Hazeez Aisha Oyelola

Communication and media studies

Social and management sciences

19/sms04/014

Political science(pol102)

 Question1: How can a Lebanese retain or lost his or her newly acquired Nigerian citizenship.

 Citizenship is a term commonly used in the social sciences to indicate different types of belonging to a political community and the rights that such belonging brings with it. Citizenship in law is defined somewhat differently, where the legal bond between the state and the individual is at the core of its meaning. This bond provides the basis for other rights, including the right to diplomatic protection by the state concerned. Neither citizenship or nationality is used to indicate the ethnic origin of the individual concerned: the terms refer only to the legal bond between a person and a state. Types of citizenship which are: citizenship by birth

ii. citizenship by descent

iii. citizenship by acquisition

 African citizenship laws: The laws governing citizenship in most African countries as in most countries in the world reflect a compromise between two basic concepts(literally, law or right of the soil) where by an individual obtains citizenship because he or she was born in a particular country,( law or right of blood) also where citizenship is Based on descent from parents who themselves are or were citizens.

 Few African countries provide for an explicit right to a nationality. Only south Africa and Ethiopia provide their constitution for a child to have a right to a nationality, and a handful of other countries establish such a right in other laws. In Ethiopia moreover the citizenship law does not comply with the constitution, failing to provide a right to nationality for a child born in the country who would otherwise be stateless.

 (1) The following are ways to gain citizenship in Nigeria

* By Birth
* By Registration
* By Naturalisation

**By birth-namely**- (a) Every person born in Nigeria after the date of independence (October 1, 1960), either of whose parents or any of whose grandparents belongs or belonged to a community indigenous to Nigeria;

* Provided that a person shall not become a citizen of Nigeria by virtue of this section if neither of his parents nor any of his grandparents was born in Nigeria.
* (b) Every person born outside Nigeria either of whose parents is a citizen of Nigeria.
* In this section, "the date of independence" means the 1st day of October 1960.
* **By registration:**  Subject to the provisions of section 28 of this Constitution, a person to whom the provisions of this section apply may be registered as a citizen of Nigeria, if the President is satisfied that -
* (a) He is a person of good character; two people to testify to that which one should a Religious minister...
* (b) He has shown a clear intention of his desire to be domiciled in Nigeria; and
* (c) He has taken the oath of allegiance prescribed in the Seventh Schedule to this Constitution.
* The provisions of this section shall apply to-
* (a) Any woman who is or has been married to a citizen of Nigeria or every person of full age and capacity born outside Nigeria any of whose grandparents is a citizen of Nigeria.
* **By naturalization:** Subject to the provisions of section 28 of this Constitution, any person who is qualified in accordance with the provisions of this section may apply to the President for the same of a certificate of naturalisation.
* No person shall be qualified to apply for the grant of a certificate or naturalisation, unless he satisfies the President that -
* \* (a) He is a person of full age and capacity;
* \* (b) He is a person of good character;
* \* (c) He has shown a clear intention of his desire to be domiciled in Nigeria;
* \* (d) He is, in the opinion of the Governor of the State where he is or he proposes to be resident, acceptable to the local community in which he is to live permanently, and has been assimilated into the way of life of Nigerians in that part of the Federation;
* \* (e) He is a person who has made or is rfcapable of making useful contribution to the advancement; progress and well-being of Nigeria;
* \* (f) He has taken the Oath of Allegiance prescribed in the Seventh Schedule to this Constitution; and
* \* (g) He has, immediately preceding the date of his application, either-
* (i) Resided in Nigeria for a continuous period of fifteen years; or
* (ii) Resided in Nigeria continuously for a period of twelve months, and during the period of twenty years immediately preceding that period of twelve months has resided in Nigeria for periods amounting in the aggregate to not less than fifteen years.

 **Deprivation of Citizenship**

* The Nigerian President can deprive a naturalised citizen of his Nigerian citizenship if such person bags an imprisonment of three years or more within a period of seven years after he was naturalised.
* The President can also deprive a registered or naturalised citizen of Nigeria of his citizenship if he is considered to be disloyal to the Federal Republic of Nigeria. This consideration would be based on his acts or speech or after due enquiry by the President in a manner stated in the regulations. Please note that the act or speech must relate to what he did or said from the records of proceedings of a court of law or tribunal established by law.
* Also, the President may deprive a citizen by registration or naturalisation of his citizenship if he trades with the enemy of Nigeria during the period of war in which Nigeria is physically involved or conducts business that is against the interest of Nigeria. This applies to both registration and naturalisation.
* Note finally that the president has the power to make regulations that are not inconsistent with the provision of the Constitution regarding the citizenship and the status of anybody subject to the rules of citizenship**.**The law requires that whatever regulations made by the president in respect of citizenship shall be laid before the National Assembly.

 LOSS OF CITIZENSHIP:

VOLUNTARY: Voluntary renunciation of Nigerian citizenship is permitted by law. Contact the Embassy for details and required paperwork.

 INVOLUNTARY: The following are grounds for involuntary loss of Nigerian citizenship: Registered or Naturalized citizen voluntarily acquires the citizenship of a foreign country. Naturalized citizen, before seven years of residence, sentenced to prison for three years or more. Registered or Naturalized citizen is convicted of acts of disloyalty to the Federal Republic of Nigeria.

2. social contract theory explains the evolution of states, what other theories explain the same and their strengths.

 **The Genesis of Divine Origin Theory:**

The oldest theory about the origin of the state is the divine origin theory. It is also known as the theory of divine right of Kings.

The exponents of this theory believe that the state did not come into being by any effort of man. It is created by God.

The King who rules over the state is an agent of God on earth.

The King derives his authority from God and for all his actions he is responsible to God alone. Obedience to the King is ordained to God and violation of it will be a sin. The King is above law and no subject has any right to question his authority or his action.

 **Value of the Divine Theory:**

Although the divine theory is totally discredited as an origin of the state, there are some good things in it. The summum of the theory is that it stimulated discipline and law-abidingness among the subjects at a time when these were the needs of the hour in those anarchical conditions. This theory also created the moral responsibility of the rulers, because they were cast with a divine injunction to rule to the perfect satisfaction of the heaven. During the large part of human history the state was viewed as direct divine creation.

-Early oriental empires rulers claimed a divine tight to control the affairs of their subjects and this right was seldom questioned.

-The Hebrews believed – divine origin

- Spat between State Concept & Christianity Pope

 **Force Theory of Origin of the State:**

Another early theory of the origin of the state is the theory of force.

The exponents of this theory hold that wars and aggressions by some powerful tribe were the principal factors in the creation of the state.

They rely on the oft-quote saying **“war begot the King”** as the historical explanation of the origin of the state.

The force or might prevailed over the right in the primitive society. A man physically stronger established his authority over the less strong persons. The strongest person in a tribe is, therefore, made the chief or leader of that tribe.

After establishing the state by subjugating the other people in that place the chief used his authority in maintaining law and order and defending the state from the aggression from outside. Thus, force was responsible not only for the origin of the state but for development of the state also.

**The theory of force, though untenable as an explanation of the origin of the state, has some redeeming features:**

First, the theory contains the truth that some states at certain points of time were definitely created by force or brought to existence by the show of force. When the Aryans came to India they carried with them weapons of all kinds and horses to use in the war against the non-Aryans and by defeating the non-Aryans they carved out a kingdom in India.

later on, the Aryans sprawled their kingdoms and broad-based their government and ruled with the backing of the people.

Secondly, the other silver lining of the theory is that it made the slates conscious of building adequate defence and army to protect the territorial integrity of the state. That is why we find commanders of war or Senapati as an important post in the ancient kingdoms.

In the modern state, we find a substantial amount of money used on defence budget. Every state in the modern world has got a defence minister which unmistakably recognises the use of force in modern statecraft too.

**The state came into existence as a result of the**

**forced subjection of the weak to the strong.**

 **Two arguments in force theory**

**(1) One group of thinkers used this theory to**

**justify the state on the ground that the state is**

**power, that might make right and that the**

**essence of the state is a sovereign will**

**(2) Second group, to attack the state because of its**

**injustice and urge individual freedom and**

**limited state action**

 **The Social Contract Theory:**

**Genesis of the Theory:**

The most famous theory with regards to the origin of the state is the social contract theory. The theory goes to tell that the stale came into existence out of a contract between the people and the sovereign at some point of time.

According to this theory, there were two divisions in human history – one period is prior to the establishment of the state called the **“state of nature”** and the other period is one subsequent to the foundation of the state called the **“civil society”**. The state of nature was bereft of society, government and political authority. There was no law to regulate the relations of the people in the state of nature.

There were three exponents of this theory. They were Thomas Hobbes, John Locke and Jean-Jacques Rousseau who differed about the life in the slate of nature, reason for converting the state of nature to civil society and the terms of the contract. They all, however, agreed that a stage came in the history of man when the state of nature was exchanged with civil society to lead a regulated life under a political authority.

**Nature of Social Contract Theory:**

According to the social contract theory the state was the creation of the people living in a state of nature which was a lawless and order-less system. The slate of nature was controlled by unwritten laws prescribed not by men but by nature. The exponents of the theory gave conflicting views about the nature of the state of nature. Some considered it gloomy, while others painted it as bright like paradise.

For some reasons the people did not like the system and terminated it by an agreement to save one man from the rapacity of the other. The nature-made laws were replaced by man-made laws. The originally independent people subordinated themselves to the will of either the whole community or a particular person or a group of persons. The three proponents of the theory interpreted the theory in their own way.