

Ganiyu Omotolani Zainab

19/law01/102

Political science

**A) How can a Lebanese retain or lose his or her newly acquired Nigerian citizenship?**

How a Lebanese can lose his newly acquired Nigerian citizenship.

Subject to the provisions of chapter 111 of the constitution of the federal republic of Nigeria, a person shall forfeit his Nigerian citizenship if not being a citizen of Nigeria by birth, he acquires or retains the citizenship or nationality of a country, other than Nigeria, of which he is not a citizen by birth.

Any registration of a person as a citizen of Nigeria or the grant of a certificate of naturalisation to a person who is a citizen of a country other than Nigeria at the time of such registration or grant, shall if he is not a citizen by birth of that other country, be conditional upon effective renunciation of the citizenship or nationality of that other country within a period of not more than five months from the date of such registration or grant.

The president shall deprive a person, other than a person who is a citizen of Nigeria by birth, of his citizenship if the person has shown himself by act or speech to be disloyal towards the federal republic of Nigeria

The person has, during any war in which Nigeria was engaged, unlawfully traded with the enemy or been engaged in or associated with any business that was in the opinion of the president carried out in such a manner as to assist the enemy of Nigeria in that war, or unlawfully communicated with such enemy to the detriment or intent to cause damage to the interest of Nigeria.

How a Lebanese can retain or maintain his newly acquired Nigerian citizenship

A noncitizen can retain his Nigerian citizenship if he does the following:

- 1) Being patriotic: patriotism is having and showing devotion for your country. It means having an attachment to certain national cultural values and showing critical loyalty to your nation. Patriotism includes

- Brushing up on Nigeria's history
  - Obeying the rule of law and abiding by the principles of the constitution of federal republic of Nigeria
  - Payment of tax as at when due
  - Learning the Nigerian national anthem
  - Flying the Nigerian flag
  - Cheering for the country's team in sports events.
1. By modelling the personal qualities of a good citizen which includes:
    - Honesty
    - Integrity- being morally upright
    - Responsibility – being accountable for oneself and actions
    - Compassion- showing fellowship with compatriots who are down on their luck by volunteering and making donations to charity
    - Love of justice- being fair and ask that others be so as well.
  2. By being a productive member of society: a foreigner can retain his Nigerian citizenship by being a productive member of the society which can include being a productive employee, business owner, artists, public servants, care givers, and so on.
  3. By participating in the country's politics: a Lebanese can retain his Nigerian by being politically active

**B) Social contract theory explains the evolution of states, what other theories explain same, and their strengths.**

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. The King is responsible of God alone.

The conception of the divine creation of the state may be traced back to remote antiquity. It was a universal belief with the ancient people that the King is the representative of God on earth and the state is a bliss of God. Thus, the King had both political and religious entity. In the religious books also, the state is said to be created by God. In some religions this conception is explicit, but in others it is implicit.

The divine origin of the state is gleaned first the Old Testament of the Bible. There we find St. Paul saying- "Let every soul be subject unto the higher powers; for there is no power but of God; the powers that be, are ordained by God. Whosoever resist the power, resisted the ordinance of God and they that resist shall receive to themselves damnation."

This theory prevailed in the old age when religion and politics were combined in the person of the King. In ancient India the Kings ruled over the people according to the injunction of the Dharma, which stood for both religion and politics. In the medieval period, the Christians held the Pope in semi-God status. In the Muslim world, the Caliph was the Priest-King. The Dalai Lama was the head of the Theocratic state of Tibet. He was considered there as the incarnation of the Buddhist god Avalokitesvara.

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.

The Stuart King James I claimed that he derived his authority directly from God. According to him, the King is wise and intelligent, but his subjects are wicked.

The divine theory believes that even if the King is bad, the people have no right to rebel against him. Even in the nineteenth century the Kings of Austria, Prussia and Russia formed the Holy Alliance under the notion that they were appointed by God to rule over their people. Anyway, the European Kings took shelter under the divine origin theory in order to justify their dictatorships.

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.

In the twentieth century this, theory came under criticism being an incorrect explanation of the origin of the state.

With the growth of scientific outlook, the divine theory faded into oblivion. Today's trend is that the state is a historical growth. As an origin of the state, the divine right theory is no longer alive. It is a defunct dogma. The emergence of the social contract theory which held the wishes of the people in high note dwarfed the godly wishes in the creation of the state. When human activities were considered the motive force of the state, the divine one receded to the background and finally vanished away.

#### strength 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 highest good 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.

#### The Patriarchal Theory as the Origin of the State:

The principal exponent of this theory is Sir Henry Maine. According to him, the city is a conglomeration of several families which developed under the control and authority of the eldest male member of the family. The head or father of the patriarchal family wielded great power and influence upon the other members of the family. His writ was carried out in the household. This patriarchal family was the most ancient organized social institution in the primitive society. Through the process of marriage, the families began to expand and they gave birth to gens which stands for a household. Several gens made one clan. A group of clans constituted a tribe. A confederation of various tribes based on blood relations for the purpose of defending themselves against the aggressors formed one commonwealth which is called the state.

Sir Henry Maine's analysis of the growth of the state is- "The elementary group is the family connected by the common subjection to the highest male ascendant. The aggregation of families forms the gens or the houses. The aggregation of houses makes the tribe. The aggregation of the tribes constitutes the commonwealth."

Edward Jenks who is the other advocate of the patriarchal theory is of the view that the foundation of the state was caused by three factors, namely male kinship, permanent marriages and paternal authority. Thus, the salient feature of the patriarchal theory is that the families grew through the descendants of the father, not the mother. The male child carried on the population through marriages with one or several women, because both monogamy and polygamy were the order of the day. The eldest male child had a prominent role in the house.

Another important supporter of this theory was Aristotle. According to him- "Just as men and women unite to form families, so many families unite to form villages and the union of many villages forms the state which is a self-supporting unit". As for documentary evidence in support of this theory, there were twelve tribes who formed the Jewish nation as we gather from the Bible. In Rome, we are told that the patriarch of three families that made one unit exercised unlimited authority over the other members.

#### Strength of the patriarchal theory

Sir Henry Maine is the chief advocate of the patriarchal theory. He defines it as theory of the origin of society in separate families, held together by the authority and protection of the eldest male descendant. The patriarchal theory traces the origin of the state in a patriarchal family.

### The Matriarchal Theory as the Origin of the State:

The chief exponents of the matriarchal theory are Morgan, McLennan and Edward Jenks. According to them, there was never any patriarchal family in the primitive society and that the patriarchal family came into existence only when the institution of permanent marriage was in vogue. But among the primitive society, instead of permanent marriage there was a sort of sex anarchy. Under that condition, the mother rather than the father was the head of the family. The kinship was established through the mother.

This matriarchal system continued until the advent of the pastoral age when the permanent marriage was introduced. We find the existence of the Queen ruling over in Malabar and the princesses ruling over the Maratha countries. These are examples of the matriarchal systems of life.

### 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-quoted 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.

History also supports the force theory as the origin of the state. According to Edward Jenks:

"Historically speaking, there is not the slightest difficulty in proving that all political communities of the modern type owe their existence to successful warfare." As the state increased in population and size, there was a concomitant improvement in the art of warfare. The small states fought among themselves and the successful ones made big states. The kingdoms of Norway, Sweden and Denmark are historical examples of the creation of states by the use of force. In the same process, Spain emerged as a new state in the sixth century A.D. In the ninth century A.D. the Normans conquered and established the state of Russia.

The same people established the kingdom of England by defeating the local people there in the eleventh century A.D. Stephen Butler Leacock sums up the founding of states by the use of force in these words:

“The beginnings of the state are to be sought in the capture and enslavement of man-by-man, in the conquest and subjugation acquired by superior physical force. The progressive growth from tribe to kingdom and from kingdom to empire is but a continuation from the same process.”

The force theory is based on the well-accepted maxim of survival of the fittest. There is always a natural struggle for existence by fighting all adversaries among the animal world. This analogy may be stretched to cover the human beings.

#### Strength of the force theory

The other silver lining of the theory is that it made the states conscious of building adequate defense 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.

#### Marxian Theory of Origin of the State:

The Marxists are of the view that the state is a creation by the class-struggle with the help of force. The Marxists began with the primitive society where there was no surplus wealth to quarrel with and so there was no state. With the passing of time, society was getting split over hostile classes with conflicting interests. This class antagonism was the root cause of the state. When agriculture was learnt as an art of culture there was ample food which resulted in private property. The insoluble contradictions as a result of division of labor became so acute that it was not possible for any class to keep reconciled in the state or to keep the quarrelling classes under control.

The most dominant class that controlled the mode of production came to establish the state to ensure its dominance over the other classes who did not own the modes of production. The state thus became an instrument of domination and oppression of one class over the other classes.

Thus, the state came in to ensure the right of the dominant class to exploit the other classes. As the dominant classes kept on changing hands so also changed the character of the state. So, V. G. Afanasyev in his book Marxist Philosophy maintained that the state was not imposed from outside, but it was a product of society's internal development at a certain stage of

development. With the break-up of the social order ensued class-conflict which the society became powerless to dispel.

Emphasizing the economic factor as the key element in the class struggle, Fredrich Engels observed- "But in order that these antagonisms, classes with conflicting economic interests, might not consume themselves and society in sterile struggle, a power seemingly standing above society became necessary for the purpose of moderating the conflict, of keeping it within the bounds of 'order' and this power, arisen out of society, but placing itself above it and increasingly alienating itself from it is the state."

The state was the medium of the economically dominant classes. V.I. Lenin developed on the above thesis by bringing the communist party as the dominant class, namely the proletariat and his state, namely the USSR where the proletariat was the dominant class which was to exploit the other classes. Lenin also emphasized on the element of force to be resorted to by the proletariat against the bourgeois. Thus, Lenin incorporated the element of force too in the creation of the state.

The Italian Marxist, Antonio Gramsci made a little departure from the Marxist tenet by stating that a state is the creation of the political party that holds on power. According to him, the political party is the "modern prince", evidently using the expression of N. Machiavelli. He went to the extent of asserting that the party represents the national popular collective will and aims at the realization of a higher and total form of modern civilization. Here we find that the author is more in agreement with the German idealist Hegel than the Marxists.

#### Strength of the marxician theory

It tends to create a system of true equality. Although Marxism's system of government is considered as communism, it places an emphasis on human rights, with its foundation encompassing equal gender roles, health care and access to education. As Marx believed, there should be equality before the law and societal services, where everyone has an equal stance and opportunity with no dominant gender. This means that every person would be able to get access to the most important things he needs regardless of whatever he does, wherever he lives or how much he makes to provide a better living for those depending on him.

Also, it offers benefits to the society. If you look at the Marxist theory, it considers society as a whole, which means that it acknowledges all the social forces involved, including the power interests of different groups. Stressing the role of class struggle or conflict within society between the bourgeoisie and the proletariat, it is effective in explaining change in society. In essence, it organizes society under capitalism, where the bourgeoisie tends to maximize profit with the proletariat.





