NIGERIAN ASSOCIATION OF LAW TEACHERS (NALT)

Lex et lumen pro bono omnia

c/o Faculty Of Law, Abia State University,
Umuahia Campus

PROCEEDINGS OF THE

ANNUAL CONFERENCE OF THE NIGERIAN ASSOCIATION OF LAW TEACHERS (NALT)

THEME

LAW AND NATIONAL INTEGRATION



11TH - 15TH JULY, 2023

EDITOR -IN -CHIEF
PROF. E.C. NGWAKWE

PROCEEDINGS OF THE 54TH ANNUAL CONFERENCE OF THE NIGERIAN ASSOCIATION OF LAW TEACHERS (NALT)

HELD ON TUESDAY 11TH – SATURDAY 15TH JULY, 2023

AT THE INTERNATIONAL CONFERENCE CENTRE, UMUAHIA

EDITED BY:
PROF. EZENWA C. NGWAKWE
DR. CHIKA ODOEMENAM

PROCEEDING OF THE 54TH ANNUAL CONFERENCE OF NIGERIAN ASSOCIATION OF LAW TEACHERS

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PROGRAMME
Tuesday 11lh July, 2023
Arrival and Registration at International Conference Centre Umuahia

DAY ONE OF THE CONFERENCE

DATE: Wednesday 12th July 2023

8.00 a.m	Continuation of Registration and Breakfast.
9.00- 9.50 a.m	Arrival and Sitting of Guests.
9.50 a.m	Anthems (National, State and ABSU), Presentation of kolanuts.
10:00 a.m	Opening Remarks by the Chairman, Distinguished Senator Enyinnaya Harcourt Abaribe, the Senator Representing Abia South Senatorial District in the National Assembly.
10:10 a.m	Welcome address by NALT President and Dean Faculty of Law, ABSU Umuahia Campus, Professor Ezenwa Chinedu Ngwakwe.
10:25 a.m	Remarks by the Chairman, NALT BOT, Professor Ademola Oladapo Poopola.
10:40 a.m	Address by the Vice Chancellor, Abia State University, Uturu, Professor Maxwell Onyemachi Ogbulu.
10:55 a.m	Remarks by the Special guest of Honour, Aare Afe Babalola SAN.
11:10a.m	Keynote Address by the President Nigerian Bar Association (NBA) Yakubu Chonoko Maikyau SAN.
11:50 a.m	Conference opening remarks by His Excellency, the Executive Governor of Abia State, Dr. Alex Chioma Otti.
12:10p.m	Vote of Thanks by the Chairman, Local Organizing Committee of NALT, Abia State University, Professor Moses Obiozor Unegbu.
12:15-12:30p.m	Anthems (National, State, ABSU)
12:30-1:00p. m	Group Photographs and Departure of Guests
1:00-2:00p.m	Launch

PLENARY SESSION

2:00-4:00p.m Chairman: Professor T. M. Ladan

54th NALT Conference Lead Papers:

Lead Paper 1: "The Challenge of NALT'S Re-Image" by Professor Ernest Ojukwu SAN.

Lead Paper 2: "Law as a Vehicle for Good Governance and National Integration" by Professor Dr. Mike Ozekhome SAN, CON, FC, Arb.

Paper 3: "Harnessing Sectional Strength and Comparative Advantage in National Development through the Law: The Gains and Drains" by Veritas University.

Paper4: "A Critique of the Current LPPC Guidelines for the Conferment of the Rank of SAN on Lawyers in Academic Category" by Dr. Olabode Ayorinde, Nasarawa State University.

Discussants: Osun State University, Professor Nnamdi Obiaraeri and Professor Isa Hayatu Chiroma, Professor Ibrahim Abikan.

4:00p.m Closing Remarks
7:00p.m VCs Cocktail

DAY TWO OF THE CONFERENCE
Thursday 13th July, 2024

Time	Citizenship, Social Stratification	ESCRs, Religion, Customary Laws	Internal Security Globalization, Specific Institution
8:00am	Location: Hall 1 **Chairman:** Professor Andrew Chukwuemerie **Papers:** **UNN:** "One Nationality, Multiple Loyalties: Challenges and Legal Safeguards". **LASU:** "Democracy, Social Justice and Indegenship Question in Nigeria." **UNIJOS:** "Social Stratification and the Attendant Discriminatory Rights; Balancing the Claims and Contradictions". **Discussants:** Edwin Clark University (ECU), Kiagbobo, Delta State Al-Hikman University and Professor A. Olatunbosun **University of Delta State Agbor** Legality of Severance Packages for Governors in Nigeria	**Location:** Hall 2 Chairman: Dr. Bethel Ihugba **Papers:** Kwara State University, Ilorin: "Mainstreaming ESCRS into National Integration Equation: Legal Options and Limits". Bayere University Kano:" Appraisal of The Legality of the Laws Establishing Faith Based Agencies". University of Calabar: Appraisal of the Legality of the Laws Establishing Faith-based Government Agencies in Nigeria. **Kogi State University** (KSU): "Plural Customary Laws; What Place in National Integration" **UNILORIN:** "Change of Ethnic Nationality with the Accompanying Personal Law in Nigeria; Chances and Challenges" Discussants: "Madonna University, Okija, Imo State University, Owerri, Godfrey Okoye University Enugu and Professor Alemika"	Location: Hall 3 Chairman: Professor Moses Obiozor Unegbu **Papers:** Obafemi Awolowo University: "Regulation of Foreign Direct Investment (FDI) and Multi National Cooperation in Nigeria: Balancing t he Gains and Sovereignty" National Institute of Advanced Legal Studies (NIALS); "Regulating Export Tra de for National Development; Appraising Nigeria's Balance of Trade". University, of Benin (UNIBEN):" National Integration; National Youth Service Corp(NYSC), Federal Character Commission (FCC) and Unity Schools in Perspectives". Lead City University, Ibadan: "Constitutionality of Regionalized Federal Development Agencies: Case Studies of NDDC, NEDC and HYPADEC". **Discussants:** Nasarawa State University, Babcock University, Benue State University and Professor Nwaocha

Time	Democracy, Sustainable Development, Gender	Education, Self-Determination, Federal Structure, Corruption	Judiciary, Law Reform, Commerce, CSOs, African Supra-nationality
11.00 a.m - 1.00 p.m	**Location: Hall 4** **Chairman: Professor Ifeoma Enemo** **Papers:** **Salem University Lokoja, Kogi State: "Regulations of Political Parties and Elections; Matters Arising for National Integration."** **Abia State University, Umuahia Campus: "Immunities for Elected Public Officials: Challenges to National Integration."** **Nnamdi Azikiwe University, Awka Self-Determination Agitations and National Integration: Exclusivity or Complementarity of the Relevant Laws.** **Afe Babalola University, Ado ekiti, Ekiti StateL: "Applying the SDG Standards in National Development: An Evaluation of the Existing Laws in Nigeria."** **Discussants: UNIPORT, Osun State University and Professor Chris Ohuruogu**	**Location: Hall 1** **Chairman: Prof. s. Olarinde** **Papers:** **Delta State University, Abraka: "Regulation of Education Opportunities in Nigeria; Giant Steps and Grave Lapses."** **University of Maiduguri (UNIMAID): "Restructuring Demands: Balancing Interest of Component Units for Justice."** **Crescent University, Abeokuta: "Whistle Blowing and Freedom of Information Act: What Contributions to the Fight Against Corruption."** **Ahmadu Bello University (ABU). Zaria: "Simultaneous Enjoyment of Severance Package and Emoluments of Present Office Holders; Moral and Legal Question."** **Discussants: Nigerian Law School Abuja, Nigerian Law School Kano, UNIPORT Professor Ibrahim Abikan**	**Location: Hall 2** **Chairman: Professor Chijioke Collins Obioma** **Papers:** **Fountain University** **Oshogbo: "Independence of the Judiciary: What Roles for National Integration?".** **Renaissance University, Ugbawka: "Doctrine of Covering the Field; Has the Logislative Jurisdictional Conflict Been Laid to Rest."** **Osun State University: "Reforms for Better Corporate Governance Under 2020 CAMA: Changes and Challenges."** **Discussants: Babcock University, Nigerian Law School, Enugu, Nigerian Legislative Institute and Prof. Usman Shuaibe**
1-2pm	LUNCH		

DAY THREE OF THE CONFERENCE

Friday 14th July, 2023

8.00 a.m-9.00 a.m BREAKFAST

BREAK OUT SESSION

Time	Sub Themes	Sub Themes
9.00 a.m - 11.00 a.m	**Location:** Hall 1 **Chairman:** Professor Nwocha **Papers:** Adekunle Ajasin University Akoko - Akungba, Ondo State: "Emerging Monopolies and Competitive Liberalization in Nigerian Economy: Conflictual or Complementary operation." Nigerian Law School Lagos: "Intervention Laws for the protection of Depositors in Financial market: Comparative Reviews of NOIC and AMCON in stabilizing the economy." **Koladaisi University, Ibadan:** "Regulating Haulage Sector for National Development: Rules for Aviation and Marine Transport Systems in Perspective." **Discussants:** Elizade University, Ondo State, Babcock University, Chukwuemeka Odumegwu Ojukwu University and Prof. T. M. Ladan	**Location:** Hall 2 **Chairman:** Nasri Tijani **Papers:** IP and Development: "The Role of Genetic Resources, TK and TCEs" by World Intellectual Prosperity Organization (WIPO) Ambrose Ali University, Ekpoma, Edo State: "Models for Reforming Customary Law for National Integration" Chukwuemeka Odumegwu Ojukwu University, Anambra State: The African Continental Free Trade Agreement (AfCFTA): Objectives and Benefits to Nigerian national Integration. Olabisi Onabanjo University, Ago-Iwoye: Nigerians Membership of Regional Organizations: What Benefits to National Integration? Discussants: Godfrey Okoye University, Professor Ademola Oladapo Poopola
11.00 a.m	LUNCH	
12.00 4.00pm	EXCURSION	
4.00p.m - 5.00pm	Committee of Deans/Directors/ BOT Meeting	
6.00p.m-8.00pm	Cultural Display	
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CHANGE OF ETHNIC NATIONALITY WITH THE ACCOMPANYING PERSONAL LAW IN NIGERIA: CHANCES AND CHALLENGES

By
Professor H. O. Ijaiya
Professor I. A. Abdulqadir
Dr. M. K. Imam-Tamim
Dr. L. A. Abdulrauf
Dr. R. F. Mahmoud
Dr. Hameenat B. Ojibara
Dr. H. O. Abdulazeez

On behalf of:
Faculty of Law
University of Ilorin, Nigeria

ABSTRACT

The decision to identify as part of an ethnic group indicates one's membership in that group. However, one may, for several reasons, decide to change their ethnicity, and many of these are influenced by personal, social, or cultural factors. Changing one's ethnic nationality is not a common practice from the legal perspective in Nigeria. This paper seeks to examine the chances under which a person could be eligible for a change of ethnicity in Nigeria. It further seeks to examine the existing legal framework in place that validates the concept of ethnic change. For this research, the doctrinal research methodology was employed. In so doing, the paper uses primary and secondary legal sources. The primary sources include statutes and judicial decisions, while secondary sources include journal articles, online materials, books, and legal commentaries. The research finds that countries like Singapore and Indonesia validated the idea of ethnic change and permits their citizens to switch their ethnic groups twice in their lifetime. However, there is no sufficient legal framework in Nigeria that could accommodate the change of ethnic nationality, especially as it relates to the Marriage Act, which happens to be a personal law concept. Hence, the paper recommends that our personal laws be reformed to accommodate opportunities for ethnic change in the same way the Constitution provided for citizenship. Hence, it is important to state that the opportunities with respect to ethnic change options could be harnessed to drive home the unity of Nigeria as to bridge the gap that encourages dichotomy between the ethnic groups.

Introduction

A person's ethnicity is considered to be a constant and distinguishable personal attribute inherited from their parents and may be shown by phenotypical traits like skin tone or hair colour.[1] Surprisingly, ethnic group has been said not to be a fixed characteristic during a

[1] Rademakers, R and Hoorn, A. (2021) _Ethnic switching: Longitudinal evidence on prevalence, correlates, and implications for measuring ethnic segregation' (2021) Journal of Development Economics <www.elsevier.com/locate/ devec> accessed June 3, 2023

person's life,[2] yet the sources of modern ethnic change have remained opaque.[3] It pertinent to state that the use of an ethnic label indicates a person's affinity for a cert ethnic group.[4] Ethnicity is, therefore, generally unchangeable and an inherent perso attribute, however, being a social attribute, a person may decide to change it during his li

People may desire to change their ethnicity for various reasons, many of which are impact by personal, societal, or cultural reasons. It is important to remember that while changir one's ethnic nationality is not a recognised legal notion in Nigeria, people may neverthele have personal motivations for doing so. Ethnic identity comes with certain perquisites suc as property rights and even political rights. These same rights are equally conferred throug citizenship as recognized by the Constitution. The Constitution recognizes that citizenshi may be obtained or altered via legitimate processes including marriage, naturalisation o birth. The interconnection between these two interrelated concepts poses a question that does changing citizenship necessarily change one's ethnic identity? Citizenship and ethnic identity are two different things. The most obvious distinction of the two in the Nigerian society is ethnicity. One's ethnic nationality need not always change even when they change their citizenship.

But due to the increasing mobility across the countries geographical landscape, many Nigerians from various ethnicism have so much rooted themselves in another ethnic region that their progenies do not have the fact and even cultural ability to claim the original ethnic root of their primogenitors. Such citizens are often at crossroads when the need arises to claim certain civic rights or in the application of personal laws. For instance, the recent 2023 elections in Nigeria have pushed to the fore the need to reinterrogate the legal possibility to switch ethnicity in a multiethnic country like Nigeria with a view to benefitting as a bona fide ethnic member. This paper aims to examine the concept of ethnic change in Nigeria, particularly in relation to personal law, and evaluate its chances and challenges in the country.

Concepts Around Ethnicity

Over the years, ethnic nepotism has been downplayed as individuals often conceal their true identity to gain undeserved benefits. Recently, a Governorship Candidate of the Labour Party faced criticism for being labeled as an _Igbo boy 'despite belonging to the Yoruba clan. Ethnic discrimination stands as a significant problem plaguing Nigeria as a nation. It is crucial to investigate the circumstances under which a person can be considered eligible to belong to another ethnic group. Additionally, it is essential to examine the feasibility of ethnic change in Nigeria. Can a person be regarded as part of the Yoruba clan if they receive a chieftain title while he is from Igbo tribe? Although it seems that a change in ethnic

[2] Simpson, L and Warren, J. 2015 Six: Do people change their ethnicity over time? <https://doi.org/10.51952/ 9781447321835.ch006> accessed May 3, 2023

[3] Green, E.D. (2017) _Industrialization and ethnic change in the modern world (Ethnic and Racial Studies) <http://eprints.lse.ac.uk/85900/> accessed June 6, 2023

[4] Tsai, K.M and Fuligni, A.J. (2012) Change in Ethnic Identity Across the College Transition, *Developmental Psychology* <https://www.researchgate.net/publication/51689288_Change_in_Ethnic_ Identity_ Across_the_College_Transition/link/0c9605309164d8385d000000/download> accessed June 4, 2023

affiliation is only attainable through marriage to someone from a different ethnic group, the extent of this cultural movement accommodating other provisions remains uncertain. Hence, it is important to know whether there is a legal framework in place with respect to ethnic change in Nigeria.[5]

What is ethnicity?

In this context, ethnicity is used to describe the shared social, cultural, and historical experiences that result from similar national or regional origins and differentiate subgroups of a community. Similar to this, an ethnic group is a subset of a population with a similar history, culture, and social experiences. It also has relatively unique views, values, and behaviours, as well as a feeling of identity.[6] For Horowitz[7], 'Tribes,' 'races,' 'nationalities,' and castes are all included under the term of 'ethnicity,' which "easily embraces groups differentiated by colour, language, and religion." Even though discussed in context, its importance goes beyond identity, as it also serves as indices for socio-political and economic inequality in multi-ethnic states like Nigeria.[8]

What is Ethnic Identity?

Chandra has defined ethnic identity as any social group that a person is able to join.[9] He further argues that ethnic identity categories is a subset of identity categories in which eligibility for membership is determined by descent-based attributes.

In analyzing the concept of descent-based attributes, he defined it as including characteristics that are inherited genetically (such as skin colour, gender, hair type, eye colour, height, and physical features), through cultural and historical inheritance (such as name, language, place of birth, and ancestor's origin), or over the course of one's lifetime as indicators of such inheritance (such as last name or tribal markings). He further stressed that attributes associated with descent are attributes around which a credible myth of association with descent has been woven, whether or not such an association exists in fact.[10] He further noted that Ethnic identity categories can be defined as follows:

(a) impersonal, meaning that they are a "imagined community" whose members are not part of an immediate family or kin group;
(b) they make up a portion rather than the whole population of a nation;
(c) The qualifying characteristics for membership are limited to one's own genetically transmitted features or to the language, religion, place of origin, tribe, region, caste, clan, nationality, or race of one's parents and ancestors.

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[5] Ibid

[6] The Meaning of Race and Ethnicity <https://pressbooks.howardcc.edu/soci101/chapter/10-2-the-meaning-of-race-andethnicity/> accessed June 4, 2023

[7] Horowitz, D. (1985) *Ethnic Groups in Conflict* (Univ. Calif. Press)

[8] Adetiba, T.C. and Rahim, A. (2012) _Between ethnicity, nationality and development in Nigeria' International Journal of Development and Sustainability Vol.1 No.3 (2012): 669-670.

[9] Chandra, K _What Is Ethnic Identity And Does It Matter?'Annual Review of Political Science <https://doi.org/10.1146/annurev.polisci.9.062404.170715> accessed June 3, 2023

[10] Ibid

(d) The qualifying characteristics for membership are restricted to one's own physical characteristics.

The Concept of Ethnic Change around the World

It has been noted that in Singapore, it is legal to switch races twice—once before turning 21 and again at or after that age. A child's race may also be the same as either of their parents' races or a legal mixed race. It is important to note that in Singapore, a citizen may also choose a race that combines the races of both of their parents. Interestingly, application for a change of race is free.[11]

In another study, Carolyn A. Liebler, a sociologist from the University of Minnesota, who collaborated with researchers from the Census Bureau noted that there is a significant number of Americans who change their racial identification. It was further noted that the frequency of this change varies among different racial groups.[12]

She further pointed out that the largest group of individuals who altered their race/ethnicity category consisted of 2.5 million Americans. In 2000, they identified themselves as Hispanic and "some other race," but a decade later, when surveyed by the census, they identified themselves as Hispanic and white, according to preliminary data. Additionally, 1.3 million people made the opposite transition, switching from Hispanic and white to Hispanic and "some other race."[13]

By some measures, the data provides more evidence of Americans 'puzzlement about how the census asks separately about race and ethnicity. (The Census Bureau is considering revising its race and ethnicity questions for the next census, in 2020, in hopes of matching better how Americans think about this topic.) But there could be other reasons, too, such as evolving self-identity or benefits associated with being identified with some groups.[14]

According to her, certain individuals may choose to change their racial category upon discovering that they have an ancestor of a different race. Alternatively, they may make this decision based on perceived advantages, such as priority in college admissions, that come with identifying themselves as part of a particular racial group.[15]

In another paper, it has been noted that the Indonesian national government demonstrates a significant level of accommodation when it comes to ethnic switching. In Indonesia, an individual's ethnicity is not predetermined at birth or influenced by their parents, but rather

[11] Information on Change of Race <https://www.ica.gov.sg/documents/identitycards/change-of-race#:~:text=A%20person%20is%20allowed%20to,comprising%20both%20parents '%20races)> accessed June 3, 2023

[12] Cohin, D. (2014) Millions of Americans changed their racial or ethnic identity from one census to the next *Pew Research Center* <https://www.pewresearch.org/shortreads/2014/05/05/millions-of-americans-changed-their-racial-or-ethnic-identityfrom-one-census-to-the-next/>

[13] *Ibid*

[14] *Ibid*

[15] *Ibid*

it is a matter of personal determination made by the individuals themselves.[16] Ethnicity is primarily based on fluency in the ethnic language and not on physical appearance in Indonesia. According to a descriptive statistic for the Indonesian Family Life Survey (IFLS) sample indicate that 6.92% of the Indonesian people have changed their self-reported ethnicity sometime between 2000 and 2014.[17] It has been noted that more than 85% of the Indonesian people who have changed their ethnicity between two waves of the IFLS have also learned the language of their new ethnic group in this period. In addition, more than 14% of ethnic identity switchers started learning the language of their new ethnic group in the seven years since they changed their ethnic identity.[18]

Theories of Ethnic change

Acculturation is the process through which people pick up and embrace the norms, values, and practices of another social group. Acculturation is often taken into account while talking about sojourners, asylum seekers, and foreign migrants. These people must undergo psychological adjustment in order to more successfully adapt to the significant upheaval to their social environment. People could, however, also become aware of and adapt to various ethnic groups. Individuals may go so far as to change their ethnic identity and seek acceptance by this new ethnic community, depending on the amount of such ethnic acculturation.[19]

Matrilocality refers to living together with spouse's in-laws from a different race. Living with a certain group of individuals increases a person's interactions and touch with them. Additionally, spending the majority of time with in-laws who follow a different religion, speak a different language, or have a distinct ethno-cultural tradition raises the salient of the husband's otherness, making him feel socially isolated and alienated.[20]

Matrilineality is the social norm that gives women preference in lineage. However, men may not be allowed to inherit riches or a family-owned social status. Therefore, there is an additional incentive in many matrilocal groups, why a woman would not want to distance herself from her ethnic lineage and family. The possibility of losing (some of) her inheritance is the cause for this. In fact, even a husband could advise his wife to maintain the ethnicity of her family in order to increase the likelihood that their joint household would inherit from his wife's family in the future. Overall, we anticipate that patterns of spousal ethnic adaptation will show signs of purposeful individual decision making that considers the customs of local post-marital living.

There are two specific hypotheses for the correlates of purposeful intra individual ethnicity change. The first is that newlywed males who live in matrilocal societies are more likely to

[16] Rademakers, R. and Hoorn, A. (2021) _Ethnic switching: Longitudinal evidence on prevalence, correlates, and implications for measuring ethnic segregation 'Journal of Development Economics <www.elsevier .com/locate/devec> accessed June 3, 2023

[17] R. Rademakers and A. Hoorn (n. 3)

[18] ibid

[19] ibid

[20] R. Rademakers and A. Hoorn (n. 3)

adopt their spouses' race than newlywed men who live in communities with alternative rules about marital residency. The second is that newlyweds in matrilocal groups are less likely to adopt their spouses' ethnicity than newlyweds in cultures with different norms for marital residency.[21]

Caselli & Coleman and Fearon argue that ethnic identities are not quite as hard to change, they noted within the limitations of the underpinning set of characteristics, people may easily swap between ethnic identities. They further argue that change compared to changes in non-ethnic identities, changes in ethnic identities are more restricted. In essence, it more often to see closely knitted community members to change identity, than largely separated groups to change identity to a place they are not closely knitted by attribute.

As could be gleaned above, it is important to state that in Indonesia, the national government demonstrates a significant level of accommodation when it comes to ethnic switching. As noted above, an individual's ethnicity in Indonesia is not predetermined at birth or influenced by their parents, but rather it is a matter of personal determination made by the individuals themselves.[22] More also in Singapore, it is permissible for a person to change her ethnic group twice, once before the age of 21 and once at or after the age of 21. The race of a child can be the same as either of its parents' races or a legal mixed race. It is significant to note that a citizen of Singapore may also select a double-barreled race, meaning a race that combines the races of both parents. Tt is important to state there exist tiny framework even though is not crystal clear with the upcoming day realities. A curious fact is that there is no price to apply for a change in race. Although, it could be argued that, that a child naturally carries the ethnic standing of his father at birth, till he dies, except in certain cases, such as cases of marriage outside the paternal ethnic group. The child may be tempted to claim two ethnics, that of his paternal and his husband ethnic group.

The Americans adapt a voluntary means to ethnic switching, a semblance of which might be obtainable in Nigeria without the consent of relevant authorities. It is submitted that majority of those that have attempted to change ethnic group in Nigeria have done it on their own volition with or without fraudulent means of collecting certificate of origin from their desired local government. However, some of those that have obtained a certificate of origin might have been privileged to obtain same by virtue of their long domicile in that community. And also, marriage outside the ethnic group, could also be a reason for ethnic switching in Nigeria. However, it is submitted that the Marriage Act[23] does not provide for the change of name of the bride after marriage. However, this has been the culture over time due to some restrictions, for instance, as a proof of marital relationship in applying for a travel visa. The following circumstances have been identified as possible means that could bring about ethnic change in the life of a person and as such it could be a premise for further validation.

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[21] ibid

[22] Rademakers, R and Hoorn, A. (2021)_Ethnic switching: Longitudinal evidence on prevalence, correlates, and implications for measuring ethnic segregation' Journal of Development Economics <www.elsevier.com/locate/devec> accessed June 3, 2023

[23] Chapter M6, Laws of the Federation of Nigeria (LFN) 2010.

Chances and Challenges of ethnic change in Nigeria

Under the 8th Assembly, Senator Omo-Agege sponsored a bill that proposed that someone could become an indigene of a state if he or she was born in that state, or if he or she had lived in the state for a continuous period of not less than 10 years.[24]According to the bill, a person, according to the proposed legislation, should be able to show evidence of residency in a given local government area for a continuous period of not less than 10 years.[25] However, the proposed legislation never saw the light of the day. In the light of the above, the following are the chances of ethnic change in Nigeria.

Place of Birth: Ethnic change may occur when someone is born in a different place other than their native town. As a result of a longstanding connection, an individual may claim affiliation with a specific ethnic group based on their birthplace. As noted above, Place of Birth should be a possible ground for naturalization as a member of another ethnic group. For instance in Nigeria, a person could contest for election if such individual has been domiciled in a place for 10 years and above. Hence, it is arguable that a child's place of birth should be considered for possible naturalization into another ethnic group.

Marriage: Marriage can be a determining factor in prompting an individual to change their ethnic identity. For example, if a Yoruba man marries an Igbo woman, it naturally leads to a distinct situation where the person may undergo a shift in their ethnic identity. As stated above, there is no law that mandate a woman to change name or switch to her husband's ethnic group after marriage.

However, married women have changed their ethnic group in order to vie for political positions and yet they have not been challenged overtime. [26] Adoption: When a family adopts a child from an orphanage, it can be argued that the adopted child inherits the tribal ethnicity of the adopting family. Sec 143 of the Child Rights Act was not explicit enough on this point. However, it could deciphered from the surrounding circumstances that an adopted child could be naturalised into the ethnic group of his/her adopter. This was particularly evident in the case of *Adeniyi Olowu & Ors. V. Olabowale Aremu Olowu & Anor.*[27] The appellants in this case were beneficiaries of Adeyinka Ayinde Olowu, whose parents were Yoruba indigenes from Ilesha but has resided, for the better part of his life, in Benin City. He applied to the Oba of Benin to be —naturalisedl as a Benin indigene which conferred on him the right to acquire absolute title to the considerable landed properties in Benin City as any native of that city.

[24]Aborisade, S. _Resident of a state for 10 years should become indigene- Senate' https://punchng.com/resident-of-a-state-for-10-years-should-become-indigenesenate/last accessed on the 8th June, 2023

[25]*Ibid*

[26] Heaton, T. and Hirschil, A.T. (1999) —The trajectory of family Change in Nigerial Journal of Comparative Family Studies Vol. 30, No. 1 (WINTER 1999), pp. 35-55

[27] *[1985)]LLJR-SC*

The impact of Mr. Olowu's voluntary naturalisation as a Benin citizen on his descendants was critically analysed by Oputa JSC. The court, in determining the ethnicity of the late A.A. Olowu concluded that his beneficiaries are precluded from disputing that their late father attained the Status of a Bini man, which status allowed him to acquire those properties. All of the deceased A.A. Olowu's children were prohibited from disputing that their father, while being of Yoruba ancestry, was a Bini man both during his life and after. Oputa JSC held that they must follow that presumption since it served as the traditional foundation for the late Adeyinka Ayinde Olowu's acquisition of his lands in Benin.[28] Bello JSC further reiterated the fact that our legal system is not new to changes in personal law preferences. According to the knowledgeable jurist, it has existed since 1898. On the other hand, Uwais JSC noted that the problem of personal law in the form of native law and custom is not a subject for the Constitution but has always been a question of fact that must be shown by evidence when giving his view on the change of ethnicity. [29]

Personal Reasons: Religion can also play a significant role in ethnic change. A person may belong to one ethnic group but willingly adhere to the customs and traditions of another ethnic group based on their religious beliefs. This reason cannot be overemphasized considering that religion is a source of values with the unintended consequence of amplifying ethnicity.

Longtime Settlers: Long time settlers ought to be given the opportunity to be indigenes of a state where they reside. Fyank[30] opines that an ethnic Ibo from the south of Nigeria who was born, bred and is a tax paying worker in Katsina will never be accepted as an indigene of Katsina. While, an ethnic Yoruba from Benin Republic will most likely be accepted as an indigene in Otta than a Hausa/Fulani who was born in the community and is a tax paying Nigerian citizen. He noted that the constitutional provision on who is a citizen? Is discriminatory on the basis of ethnicity. He further noted that some Tiv groups for instance who migrated and settled in Wukari during the precolonial era have raised generations of ethnic Tiv in these localities and consider it as home. He noted that in-spite of this, the native Jukum of Wukari still regard them as settlers and not indigenes. He further reiterated that this situation plays out in several areas in the country like in Jos, Kaduna etc.[31]

Residency Right: A person living in community for over 5 years could be accommodated into the ethnic of that community. It suggested that the constitution can be amended to state that a Nigerian citizen who has resided continuously for a period of five years in any state of the federation and performs his/her civic duties, including the payment of taxes, shall be entitled to all the rights and privileges of the state. Hence, this would be in accord with the practice in most federations, and would strengthen the provisions in the Constitution in

[28] *ibid*
[29] *ibid*
[30] Fyanka, B. (2016) _Inter-Ethnic Marriages, 'Indigeneship,' Women's Rights and National Integration in Nigeria Since 1979' *SSRN Electronic Journal (2016)*<10.2139/ssrn.3023384> accessed June 12, 2023
[31] Adesoji, A.O. —Indigeneship and Citizenship in Nigeria: Myth and Reality|, p. 153-157.

addition to removing restriction on who can contest elections in different parts of the country.[32]

Traditional Titles: While not universally accepted, an individual who assumes a chieftain title from a different clan may be inclined to align themselves with the culture and traditions of that ethnic group.

Political Reasons: The law may permit individuals who have resided in a particular community for a specified period, such as ten years, to contest for elective positions. As a result, there have been instances where individuals have won political posts without being originally from a specific state.

Cultural Affinity: Some individuals may feel a stronger cultural or emotional connection with an ethnic group different from their own due to personal experiences, exposure, or shared values and beliefs.

Social Integration: In certain situations, individuals may opt to change their ethnic identification to facilitate social integration within a particular community or environment where a specific ethnic group is dominant. However, it is crucial to stress that these explanations are arbitrary and may vary from person to person. It is a matter of personal choice whether to declare one's intention to alter one's ethnic nationality or declare one's identification with a certain ethnic group.

Challenges of Ethnic Change

As noted by R. Rademakers and A. Hoorn,[33] switching to a new ethnic group is dangerous because, even if one gives up their membership in their previous ethnic group, there is no assurance that they will be (completely) accepted by the new ethnic group. Additionally, some of the consequences of changing one's ethnicity, like losing the social network that comes with it, probably happen early on in the process. On the other hand, the (anticipated) advantages do not manifest until much later, after effective acculturation into the new ethnic group. In actuality, the majority of the financial gains from changing one's ethnicity may go to that person's (future) children, while the switchers themselves may see little, if any, financial gains. It has been noted that only a small percentage of people in a society will, according to our predictions, change their ethnicity throughout time. But for those who do, we forecast that intra-individual ethnicity change adheres to logical patterns that are indicative of systematic variance in projected costs, rewards, and hazards. As a result, we anticipate that variations in people's expectations about the net advantages or allure of switching ethnicities will differ depending on the specifics of the transition. As a result, we make a distinction between general ethnic switching (undirected ethnic switching) and

[32] *Ibid*

[33] Rademakers, R. and Hoorn, A. (2021) _Ethnic switching: Longitudinal evidence on prevalence, correlates, and implications for measuring ethnic segregation' Journal of Development Economics <www.elsevier.com/locate/devec> accessed June 3, 2023

people choosing a particular other ethnicity (directed ethnic switching) below when developing predictions regarding possible correlates of ethnic flipping.[34]

Particularly to Nigeria, the Marriage Act which is a personal law does not expressly state that a married woman is entitled to bear the surname of the husband or whether she can adopt the ethnic group of the husband. Although this suggests ethnic switching, however, since there is no definite provision, thus, it difficult to know the status of a married woman in Nigeria since it is not codified in any law.

However, as regards adoption in Nigeria, Section 143 of the Child Right Act, 2003 presumes that the adopted child is the child of the adopter, hence he acquires all entitlement even after the demise of the adopter. Even though, it wasn't expressly stated, it could be argued that the child still retains the origin ethnic origin. However, this may be countered on the basis that the child bears the surname of the adopter after adoption.

It is very uncertain for a non-Yoruba person to claim that he is a native of Yoruba land after receiving a chieftaincy title. It cannot be said that a nonYoruba indigene will be allowed to climb the throne after the demise of the erstwhile monarch. This seems very uncertain, due to the preservation of culture of the people. Hence, it seems very preposterous to conclude that this could be done in Nigeria.

Apart from the above, there are still other challenges to ethnic change. These include

a. **Cultural Attachments:** Ethnicity in Nigeria is deeply ingrained in cultural practices, languages, and kinship ties. Changing one's ethnic identity may face resistance or skepticism from both the individual's original community and the new community they seek to join.

b. **Legal Constraints:** Nigeria's legal system may not provide a specific mechanism for officially changing one's ethnic nationality. Personal laws, particularly those tied to ethnic groups, are often protected by constitutional provisions and may be challenging to modify.

c. **Social Integration:** Adopting a new ethnic identity can pose challenges in terms of social acceptance and integration into the new community. Prejudice, discrimination, or cultural barriers may hinder the process. Thus, there has been instances of ethnic conflicts where a person who is married to a different ethnicity and lives in the community with their spouse have had cause to flee or suffer injury from false acceptance or partial integration.

Conclusion

It could be gleaned from the above that there are chances for ethnic change in Nigeria, but there is no sufficient framework to validate same. As noted earlier that the Marriage Act

[34] *Ibid*

has no provision that validate the idea of the wife switching to the husband ethnic group after marriage. Even at that, the Child's Right Act 2003, despite saying an adopted child enjoys the full privileges as a son, does not expressly state that the adopted child assimilates the ethnic group of his father after adoption. On this basis, there is need for legal framework that accommodates ethnic change in Nigeria, so as to rekindle the oneness of Nigeria and eliminate discrimination that is tearing the country apart.