NAME: OYEBANJI OLAJUMOKE ABIGAIL

MATRIC NUMBER: 19/LAW01/233

COURSE TITLE: CITIZENSHIP AND THE STATE II

COURSE CODE: POL 102

COLLEGE: LAW

QUESTION

1. How can a Lebanese retain or lose his or her new acquired Nigerian citizenship?
2. Social Contract Theory explains the evolution of states, what other theories explain the same, and their strengths.

ANSWER

1. Citizenship can be defined as the position or status of being a citizen of a particular country. It is also the status of a person recognized under the custom or law as being a legal member of a sovereign state or belonging to a nation. The idea of citizenship has been defined as the capacity of individuals to defend their rights in front of the governmental authority.

 Moreover, there are various ways through which one can be a citizen of a particular country. Take for instance Nigeria. The ways to obtain citizenship in Nigeria includes;

1. By birth
2. By registration
3. By naturalization

 The Nigerian nationality law allows dual nationality of people of Nigerian descent either through birth or parentage. They are also allowed to hold public office in Nigeria. Though some in Nigerian feel that dual nationality damages nationality unity of the country. As a Lebanese, you can lose your newly acquired Nigerian citizenship either voluntary or involutionary.

 Voluntary renunciation of Nigerian citizenship is permitted by law. Contact the embassy for details and required paperwork. For the involuntary loss of citizenship;

1. Registered or Naturalized citizen voluntarily acquires the citizenship of a foreign country.
2. Naturalized citizen, before seven years of residence, sentenced to prison for three years or more.
3. Registered or Naturalized citizen is convicted of acts of disloyalty to the federal republic of Nigeria.

 So therefore, from the above points, it can be deduced that a Lebanese can lose his newly acquired Nigerian citizenship I he or she violated any of the rules.

1. Apart from the social contract theory, there are four other theories that explains the evolution of the state. They include;
2. The Divine Right Theory
3. Evolutionary Theory
4. The force Theory
5. The Patriarchal and matriarchal theory
6. THE DIVINE RIGHT THEORY

 The oldest theory about the origin of the state is 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 rules over the state is an agent 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. The King is responsible of God alone. This theory prevailed in the old age when religion and politics were combined in the person of the King. In ancient India, the king ruled over the people according to the injunction of the Dharma, which stood for both religion and politics.

 Both the church and the state in their mutual rivalry used the theory of the divine origin in the medieval age. The church asserted the supremacy of the church over the state. On the other hand, the state because of its divine nature emphasized on its supremacy over the church. Be that as it may, during a large part of human history the state was viewed as direct divine creation and theocratic in nature. The theory was in currency so long as religion was considered to be the chief motive force of all human activities. The divine origin theory is dangerous as it justifies the arbitrary exercise of royal authority by holding that authority has a religion sanction and origin and kings are the vicars of God.

1. THE FORCE THEORY

 Force theory of origin of the state is another fallacious theory, but historically important, which is offered as an explanation of the origin and meaning of the state. The theory of force emphasizes the origin of the state in the subordination of the weak to the strong. The advocates of the theory argue that man, apart from being a social animal is bellicose by nature. There is also a lust for power in him. The state was born of force. Based upon the idea that one person/small group claimed control over an area and forces everyone within that area to submit to their rule. Once their rule was established, all four characteristics of the state were present.

 In middle ages, theologians argued that, the state was based upon force and injustice and decried the origin of earthly sovereignty in order to subordinate temporal to spiritual power. Individualist and anarchist believe that the state is evil because of their desire for individual freedom. Socialist believe that, the state resulted from the aggression and exploitation of laborers by capitalist and attack, not the idea of the state itself. There are two arguments in force theory; I. 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. II. Second group, to attack the state because of its injustice and urge individual freedom and limited state action. Although force theory is the way that most western countries have been formed, it is not the only way. An alternative to force theory is what is known as social contract theory, which is when a group of people living in the same area agree to follow certain rules and expectations in order for their society to remain stable.

 Another important element of force theory is colonization, which is a process in which people from another country come into a new area and set up a community. Though colonization doesn’t necessarily involve the use of force, historically it has led to the use of force.

1. THE EVOLUTIONARY THEORY

 State is a product of history. It was formed by social evolution. This theory tells us that state was formed as a result of several social circumstances and it reached its present form through the process of evolution. State started as tribe, tribal administration and later developed as city states, empire states and feudal states. Today states are commonly known as Nation states because they are formed on the basis of a feeling of nationalism. The theory which explains and is now accepted as a convincing origin of the state is the Historical or evolutionary theory. It explains the state is the product of growth, a slow and steady evolution extending over a long period of time and ultimately shaping itself into the complex structure of a modern state. This theory is more scientific. The state is not a mere artificial mechanical creation but an institution of natural growth or historical evolution.

 The important factors that contributed to the growth of the state are; kinship, religion, property and defense, force, political consciousness. Of all the theories which seek to explain the origin of states, the evolutionary theory is the most satisfactory.

1. THE PATRIARCHAL AND MATRIARCHAL THEORY

 Mclennan, Morgan and Jenks are the notable exponents of matriarchal history. The matriarchal system was prior to the patriarchal system and tribe. There was no permanent institution of marriage. A woman had more than one husband and because of the uncertainty of male parentage kinship was reckoned through woman that is from mother to daughters. In the place of a family consisting of a man his wife and children, there was a large and loosely connected group called a horde or pack organized for matrimonial purposes. The matriarchal theory is more sociological than political. It seeks to explain the origin of family and not that of the state. There is no adequate proof in support of the matriarchal system as the universal and necessary beginning of the state. The patriarchal theory explains that the state originated from the patriarchal family in which the pater or father was the head.

 State is an enlargement of the family. Originally, the family consists of a man, his wife and children. The father was the head of the family and his control and authority was complete in all respect over all its members. When his children married there was expansion in the original family and it leads to establishments of new families. But the authority of the father as the head of the original family remained as before and it was duly acknowledged by all his descendants. This constitutes the patriarchal family. The chief exponent of the patriarchal theory is Sir Henry Maine.

 Modern theories show that the patriarchal family was not universal, the patriarchal theory was subjected to severe attacks. Patriarchal and matriarchal theories are in essence sociological rather than political theories. Matriarchal and patriarchal could have been prevalent in certain early societies. But it is wrong to assume that the creation of state was occasioned by these systems. There was no substantial proof to support the universal validity of these theories.