

Examining Nigeria's Digital Identity Project as a Tool for Economic Inclusion and Regional Integration

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Access to the digitized economy has an increased penetration across the spectrum of Africa's rural and urban populace. Unlike the prevalent informal economy, the digital economy scrutinizes people's identities as individuals with exclusive identities. After years of prior proclamations postponements, in 2017, the Nigerian government began enforcing the harmonization of sundry digital identity databases and compelling digital identity registration of all citizens and residents. On the other hand, there is a de facto delineation of the Nigerian citizenry into normative categories of 'indigenes' and 'settlers', which is at the heart of the Nigerian identity question. This casts doubt on the ability of the Nigerian State to fulfil its commitment to regional and continental free movement protocols it has ratified. This article explores the de facto nuances of stratified Nigerian citizenship, which the Nigerian digital identity project can help solve. I employ descriptive and explanatory analysis of extant national, regional and continental policy frameworks to appraise Nigeria's digital identity management systems. Harmonizing Nigeria's sundry digital schemes is critical to defining citizenship, residency rights, socioeconomic inclusion, transnational citizenship and border security, while facilitating the desired free movement of persons and goods within the African continent, as yearned by regional and continental protocols.

Keywords: citizenship, digitization, transnationalism

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INTRODUCTION

Digital identity systems in Nigeria have been characterized by independent personal data curations by private and public agencies, which are not harmonized and centrally accessible. The initial drive at identity registration by sundry public and private organizations was aimed at issuing “identity cards” deemed valid to be utilized by the bearer for the activity it prescribes (NIMC, 2010). For example, the Federal Road Safety Commission (FRSC) manages the issuance of driver's licenses (FRN, 2007a); Nigeria Immigration Service (NIS) handles the issue of international passports (FRN, 2015). The Independent National Electoral Commission (INEC) issues voter cards (FRN, 2010), among several governmental agencies which administer identity cards to signify the registration of the bearer. In several cases, these sundry identity cards are recognized as identity particulars to validate one's identity when required publicly.

Advancement in technology has ensured the sophistication of identity management systems. There is now a universal penchant for switching from non-digital forms of identity curation to digital or electronic formats, which are interoperable across organizations and nation-states and utilized to access various services relating to human activities. Information and Communication Technology (ICT) systems are now incorporated into public and private enterprise service delivery. Referred to as ‘e-governance’, these measures are intended to enhance transparency and improved service delivery (Bannister and Connolly, 2012). This modality would require interaction with a consistent digital identity of citizens rather than multiple digital identities for effectiveness (Ayo, 2010). This measure serves as a check for faceless individuals and sharp practices within the digital economy.

Technological advancements in digital systems now enable the synchronization of digital identity across human activity platforms such as business transactions, voting, health insurance, driver licensing, etc. (Engin and Treleaven, 2019). This aligns with the extant globalization trend, which requires seamless cross-border human interaction in public and private dealings. Such would require data sharing and synchronization to drive the economy and uphold formalized transactions worldwide.

Current initiatives at harmonizing Nigeria's digital identity began in 2005, building on past national identity implementation initiatives when Nigeria's Federal Government constituted a Technical Sub-Committee to evaluate extant identity card projects. The findings declared twelve independent identity schemes, most of which inculcated biometrics (Presidency, 2006). These separate identity schemes held data ranging from ten thousand to fifty-eight million persons (ibid). However, these several independent identity schemes were found to duplicate functions and were tantamount to resource wastage, particularly for digital identity management initiatives of governmental agencies. Consequently, governmental efforts were invigorated to manage the harmonization of digital identity systems in Nigeria. This culminated in the establishment of the National Identity Management Commission

(NIMC), backed by the NIMC Act 23 of 2007. This Act established the National Identity Database (NIDB) to be managed by NIMC, as prescribed in Sections 14–17 of the Act (FRN, 2007b). Therefore, the identities of Nigerian citizens and legal residents would be coded in unique National Identification Numbers (NIN), which would be a prerequisite to obtaining a national electronic identity card (*ibid*). Additionally, the NIN is expected to be a digital identity requirement for accessing government services and a framework for the integration of other independent databases such as voter's cards, driver's licenses, bank accounts, international passports and the likes (FRN, 2017; Soriwei and Adetayo, 2017). Extant enrolment figures declared by NIMC as of July 2021 stand at a little over 54 million Nigerians (NIMC, 2021), which is around a quarter of the national population, estimated to be 211.4 million persons (UNFPA, 2021).

Ongoing efforts by the Nigerian government to institute and harmonize digital identity schemes to consolidate the National Identity Database present an opportunity to address the underlying issues of inclusion among Nigeria's citizens and legal residents. There is a search for the soul of the 'Nigerian identity' amidst fragmented identity allegiance along the lines of ethnicity, religion and regional bias (Odum, 2018). This phenomenon is the bane of broader socioeconomic exclusions through which Nigerians may face discrimination in accessing governmental services on the grounds of ethnic ancestry. Exclusion based on religion is also common; however, exclusion based on indigeneship² is prime. Enforcing this exclusion is the "certificate of local government of origin", which serves as the *de facto* Nigerian citizenship identity document required to access most government services, especially civil service jobs, scholarships, and elective and political appointments. Nigeria has a long unsettling citizenship stratification question with the normative categorization of citizens as "indigenes" and "settlers" (Olakunle et al., 2016; Akintola and Yabayanze, 2017; Oyeweso, 2021). Though not a constitutionally recognized identity document, the local government of origin certificate enforces the stratification of Nigerian citizenship as indigenes and settlers. This, in turn, queries the constitutional mandate and privileges of Nigerian citizenship, legal residency, and the Nigerian State's ability to confer privileges of transnational citizenship within regional and continental free movement protocols. The *de facto* prevalence of ethnoreligious identity schemes with discriminatory intent as the basis for defining stratified Nigerian citizenship will inhibit the intent of the African Continental Free Trade Area (AfCFTA) and the African Union (AU) and Economic Community of West African States (ECOWAS) Protocols on the Free Movement of Persons in Nigeria. There is a need to appraise the ability of the Nigerian government's digital identity scheme to foster internal,

2 The indigeneship question is the core of the Nigerian identity debate. Due to fears of domination by ethnic sections, the extant Nigerian Constitution enshrines the "Federal Character Principle", which ensures a sectional representative balance of appointments/employment in all national government institutions. Section 147 (b) of the 1999 Constitution stipulates that "the President shall appoint at least one Minister from each State, who shall be an indigene of such State" (FRN, 2011). To this, the "certificate of local government of Origin" obtained from traditional rulers or local government areas to which one can trace ethnic ancestry serves as the *de facto* identity document with which a Nigerian citizen can access governmental service.

regional and continental integration. In three core segments of this article, I explore the nuances of the Nigerian *de facto* and *de jure* identity, citizenship and residency. I explore regional and continental frameworks for socioeconomic integration in Africa that Nigeria subscribes to and interrogate how Nigeria's digital identity scheme would facilitate socioeconomic inclusion on the local, regional and continental scale. The first segment draws from the theory of boundaries of inclusion to underpin the research framework. In the second segment, I case study the European Union (EU) Schengen Agreement, drawing from its success as a Pan-European socioeconomic regional integration tool through an integrated identity repository. The third segment examines the Nigerian digital scheme, exploring gaps that might inhibit its functionality from fostering national, regional and continental socioeconomic integration.

RESEARCH METHODOLOGY

The article relied on secondary data to explore and explain the core themes of the topic. As such, the qualitative research method was employed. This entailed a literature search and documentary reviews. Citizenship and transnationalism were keywords used to ignite the literature search on Google scholar. Documentary reviews covered Nigeria's 1999 Constitution, digital identity policy documents, ECOWAS and AU protocols on the free movement of persons. Berkwits and Inui (1998) argue that qualitative research employs case studies and participant observation methods to present a descriptive account of a norm. In appraising Nigeria's digital identity project to achieve national, regional and continental socioeconomic integration, I draw from my personal experience as a Nigerian and case study of the European Union's Schengen Agreement.

THEORIES ON THE BOUNDARIES OF INCLUSION AND CITIZENSHIP

The phenomenon of globalization permeates international border barriers bringing about worldwide interconnectivity in all spheres of human socioeconomic and cultural interactions (O'Rourke and Williamson, 2002). In a sense, the feel of a vast world has been reduced to what is termed a "global village" (Martens et al., 2010). As a result, the trend of globalization and migration is increasingly creating multicultural societies. As the composition of peoples of modern nation-states becomes heterogeneous, there is a rising dichotomy along the lines of inclusion and exclusion on the group that should be rightly ascribed as "the people". Näsström (2007) points out that the people identity question becomes thorny in the face of border delineation for local municipalities and nation-states. As such, the legitimacy of the claimants alluding to being "founding peoples" in a given society and then having to determine the legitimacy and apportioning citizenship and residency rights of subsequent settlers is called to question (*ibid.*). Political theory scholarship finds a puzzle to justify the legitimacy of "founding peoples" claims to the extent

of this group determining the lines of inclusion and exclusion (Thomassen, 2006; Deckard and Heslin, 2016; Okamoto and Ebert, 2016; Fischer et al., 2020). Building on deductions of political theorists such as Habermas (2005) and Benhabib (2004), the premise for the founding of societies to be based on “unexamined prejudices, ancient battles, historical injustices and sheer administrative fiat” (Benhabib, 2004: 178; Habermas, 2005).

Ordinarily, residency confers rights to social rights, which provide access to living the “good life” (Macaro, 2005). However, citizenship avails a much fuller measure of demanding greater rights from the social contract, which is invisibly extant between the government and the masses (Adejumobi, 2001). Normative legal citizenship conferment identifies *jus soli* or citizenship acquisition by birth and *jus sanguinis* or citizenship acquisition by descent (Faist, 2009). However, depending on extant national laws, there could be an alternate path to citizenship by naturalization, which procedural requirement differs from country to country (Andreouli and Howarth, 2013). By this, country residents can be delineated as citizens and non-citizens. The non-citizen category is further divided into temporary and permanent residents.

The Aristotelian definition of citizenship confers judicial and political privileges on individuals within the confines of a nation-state (Deckard and Heslin, 2016). Arendt (1962) argues that the privilege to acquire political rights makes a significant difference between human and animal organizations. Therefore, citizenship confers “rights to have rights” within a sociopolitical commune (Arendt, 1962; Deckard and Heslin, 2016). Scholars have identified core attributes of citizenship as status, rights, political engagement, and identity (Bosniak, 2006; Scherz, 2013: 2). To this end, citizenship status is described as statutory obligations of individuals to the nation-state. Individuals begin to enjoy the privilege of citizenship only after fulfilling the set obligations as required by the nation-state (Weinstock, 2001). Having attained the required eligibility for citizenship, individuals are required to register and procure the necessary state-issued identity documents. This validates the status of qualified individuals as citizens and makes the state liable to provide the privileges of citizenship to such individuals (Hammar, 2018).

From Marshall's (1950) theory of citizenship, the attributive rights of citizenship are identified as civil, political and social. Civil rights come under the purview of fundamental rights necessary for preserving human dignity, as guaranteed by the state. Such include liberty rights, property ownership rights, right to justice, freedom of thought, belief and speech. Political rights allude to the right to participate in the state's political process either as an elector or by taking up political leadership positions. Social rights refer to the right to access social services provided by the state (De la Paz, 2012).

While the citizenship attributes of ‘status’ and ‘rights’ are inclusionary, lines of exclusions emerge in the other citizenship attributes of ‘political engagement’ and ‘identity’. The utmost delineation of resident categories within a state is the attribute

and right to political participation. This presents exclusionary situations wherein a category of the citizenry is limited or excluded from political involvement. Marshall's citizenship theory argues that the concept of citizenship affords equality amongst the diverse socioeconomic groupings within a state, particularly in liberal constitutional societies. Despite being a professed constitutional liberal democracy right from its founding, pre-1960 USA did not guarantee the full right to political participation of non-white racial groups. The Jim Crow laws (Klarman, 2004) notably reinforced discriminatory political and economic disenfranchisement of black American citizens who were rated as three-fifth humans (Henricks, 2017). Therefore, where such individuals are opportune to vote, they do not have one full vote. Neither can such a category of citizenry stand for elective positions. However, discriminatory exclusionary racial laws were abolished in the USA in the 1960s, following intense civil rights activity led by Martin Luther King Jr (Kotz, 2006).

Identity as an attribute of citizenship manifests as patriotic or nationalistic allegiance to the state (Weinstock, 2001). However, the identity attribute of citizenship poses substantial controversies, as presented in the concept of modern nation-states, especially for cases of colonial-created countries, in Africa. Identity is a social construct typified by ethnic, religious and cultural affiliations (Rundle, 2009). Nation-states rally around common identity constructs to define and portray a national identity. While this would be easy for homogenous nation-states, heterogeneous ones would have to acknowledge the diverse identity components to forge an inclusive national identity. Nevertheless, citizens of multi-ethnic nation-states – such as Nigeria – grapple with identity preferences torn between prime allegiance to ethnic-leaning or the nation-state. Nigeria's extant constitution defines three pathways to obtaining Nigerian citizenship: descent, registration, and naturalization (FRN, 2011).

The conferment of Nigerian citizenship by descent is on having one or both parents as citizens regardless of the country in which one is born. Acquiring Nigerian citizenship by registration can be claimed by marriage to a Nigerian citizen (in the case of a foreign woman) or through a verified claim of Nigerian grandparentage (FRN, 2011). A foreign resident may acquire Nigerian citizenship by naturalization if such person has lived in Nigeria for at least 15 years and is conversant with at least a Nigerian language and custom, has attained the age of 17, is of good character and has a veritable source of income (*ibid*).

Privileges and rights accruing from acquiring citizenship of a nation-state come with responsibilities, as required by the nation-state of its citizens. These responsibilities are encapsulated as civic and patriotic duties, including voting in elections, national or military services when required, respect and protection of national symbols and willingness to pay the supreme sacrifice for the homeland (Weinstock, 2001). Globalization and neoliberalism have evoked a new category of citizenship identity in transnational or global citizenship. This novel citizenship category recognizes the interconnectedness of nation-states, and therefore identity is tied to humanity above nation-state citizenship. This notion is iterated in the 30

articles of the United Nations Declaration on Human Rights adopted by the UN General Assembly in 1948. Article 22 of the Universal Declaration of Human Rights iterates transnational social rights as stated:

Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality (UN, 1948).

The Westphalia Treaty of 1648 initiated the concept of “sovereignty” of nation-states in the consciousness of global governance. By the emergence of independent feudal Protestant Princes in Western Europe from the Hapsburg-controlled Holy Roman Empire, it became an underpinned covenant in the sphere of international politics and diplomacy for nation-states to have absolute control over internal matters of the state devoid of external influence (Hayman and Williams, 2006). Increasing cross-border migration has opened questions on exclusive citizenship rights within sovereign nation-states. As of 2019, around 3.5% of the world's population live outside their countries of birth, with the immigration attraction tending towards high and middle-income countries (UN DESA, 2019). The case of transnational migration for voluntary and involuntary reasons would continually increase as people seek the good life for themselves.

THE EUROPEAN UNION SCHENGEN AGREEMENT

Just as Europe presented the world with the concept of sovereignty from the Treaty of Westphalia in 1648, the Schengen Agreement, which came into being in 1985, denoted an exemplary shift from unilateral sovereignty to multilateralism. The Schengen Agreement guarantees free movement between signatory countries. It is a culmination of decades of efforts at progressive European integration following the carnage and butcherdom of the Second World War between 1939 and 1945 that left all of Europe in ruins (Schengen Labour Info, 2021a). Efforts at post-World War Two European integration mirrored the 1648 Westphalia Treaty, which ended the 30-year war that ravaged much of Western Europe at the time. While seventeenth century European peace efforts guaranteed sovereignty and rights to national independence, twentieth century peace efforts recognized the need for international collaboration, integration and trade to stimulate economic growth and ensure global peace. Lessons were learnt from the post-World War One failed efforts at multilateral cooperation (Diehl, 2005). Therefore, most international institutions that emerged from post-World War Two peace sustaining initiatives, such as the World Bank, United Nations, and European Union, have stood the test of time despite challenges.

The journey to the Schengen Agreement can be traced to the Treaty of Paris of 1951 and the Treaty of Rome of 1957, which established the European Coal

and Steel Community (ECSC) and the European Economic Community (EEC), respectively. The EEC envisioned the free movement of persons across borders of member nations to foster greater economic integration. This initiative would require the synchronization of the identity database of member countries (Kurz, 2016). Although the Schengen Agreement sought to incorporate EEC (now EU) member countries to actualize the goals of the Treaty of Rome, not all EU member countries ratified the Schengen Agreement. Some non-EU member states opted to join the Schengen Agreement in the same vein. Germany, France, Luxembourg, Belgium, and the Netherlands were initial signatory countries to the Schengen Agreement. While EU member countries such as the United Kingdom (UK)³ and Ireland chose to opt-out of the Agreement, non-EU member countries such as Liechtenstein, Norway, Switzerland and Iceland (Gstöhl and Frommelt, 2017) opted into the Agreement. Aside from these EU member and non-member countries' opt-ins' and 'opt-outs' (Wang, 2016), other EU member countries have ratified the Schengen Agreement. As such, the Schengen Area covering Western Europe includes 26 countries, having a cumulative border of 50,000 km within an area of 4,312,099 km² with a population of 419,392,429 citizens (Schengen Visa Info, 2021b).

In understanding the Schengen Agreement from the perspective of political theory, the Agreement typifies multilateral cross-border integration efforts characterized by theories of liberalism, neoliberalism, intergovernmentalism, postfunctionalism and neofunctionalism (Börzel and Risse, 2018). While concepts, as applied to the Schengen Agreement, have the hallmark of integrative inclusion, Article 96 of the Schengen Treaty allows for the right of member states to temporarily suspend the implementation of the Treaty if they consider the person(s) "a threat to public policy or public security or national security" (EU, 2000: 44). Migrant concerns due to the influx of refugees fleeing the Syrian conflict and increasing waves of economic and involuntary refugees from Mediterranean crossing have tested the resolve of the Schengen Agreement (Popa, 2016). In the same vein, some Schengen member countries invoked temporary border controls in efforts to curb the spread of the COVID-19 pandemic (Linka et al., 2020).

In operationalizing the Schengen Agreement, member countries leverage digital technologies to make borders smart and avail efficient surveillance systems (Lehtonen and Aalto, 2017). To this, by the framework of the Agreement, already implemented is the Schengen Information System, a centrally accessed digital database for internal border surveillance. Other implemented Schengen digital controls are the Visa Information System (VIS) which is purposed as a platform for sharing data on visa details (EU, 2019a). The European Border and Coast Guard Agency (Frontex) manages and checks on suspicious activities, asylum and refugee migrants at the point of entry into the EU, while the European Asylum Dactyloscopy Database (EURODAC) system serves as a fingerprint repository for asylum applications (Ponzanesi and Leurs, 2014; EU, 2019b). The Lisbon Treaty and Dublin

³ The UK ceased to be an EU member from 31 January 2020.

Regulation⁴ provide the legal framework for the immigration policies within the EU and Schengen area (Blockmans and Wessel, 2009; Brekke and Brochmann, 2014). Citizens of Schengen member countries and valid Schengen visa holders are granted free movement across the international borders within the Schengen zone. To ensure standard border surveillance and control amongst member countries, the capacities of new EU member countries are ensured to be upgraded to fulfil set criteria⁵ in Article 3 of the Act on Accession of 2003 before admittance into the Schengen zone (EU, 2019b). Overall, the Schengen Agreement as an EU initiative has presented a workable example of how digital identity management can be utilized to foster multilateral economic inclusion. By ensuring newly admitted countries into the EU upgrade capacity to required standards upheld by older members in terms of labor standards, digital and personnel capacity, the Schengen zone has lived and upheld its standards over time.

NIGERIA AND CONTINENTAL INTEGRATION

On 7 July 2019, Nigeria's President Muhammadu Buhari signed the ratification of Nigeria's membership of the African Continental Free Trade Area (AfCFTA) Agreement, becoming the 34th member of the continental economic bloc. This move could be considered a reluctant one, considering Nigeria's pole position in contributing to regional and continental organizations fostering integration, peacekeeping and development. Nigeria's ratification of AfCFTA came one year late from its launch at the AU summit in January 2018, where 27 African countries signed their articles of ratification at the instant. Ironically, the Nigerian government had also shut land borders to transit goods since the last quarter of 2019, only mooting to rescind that decision before the end of 2020 (Olawoyin, 2020).

As Africa's most populous country and one of its largest economies, Nigeria has been a keen player in the formation of Pan-African integration, poised alongside regional and continental organizations such as the Economic Community of West African States (ECOWAS) in 1975 and the Organization of African Unity (OAU) in 1963 (Tella, 2018). Initiatives for Africa's economic integration were rooted in post-independence Pan-Africanist visions espoused by post-independence African leaders grouped in three ideological blocs, namely: the Monrovia bloc (comprising Nigeria, Ethiopia, Liberia, Sudan, Togo, Somalia and Sudan) advocating gradual progressive continental integration; the Casablanca bloc (comprising Guinea, Ghana, Mali, Libya, Morocco, Algeria and Mali) advocating the radical dissolution of colonial borders; and the Brazzaville Bloc (comprising other Francophone countries, chiefly Côte d'Ivoire and Senegal) insisting on maintaining socioeconomic ties with France (Gumede, 2019).

⁴ The Dublin Regulation is the EU's legal framework for dealing with asylum and refugee applications. The first Dublin convention was established in 1990 and came into force in 1997. The Dublin II regulation became operational in 2003 and Dublin III became effective in 2013.

⁵ Some of the criteria include: personal data protection infrastructure, police cooperation deportations, and border control legislation.

Drawing from the economic integration success of the EEC, the OAU, through the Lagos Plan of Action Agreement of 1980, sought to initiate Africa's economic integration, which was designated to be implemented by the continent's component Regional Economic Communities (RECs), namely: ECOWAS, the Common Market for Eastern and South Africa (COMESA), and the Economic Community for Central African States (ECCAS). Later, the Arab Maghreb Union (AMU) was established (Vhumbunu, 2015).

In 1979, ECOWAS leaders launched the ECOWAS Protocol on the free movement of persons. This Protocol allowed for unrestricted movement of citizens of ECOWAS member countries across borders of ECOWAS member countries without the need for visas for 90 days. The Protocol also availed free movement of goods and capital across borders of member countries, intending to spur economic growth. Article 27 of the Protocol envisioned an ultimate goal of "community citizenship" whereby by 2020, "community citizens" would no longer need to obtain residency permits if they choose to live in any ECOWAS member country other than their home country. The unified identity document proposed to validate community citizenship, is the ECOWAS passport. Border checks were envisaged to be eliminated, and immigration and security operatives would share information (Okunade and Ogunnubi, 2021).

On the continental front, the overarching Pan-Africanist vision, as iterated by the AU Agenda 2063, is "an integrated, prosperous and peaceful Africa" (AU, 2015: 5). Achieving this vision calls for trade liberalization and free movement of African citizens across the borders of AU member nations. To facilitate this, the AU Agenda 2063 iterates the issuance of AU passports that would replace that of member countries. The AU passport was launched at the extraordinary summit of the AU Heads of State held in Kigali, Rwanda, in 2016. The AU passport is intended to eliminate visa requirements for holders in cross-border travels amongst African nations. The AfCFTA Agreement, as launched by the AU in 2016, began to receive instruments of ratification from AU member countries at the AU summit of January 2018. Operational since 2021, it aims to liberalize trade among AU member states (Aniche, 2020). In the same vein, the AU protocol on the free movement of persons was also launched at the 2018 AU summit. This Protocol harmonizes the policy framework for the free movement of citizens of AU member states. Articles of note in the Protocol enhancing transnational citizenship are:

- Article 10: on the AU passport
- Article 11: on the use of vehicles across borders
- Article 12: on the free movement of residents of border communities
- Article 13: on the free movement of students and researchers
- Article 14: on the free movement of workers
- Article 16 on the right of residence

The implementation of the AU free movement protocol is to be in phases, with

member countries allowed to progressively adjust their migration policies to suit the desired intent of the Protocol over time (Hirsch, 2021). However, the AU free movement protocol was revised into the Migration Policy Framework for Africa as released by the AU in May 2018. The exemplary success of the EU's socioeconomic integration can be replicated in Africa through the AU's Protocol on Migration. In February 2020, the AU adopted its Digital Transformation Strategy, which is a 10-year policy framework (2020–2030). The strategy builds on the AU's extant protocols on socioeconomic integration aforementioned to “support the development of a Digital Single Market (DSM) for Africa, as part of the integration priorities of the African Union” (AU, 2020: 1). However, progress on this quest will mean that AU member states have to escalate individual digital identity programmes and synchronize and share data systems among member nations.

Nigeria's efforts and contribution to regional and continental integration – matters arising

The Nigerian government has long been at the forefront of forming regional and continental treaties to integrate ECOWAS and AU member countries. Some of the Treaties, Agreements and Declarations rolled out in Nigeria are:

- i. The 1975 Treaty of Lagos establishing ECOWAS
- ii. The 1979 ECOWAS Protocol on Free Movement of Persons – signed in Lagos
- iii. The 1980 Lagos Plan of Action
- iv. The 1991 Abuja Declaration

Despite hosting and championing regional and continental integration initiatives, the Nigerian government has sometimes tended to initiate policies that counter the initiative of regional and continental integration. For example, in 1983, just four years after ratifying the ECOWAS Protocol on the Free Movement of Persons, the Nigerian government expelled foreigners (mostly non-Nigerian ECOWAS citizens) to reduce crime and protect local industry and jobs for Nigerians (Benjamin et al., 2015). In the same vein, the Nigerian government has occasionally shut its borders with neighboring Benin to tackle smuggling (Aluede, 2017).

ECOWAS and the AU had set 2020 as the target year for operationalizing the ECOWAS' “community citizenship” and the AU's continental citizenship via the broader use of the ECOWAS and AU passports by citizens of member countries (Bettencourt, 2018). However, in 2022 this target is yet to be implemented or actualized. For security guarantees and identity verification, most countries, including those of the Schengen zone, issue biometric passports capturing mandatory features, as specified by the International Civil Aviation Organization (ICAO). Such passports would contain an electronic microprocessor chip storing the holder's digitized identity in facial, fingerprint, and iris recognition. Since 2009, the ICAO mandates international travel documents to have electronic machine-readable zones

on them (ICAO, 2021). This ensures international operability, uniformity of security features, durability and quality reliability of travel documents. Therefore, while not all African countries issue e-passports – such as Ghana, Ethiopia, South Africa, Malawi, Eritrea, and Zambia – these passports have the ICAO prescribed machine-readable zones. Even though Nigeria has completely phased out non-e-passports, the ECOWAS travel certificate, an alternate travel document within the subregion, does not contain biometric identity features of holders. Therefore, the extant use of non-electronic identity documents not having machine-readable zones for travel within the ECOWAS region yet, entrenches suspicious fears of foreign migrants as their identities cannot be digitally verified.

Nigeria's national identity scheme – matters arising

The Nigerian government is seeking ways to accelerate the digital identity enrolment of its citizenry. This is done through the issue of National Identity Numbers (NINs) after a process of biometric capture. The standard passport currently issued by the Nigerian government is compliant with ICAO specifications, and the national identity card that bears the NIN also captures the holder's biometric features. The government has sought to expand national ID enrolment by linking the use of the NIN to access government services. However, national ID enrolment remains low and inefficient.

The relevance and legitimacy of the state/local government of origin document as a normative citizenship and identity document come into question. Section 41 of the Nigerian 1999 Constitution grants rights to every Nigerian citizen “to move freely throughout Nigeria and to reside in any part thereof, and no citizen of Nigeria shall be expelled from Nigeria or refused entry thereby or exit therefrom” (FRN, 2011). While this is a *de jure* rule, contemporary Nigerian citizenship experience proves it otherwise. There is yet discrimination along ethnic lines in accessing government and social services outside one's region of ancestry. Resultant social friction and suspicion among Nigeria's multiple ethnic groups can be diffused to the barest minimum when the prime identity reference of citizens and residents is the National Identity Number. I refer to the United States Social Security Number and the South African National Identification Number, among examples from other countries where government assigned and curated digital identity numbers are used to compute and manage the welfare of the citizens and legal residents.

The *de facto* concept of Nigerian citizenship and residency as tied to ethnic affiliations is conventionally enforced through the local government of origin certificate. Although not backed by law as a legal identity document, it is required for obtaining the Nigerian Passport and National ID. The certificate is issued upon request by traditional authorities and local government councils to persons who can prove ancestry within the jurisdiction areas of the issuing authority. Studies by Fourchard (2015) and Ehrhardt (2017) reveal a widespread arbitrariness and

indiscretion⁶ in the issue of the document, which also lacks standardization. Regardless, the de facto relevance of this document is further perpetuated as one of the requirements for accessing civil service jobs, public tertiary education and government scholarships. With respect to land governance, Christopher et al. (2018) note another discriminatory manifestation wherein, in some parts of Nigeria, a settler is barred from perpetual land ownership, only holding land title on a lease, which is in contravention of the Land Use Act. It is also a weapon for excluding non-indigenes within a community from political office. According to the Act of Establishment of the Federal Character Commission, non-indigenes are excluded from holding Federal/National representative positions in their place of residency. This legal impediment contradicts constitutional legal residency provisions for Nigerian citizens and is at the heart of the residency rights debate resulting from the dichotomy of stratified Nigerian citizenship.

Effective urban governance amplifies the dilemma of legal residency and Nigerian citizenship rights. Urban centers are an agglomeration of internal and external immigrants. In most cases, the dominant population percentage of urban dwellers cannot trace historic ancestry to their current residence community. However, with the perpetuation of the local government of origin certificate as a prerequisite to benefitting from social services, a more significant percentage of the urban populace faces social and economic exclusion. The AU digital strategy asserts digital identity as a guarantee of legal protection for individuals to access the benefits of “gender equality, social protection delivery, financial inclusion, improved governance, safer migration, superior health delivery, enhanced and refugee child protection, reducing statelessness” (AU, 2020: 39).

Grappling with the dilemma of governance perpetuated by the lack of digital reference for residents, some Nigerian states like Lagos, Ondo and Oyo have mooted independent provincial residency identity registration schemes separate from the Nigerian Federal Government. For example, the Lagos State Residents Registration Agency (LASRRA) maintains a database (comprising biometric details) of Lagos State residents and issues an ID number independent of the Nigerian government's NIN (LASRRA, 2020). This LASRRA number is required to access services provided by the Lagos State government but is not linked to the Nigerian Government database of residents and citizens. Noting the dichotomy between civic and customary Nigerian citizenship and the need to respect constitutionally ascribed rights of legal Nigerian residents regardless of ethnicity, this resolves the obnoxious normative categorization of the residency status of Nigerians in any part of the country within the prism of indigenes and settlers. The legitimacy of Nigerian citizenship and residency would then be adjudged by an individual's contribution to the host community using

⁶ Fourchard (2015) identifies commodification of these certificates by issuing authorities. The nonstandardization of the certificate also makes it susceptible to counterfeiting. Applicants who may ordinarily not be eligible to obtain the certificate can beat the system by inventing a life story of their ancestry which would sound favorable to the issuing officer. Ehrhardt (2017) also notes that there are no explicit criteria to access indigeneship claims. While there are uncontested claims, the criteria ambiguity is also giving rise to 'difficult cases' from applicants.

likely tax compliance and property ownership parameters. This provides an identity framework for the Nigerian State to avail trans-national citizenship to its residents and fulfil its obligation to the ECOWAS and AU Protocol on the Free Movement of Persons.

There is an urgent need to penetrate national digital identity schemes across all African countries. More importantly, this would manage the diffused citizenship between border communities. Extant borders of Africa's nation-states are arbitrarily drawn colonial borders that take no cognizance of age-long ethnic boundaries. Identity allegiance in border communities is tied primarily to ethnic leanings above the national cause. Therefore, economic activities in border communities are linked to suspicion of smuggling, which has led to the Nigerian government occasionally shutting down its land borders.

The trend of international polity has shifted from unilateral sovereignty to multilateral cooperation as nation-states seek to benefit from the global system. This has impacted increased voluntary and involuntary migration, as individuals gravitate to seek the good life in foreign nation-states. The AU and ECOWAS Protocol on the Free Movement of Persons, and the AfCFTA, being examples of multilateral agreements to which Nigeria is a signatory, are aimed to liberalize cross-border migration and trade and ultimately ascribe "community citizenship" status to citizens of member states. The Schengen zone proved a worthy example that ECOWAS and the AU can emulate in the progression towards ascribing transnational community citizenship. A coherent, accelerated, and synchronized digitization drive in AU member states is anticipated with the recently launched AU Digital Transformation Strategy.

CONCLUSION AND RECOMMENDATIONS

Digital identity for individuals is a vital facilitator for socioeconomic, regional and continental integration. Concurrent digital identity schemes operated by some Nigerian states like Lagos should be appraised as necessary to blur the lines of stratified Nigerian citizenship. Noting its effectiveness in Lagos, it should be replicated across other Nigerian states and be enshrined in the national identity framework. This would be a key driver to perpetuate residency rights within the federalist apparatus of the Nigerian State through digital identity other than the irregular local government of origin certificate. While awaiting the implementation of AU passports to liberalize cross-border travel and trade within AU member countries, other alternate identity documents that could be utilized for intra-African travel – such as national IDs – should be upgraded to ICAO standards. AU member countries should phase out identity documents that are not biometric and lack machine-readable parts. Furthermore, there is a need for African countries to invest in and develop local digital database management infrastructure with a view to eliminating dependence on the EU and China for such. Just as obtained in the Schengen area in Frontex, a central regional and continental border control agency leveraging an AU centrally

managed database would help coordinate digital identity continentally, leveraged for immigration and customs purposes. Digital technology permeates all facets of human life; digital identity is the modality for navigating the globalized digital world.

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