exile of the principal character, Omenuko, and his family into another division of the British colonial administration, Pita Nwana unfolds the evil and divisiveness of colonization through its policies that tear the country apart till today, more than sixty years after independence. These problems have defied several governments, both military and civilian, and snowballed into ethnic-based terrorist and militant groups entrenched in almost every part of the country, killing and maiming citizens.

It is further submitted that this is the state of the country today, despite several international statutes that protect citizenship rights and freedoms ratified by Nigeria, and despite the domestication of the laws in constitutional provisions, particularly sections 41 and 42 of the fundamental human rights and freedoms in Chapter iv and sections 25-27 of citizenship and nationality provisions of chapter III of the Constitution of Nigeria, 1999. Nigerian citizens who are born or migrated to other parts of the country are still regarded as non-indigenes, strangers, and settlers who are stripped off of their basic rights of residence, education, health, suffrage, movement, religion and assemblage, etc, as indigeneship regulations are used for their exclusion.

It is finally submitted that until Nigeria dismantles all the obnoxious legacies of British colonization and strictly enforces the constitutional provisions and other relevant regional and international laws it ratified and domesticated as municipal laws, which make it possible for every Nigerian to be a free and full citizen, no matter where he is born or resides, the dividends of democratic governance would be elusive to Nigerians, and the oppressive and the disintegrative apparatuses inherited from Britain, which are still operational in the country, would finally lead to the disintegration of the state.

### Works Cited

- Achebe, Chinua, *Morning yet on Creation Day*, London, 1975.
- Achebe, Chinua. "The Truth of Fiction." *African Literature: An Introduction to Criticism and Theory*. Eds. Tejumola Olaniyan and Ato Quayson. Oxford: Blackwell, 2010.
- Adjami, Mirna and Julia Harrington. "The Scope and Content of Article 15 of the Universal Declaration of Human Rights". *Refugee Survey Quarterly* 27. 2008. <https://www.researchgate.net/publication/3205912/> Accessed 10<sup>th</sup> January, 2022.
- Akwanya, A.N. "Art-Being and Ùrù: Use Uru is Everything; or is it? *Africa and World Literature Journal* 10-11 (2011): 1019.
- Bhabha, Jacqueline. *Children Without State: A Global Human Rights Challenge*. Cambridge: MIT Press, 2011.
- Bhabha, Jacqueline. Arendt's Children: Do Today's Migrant Children Have a Right to Have Rights? *Human Rights Quarterly*, vol. 31, (2009): 410-45. Cambridge: MIT Press, 2011.

- Diamond, Harry, Anthony Kirk-Greene and Oyeleye Oyediran (eds). *Transition Without End: Nigerian Politics and Civil Society Under Babangida*. Boulder: Lynne Rienner, 1997.
- Diamond, Larry, et al (eds). *Politics in Developing Countries: Comparing Experiences with Democracies*. 2nd edition Accessed 20 January, 2022. Boulder, Colorado: Lynne Rienner, 1997. <https://www.rienner.com/title/politics/in/developing-countries>. Accessed on 15 January, 2022.
- Dobie, Ann. *Theory into Practice: An Introduction to Literary Criticism*. Wadsworth: Caniege Learning: 2012.
- Ehrhardt, David, "The Citizen and the Native Indigeneship, Belonging and Bureaucratic Discretion in Kano". *African Affairs* 116 (2017): 462-483. doi. 10.1093/afraf/ad Accessed 16 January, 2022.
- Ekekwe, Ndubuisi. "A Nigerian Model for Stakeholder Capitalism". *Harvard Business Review*. May 19, 2021.
- Emenyonu Ernest. "Foreword". Pita Nwana's *Omenuko* Trans. Ernest Emenyonu. New York: African Heritage Press; 2014.
- Fourchard, I. "Bureaucrats and Indigenes; Producing and Bypassing Certificates of Origin in Nigeria". *Africa* 85.1 (2015) 37-58 doi: 10.107/500019720140 Accessed 15 January, 2022.
- Geschie, Peter. *The Perils of Belonging: Autochthony Citizenship and Exclusion in Africa and European*. Chicago: The University of Chicago Press, 2009.
- Goody, J. *Death, Property and the Ancestors*. London: Tavistock, 1962.
- Henrard, Kristin, "the Shifting parameters of nationality". *Netherlands International law Review* (2018): 209-297.
- Hovy, Bela. "Human Rights and Citizenship": The Need for Better Data and What to do About it". Jacqueline Bhabha (ed). *Children Without a State: A Global Human Rights Challenge*. Cambridge: MIT Press, 2011.
- Human Rights Watch Report*. "They Do Not Own This Place: Government, Discrimination Against Non-Indigenes in Nigeria. New York: Human Rights Watch, 2000.
- Kermode, Frank. New York: Oxford University Press, 1967.
- Kingsbury, Damien. *Politics in Developing Countries* 1<sup>st</sup> ed. Routledge; Taylor and Francis, 2019.
- Mang, Henry Gyang and David Ehrhandt. "The Politics of Paper: negotiating over and around indigeneship certification in Plateau State,s Nigeria". *Canadian Journal of African Studies* 52.3 (2018): 331-347.

- Monday, Mahmood. *Citizen and Subject: Contemporary Africa and the Legacy of the Late Colonials Princeton Studies in Culture/Power/History*. Kampala, London: Fountain, James Currey, 1996.
- New York Times*, 30<sup>th</sup> May, 1967
- Ngugi wa Thiong'O. "The Language of Africa Literature". *Post-Colonial Discourse and Post-Colonial Theory: A Reader*. Ed. P. Williams and L. Chrisman. Columbia U.P. 1994.43.
- Nwala, Uzodinma T. "Igbo Leadership Crises." *The Village within the Global Village: Art and Culture in a Globalizing World*. Ed. A.N. Akwanya, Nsukka: Great AP Express Publishers, 20215. 3-30.
- Nwana, Pita. *Omenuko*. Translated by Ernest Emenyonu. New York: African Heritage Press, 2014.
- Okafor, E.E. and Okagu, G.O. "Archaeological Investigation of Traditional Burial Rites and Rituals in Old Nsukka Division of Enugu State". *The Village Within the Global Village: Art and Culture in a Globalizing World*. Ed. A.N. Akwanya. Nsukka: Great AP Express Publishers, 2015: 83-102.
- Okara, Gabriel. "African Speech...English Words." *Transition* 10 (1963):15-16.
- Okolie, Mary J.N. "Remapping Exile in Chinua Achebe's Things Fall Apart." *Okike: A African Journal of New Writing*, 60. (2019): 1-14.
- Rigaux, Francois. "Hanz Kelsen on International Law". *European Journal of International Law* 9.2 (1998): 325-343.
- Spiro, Peter.s "A New International Law of Citizenship".  
<https://www.jstor.org/stable/10.5305/amerijintelaw105.4.069>.
- Wali, Obiajunwa. "The Dead End of African Literature". *Transition* 10, September (1963): 13-15.

### Statutes

- Constitution of the Federal Republic of Nigeria*, 1999.
- International Covenant on Civil and Political Reports*, 1966.
- International Covenant on Economic, Social and Cultural Rights*, 1966.
- Nationality Act*, 1940.
- Universal Declaration of Human Rights*, 1948.
- United Nations High Commission for Refugees Global Trends Report*, August, 2020.
- The Native Authority*, 1954.

### Cases

- Afroyim N. Rusk, Secretary of State, 387 US 253 (1967).
- Perez v Brownell, 356 U.S. 44 (1958).

