

NAME: UGBOR FAVOUR EZINNE  
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### ASSIGNMENT

1. How can a Lebanese retain or lose his or her newly acquired M
2. Social Contract Theory explains the evolution of states, what c  
the same, and their strengths.

### ANSWERS

Firstly, Nigerian nationality law is the law of Nigeria which conce  
and other categories of Nigerian nationality

Lebanese nationality law governs the acquisition, transmission a  
citizenship. Lebanese citizenship is the status of being a citizen o  
be obtained by Birth or naturalization . Lebanese nationality is tra  
(father) Therefore, a Lebanese man who holds Lebanese citizens  
confer citizenship to his children and foreign wife (only if entered  
Register in the Republic of Lebanon). Under the current law, des  
emigrants can only receive citizenship from their father and wom  
citizenship to their children or foreign spouses.

Loss of citizenship, also referred to as loss of nationality, is the e  
Citizen of  
a country under the nationality law of that country. It is a blanket  
involuntary loss of citizenship, such as through denaturalization a  
renunciation of citizenship.

Lebanese nationality law governs the acquisition, transmission a  
citizenship. Lebanese citizenship is the status of being a citizen o  
be obtained by birth or naturalization. Lebanese nationality is tra  
(father) (see Jus sanguinis).[1] Therefore, a Lebanese man who  
citizenship can automatically confer citizenship to his children an  
entered in the Civil Acts Register in the Republic of Lebanon). Un  
descendants of Lebanese emigrants can only receive citizenship  
women cannot pass on citizenship to their children or foreign spo

On 12 November 2015, the Parliament of Lebanon approved a d  
allow "foreigners of Lebanese origin to get citizenship", [3] the M

and Emigrants Gebran Bassil announced on 5 May 2016 the beginning of the implementation of citizenship law for Lebanese diaspora.

Article 6 of the 23 May 1926 Lebanese Constitution, as amended in 1990, stipulates that "the Lebanese nationality and the manner in which it is acquired and lost, shall be determined according to the law." (Constitution of Lebanon, 1990)

According to Citizenship Laws of the World, a person who wishes to renounce Lebanese citizenship is required to send a letter of renunciation to the Lebanese embassy or consulate (U.S. Office of Personnel Management, 2003). The embassy or consulate will send the letter of renunciation to the Ministry of Interior and will notify the applicant of the decision (ibid.).

This information was corroborated by a representative of the Embassy of Lebanon in Ottawa, in an 18 September 2003 telephone interview.

In his book entitled *Citizenship and the State: A Comparative Study of Legislation in Israel, Jordan, Palestine, Syria and Lebanon*, Uri Davis (1997) states that the loss of Lebanese citizenship is regulated under the Law (Lebanese Decree no. 10828 of 31 January 1946, as amended by Decree no. 10828 of 9 October 1990). Whereas until the promulgation of Decree 10828 it was possible for a Lebanese citizen to take foreign citizenship without losing his Lebanese citizenship, after the amendment authorized to do so by a certificate issued by the head of State – (Article 8), after the said amendment, a Lebanese citizen is both required to obtain authorization by Decree issued by the head of State to take a foreign citizenship and loses his Lebanese citizenship in the event that he does so (article 8). In reality, such decrees are taken very often to facilitate the acquisition of foreign nationality. Subsequently, after such an acquisition, another Decree is issued at the request of the same person, cancelling the first Decree, resulting in the citizen retaining Lebanese nationality (Davis 1997, 155).

In addition, the author also quotes Article 2 of Decree No. 10828 of 9 October 1990: "any person of Lebanese origin who is resident outside Lebanon and who has renounced Lebanese citizenship, may, in the event that he had permanently acquired another nationality, apply to be counted as Lebanese and the Cabinet ... is authorized to grant that effect" (1997, 157).

This Response was prepared after researching publicly accessible information that was available to the Research Directorate within time constraints. This Response does not purport to be, conclusive as to the merit of any particular claim for refugee status or asylum.

Rights and responsibilities of Lebanese citizens

Rights of citizens

Citizens of Lebanon have by law the legal right to:

- Live freely in Lebanon without any immigration requirements (ibid.)
- Gain access to free education covering primary, secondary and tertiary levels (ibid.)
- Receive all health-care benefits at any public health institution (ibid.)

- Participate in the Lebanese political system
- Benefit from the privileges of the free trade market agreements with many Arab countries
- Get exempted from taxes with no condition of reciprocity
- Own and inherit property and values in Lebanon
- Enter to and exit from Lebanon through any port
- Travel to and from other countries in accordance with visa requirements
- Seek consular assistance and protection abroad by Lebanon through its embassies and consulates abroad.

#### Responsibilities of citizens

All Lebanese citizens are required by law, when required by the Lebanese Armed Forces, or to perform work of national importance under certain conditions.

#### The code

The code covering the Lebanese nationality was issued in 1926.

#### Acquisition of Lebanese citizenship

##### Jus sanguinis

A child born to a Lebanese father or whose paternity has been determined by law acquires Lebanese citizenship by descent, irrespective of the nationality of the mother, irrespective of her marital status.

A child whose Lebanese citizenship depends on paternal links loses it if those are cut.

##### By marriage

A foreign woman who marries a Lebanese man may apply for Lebanese citizenship after having been married for at least one year and their marriage is registered in the Civil Acts Register in the Republic of Lebanon. No language test is required. The wife must show integration into the Lebanese way of life, compliance with the rule of law and that she poses no danger to Lebanon's internal security.

A foreign wife of a Lebanese citizen can apply for naturalization in Lebanon after one year of marriage to a husband who is a Lebanese citizen.

The non-Lebanese husband cannot acquire Lebanese citizenship through his Lebanese woman. It has been argued that to enable the Lebanese woman to acquire Lebanese citizenship to a non-Lebanese husband would lead to a demographic imbalance in Lebanon.

#### Birth in Lebanon

Birth in Lebanon does not in itself confer Lebanese citizenship. The provisions do not apply.

#### Loss of Lebanese citizenship

##### Loss due to adoption

A Lebanese child adopted by foreign parents is considered to have lost Lebanese citizenship.

##### Annulled adoptions

Where a former Lebanese citizen lost citizenship due to adoption that adoption is later annulled, the Lebanese citizenship is considered to have been lost.

Loss due to birth abroad

A Lebanese citizen born abroad to a Lebanese father and holding another nationality loses the Lebanese citizenship at age 25 if:

- She/He has never been announced to the Lebanese authorities
- She/He has never written to the Lebanese authorities expressing a desire to retain Lebanese citizenship,
- She/He (or her/his guardians) have never sought to procure Lebanese documents for her/him, i.e. a passport or an identity card,
- Equally, the child of a person who thus loses Lebanese nationality loses Lebanese nationality,
- Exceptionally, a person who has been prevented, against their will, from taking the necessary actions to retain Lebanese citizenship may undertake such actions within a delay of one year following the cessation of such delays.

Dual citizenship

According to the Lebanese Ministry for Migration, there have been no cases of multiple citizenship in Lebanon since 1 January 1926, and for those who have acquired Lebanese citizenship and Lebanese citizens who voluntarily acquired another nationality retain their Lebanese citizenship (subject to the laws of the other country in the case before that date).

Since the nationality laws of many countries now allow both parents to pass their nationality to their common child (and not only the father, as used to be the case), many children automatically acquire multiple citizenship at birth. The Ministry especially notes that this has not created any practical problems. The most likely problem to arise, is usually done in the country where the child is born at the time of conscription. For instance, a dual Lebanese-Armenian citizen is required to do military service in Armenia, since Armenia has compulsory military service for males from 18 to 27 years old. All male dual citizens regardless of their country of origin are required to serve in the military as if they were Armenian residents with no exceptions. Most male Armenian citizens living outside of Armenia are exempted from service in the military.

Until 2007, military service in Lebanon was mandatory for men over 18 and under 27 years of age. They were required to do one year military service through age 18+. Training was mandatory whenever they had free time or time off school including summer holidays. There was also training done alongside high school. Once the new conscription system was adopted, making for a six-month service period, the old conscription system was abolished. As of 10 February 2007 mandatory military service no longer exists in Lebanon.

Even though Lebanese nationality law permits multiple citizenship, a person who also holds another country's citizenship may be required to do military service in that citizenship, under the foreign country's nationality law. A dual Lebanese citizen who also holds another country's citizenship may be required to do military service in that citizenship, under the foreign country's nationality law. A dual Lebanese citizen who also holds another country's citizenship may be required to do military service in that citizenship, under the foreign country's nationality law.

national must, for instance, make a declaration of choice, to the Ministry of Justice, before turning 22, as to whether he or she wants to keep his or her Lebanese or Japanese citizenship.

## Reforms

There is a public demand for giving the opportunity for Lebanese expatriates to reacquire their Lebanese nationality to their children and also to their husbands. There is also a demand for the Lebanese citizenship to be given to the 8-14 million diaspora of Lebanese origin living over the world.[9][10]

On 7 November 2015, Gebran Bassil, the Minister of Foreign Affairs, "refused to compromise on a draft law that would grant citizenship to Lebanese expatriates by expanding it to include the foreign spouses and children of Lebanese women".[11]

On 11 November 2015, the Lebanese Parliament and Free Patriotic Movement leader Ibrahim Kanaan stated that the ministers have agreed to pass a law titled "The Reacquisition of Lebanese Citizenship to the Descendants of Lebanese Emigrants," to grant those of Lebanese origin the nationality on the same legal procedures and legal pathways.[10][12]

On 12 November 2015, the Lebanese Parliament approved a raft of laws, including a law allowing foreigners of Lebanese origin to get citizenship.[3]

On 5 May 2016, the Gebran Bassil, the Minister of Foreign Affairs, announced the beginning of the implementation of citizenship for the Lebanese diaspora.[4][13][additional citation(s) needed] However, only grandchildren of Lebanese paternal grandfathers but not granddaughters of Lebanese maternal grandmothers to apply for citizenship.[1]

Law for descendants of Lebanese origin

Article I [14][15][16] Every natural person who meets one of the following requirements has the right to reclaim his/her Lebanese nationality:

- 1- If the records of the 1921 census at the Ministry of the Interior and the records of emigration clearly indicate that he/she or any of his/her ancestral/predecessors or next of kin to the fourth degree were present in Lebanon, as registered by the 1921 census records at the Ministry of Municipalities (that will prove the emigration to a direct paternal/ancestral origin)
- 2- If he/she or the above-mentioned ancestral predecessors or next of kin were naturalized as Lebanese citizens according to the law of naturalization of January 19, 1925, and has neglected to claim or reclaim his/her Lebanese citizenship. In other words, most emigrants required little more than their emigration papers to prove their origins.[17][18]

Article II [14][15][19] This law intends to verify the "actual presence of the applicant's relatives in the town, village or neighborhood," which an individual must prove, including the degree of kinship, along with any ownership/holding of real estate property that may have been "devised, bequeathed, or inherited

citizen.”

I swear by Almighty God that I have decided to reclaim my Lebanon of my own free will

Although bureaucratic in nature, this aspect of the law was meant to break associations with the land, a defining feature of Lebanese nationhood. His/her roots were deemed vital that, again, added a specific feature that would allow grandchildren of Lebanese paternal grandfathers to return. [1] The latest law would help Lebanese expatriates take part in future parliamentary elections by voting at Lebanese embassies abroad. Lebanese living outside the country is thought to at least double those living inside,[2] which means at least 8 million people.

Refugees in Lebanon[edit]

Excessive restrictions are in place on granting of Lebanese citizenship due to the importance of the country's demographics in the political system. [20] However, Armenian and Assyrian refugees came to Lebanon from the day southeastern Turkey, following the Armenian and Assyrian genocide. When Lebanon was formed after Ottoman rule subsided, these Armenians were given citizenship to Lebanon.[22] Also, under the Syrian-occupied government naturalized over 154,931 foreign residents, including those of Palestinian (mostly Palestinian Christians) and Syrian (mostly Sunnis and Christians) descent.[23] It was argued that the purpose of these naturalizations was to sway the elections to a pro-Syrian government. This allegation is based on how these new citizens were bussed in to vote at higher voting rates than the nationals did.[23]

Most Palestinians in Lebanon do not have Lebanese citizenship. They do not have Lebanese identity cards, are legally barred from owning property, and are barred from entering a list of desirable occupations.[25] However, some have received citizenship, mostly Palestinian Christians, however, did receive Lebanese citizenship through marriage with Lebanese nationals or by other means.[23] In 2017, the Lebanese government counted 174,000 Palestinians in Lebanon, while some estimate the number as high as 400,000.

On June 1, 2018, the notoriously anti-naturalization Lebanese president Michel Aoun[27] signed a naturalization decree granting citizenship to a large number of individuals. These individuals come from various backgrounds and many of them are in one way wealthy and have ties to Syrian president Bashar al-Assad.

## NIGERIAN NATIONALITY LAW

Nigerian nationality law is the law of Nigeria which concerns citizenship and the categories of Nigerian nationality.

(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 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;

(2) In this section, "the date of independence" means the 1st day of October, 1960.

By registration: 26. (1) 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 fact, one of whom is a Religious minister...

(b) He has shown a clear intention of his desire to be domiciled in Nigeria;

(c) He has taken the Oath of Allegiance prescribed in the Seventh Schedule to this Constitution.

(2) The provisions of this section shall apply to-

(a) Any woman who is or has been married to a citizen of Nigeria and who is of full age and capacity born outside Nigeria any of whose grandparents was a citizen of Nigeria;

By naturalization: 27. (1) Subject to the provisions of section 28 of this Constitution, a 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.

(2) No person shall be qualified to apply for the grant of a certificate of 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 presently resident, acceptable to the local community in which he is to live and has been assimilated into the way of life of Nigerians in that part of the State;

\* (e) He is a person who has made or is capable of making useful contributions 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.

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 of twenty years immediately preceding that period of twelve months in Nigeria for periods amounting in the aggregate to not less than five years.

28. (1) Subject to the other provisions of this section, a person shall acquire Nigerian citizenship if, not being a citizen of Nigeria by birth, he acquires citizenship or nationality of a country, other than Nigeria, of which he is a citizen by birth.

29. (1) Any citizen of Nigeria of full age who wishes to renounce his citizenship shall make a declaration in the prescribed manner for the renunciation of his citizenship.

(2) The President shall cause the declaration made under subsection (1) to be registered and upon such registration, the person who made the declaration shall cease to be a citizen of Nigeria.

(3) The President may withhold the registration of any declaration made under subsection (1) of this section if-

(a) The declaration is made during any war in which Nigeria is participating;

(b) In his opinion, it is otherwise contrary to public policy.

(4) For the purposes of subsection (1) of this section.

(a) "full age" means the age of eighteen years and above;

(b) Any woman who is married shall be deemed to be of full age.

30. (1) The President may deprive a person, other than a person who acquired Nigerian citizenship by birth or by registration, of his citizenship, if he is satisfied that the person has, within a period of seven years after becoming naturalized, been sentenced to imprisonment for a term of not less than three years.

(2) The President shall deprive a person, other than a person who acquired his citizenship by birth, of his citizenship, if he is satisfied from the records of proceedings in any court of law or other tribunal or after due inquiry in accordance with regulations made in that behalf that -



(a) The person has shown himself by act or speech to be disloyal to the Republic of Nigeria; or

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

31. For the purposes of this Chapter, a parent or grandparent of a person shall be deemed to be a citizen of Nigeria if at the time of the birth of that person the parent or grandparent would have possessed that status by birth if he had been born of independence; and in this section, "the date of independence" means the date assigned to it in section 25 (2) of this Constitution.

32. (1) The president may make regulations, not inconsistent with this Chapter, prescribing all matters which are required or permitted to be prescribed or necessary or convenient to be prescribed for carrying out or giving effect to the provisions of this Chapter, and for granting special immigrant status and special rights to non-Nigerian spouses of citizens of Nigeria who do not qualify for citizenship.

(2) Any regulations made by the president pursuant to the provisions of this section shall be laid before the National Assembly NIGERIA

**CITIZENSHIP:** Citizenship is based upon the Constitution of the Federal Republic of Nigeria, dated 1989. (UKC-Commonwealth Nation) Those born in Nigeria before independence, October 1, 1960, whose parents or grandparents were born in Nigeria and who were legally residing in Nigeria at the time, are considered citizens of Nigeria BY BIRTH: Birth within the territory of Nigeria does not automatically confer citizenship BY DESCENT: Child, at least one of whose parents is a citizen of Nigeria or the child's country of birth. REGISTRATION: The following persons may become citizens through registration: A foreign woman who marries a Nigerian citizen; Person who is of adult age (17), born outside Nigeria, any of whose parents was a citizen of Nigeria. A foreign child adopted by Nigerian parents. NATURALIZATION: Nigerian citizenship may be acquired upon fulfillment of the following conditions: Person is of full age (17), has resided in Nigeria for a period of 5 years, is of good character, plans to remain in Nigeria, is familiar with the language and customs, has a viable means of support, and has renounced other citizenships.

**LOSS OF CITIZENSHIP:**

**VOLUNTARY:** Voluntary renunciation of Nigerian citizenship is permitted by the president.

the Embassy for details and required paperwork. INVOLUNTARY grounds for involuntary loss of Nigerian citizenship: Registered or voluntarily acquires the citizenship of a foreign country. Naturalized citizen after seven years of residence, sentenced to prison for three years or more. Naturalized citizen is convicted of acts of disloyalty to the Federal Government.

### Dual nationality

Nigerian nationality law allows dual nationality of people of Nigerian descent through birth or parentage. They are also allowed to hold public office.

Some in Nigeria feel that dual nationality damages nationality unity.

## 2. OTHER THEORIES OF THE EVOLUTION OF STATE INCLUDING

i. DIVINE ORIGIN THEORY: Divine Theory of Origin of State, though it has a simple explanation to offer. It is a theory of political authority and the origin of the State. The State, its advocates maintain, was created and governed by His deputy or Vicegerent. It was His will that men should form a state of political society and He sent His deputy to rule over them as a divinely appointed agent and he was responsible for his actions towards the ruler was the deputy of God, obedience to him was held to be a moral duty and resistance a sin. The advocates of the Divine Origin Theory, in their view, stand above the people as well as law. Nothing on earth could limit his power. His word was law and his actions were always just and benevolent. Any act against the authority of the ruler and to characteristic his actions was considered as a crime which there was divine punishment.

ii. FORCE THEORY: Having increased the number of his followers and exercised undisputed authority, he became a tribal chief. A clan fought and a tribe against a tribe. The, powerful conquered the weak and conquest and domination continued till the Victorious tribe secured a definite territory of a considerable size under the sway of its tribal chief, himself the King. Leacock gives a matter of fact explanation of the theory. He says that historically it means that government is the outcome of force. That the beginnings of the State are to be sought in the capture and subjugation by man, in the conquest and subjugation of feebler tribes and general self-seeking domination acquired by superior physical force. The process from tribe to kingdom, and from kingdom to empire is but a continuous process. The theory, in fact, tells us that the State is primarily the result of subjugation through long continued Warfare, among primitive groups of different speaking, as Jenks says, "there is not the slightest difficulty in proving that the communities of the modern type owe their existence to successful conquest. State had been established, force, which had hitherto been utilized only against others. Was used as an instrument for maintaining internal order and for protection from any kind of external aggression. But this alone was not sufficient.

as the sinews of war and power and a bid for superiority, one State against another, eliminating the weaker and only those survived which either conquered, or no venture was made to conquer them as they were too powerful. The theory of Force, therefore, traces the origin and development of the State to conquest and justifies its authority, by the proposition that might makes right. It has, thus, four Implications. First, force is not only a historical fact but an essential feature of the State secondly, that the States were born of force and that power is their justification and *raison d'être* and, finally, that the extension of power within and without is the sole aim of the State.

iii. EVOLUTIONARY THEORY: All the five theories were analyzed and it was found that 'Origin of the State' is inadequate, incomplete, defective and speculative. It is on the ground of logic, legal, philosophical and historical defect. It is an emphasis is on the one or two facts which is insufficient to come to a definite conclusion. In this regard, Dr. Garner has aptly stated, "the state is not the work of God; nor the result of superior physical force; nor the result of human convention, nor a mere expansion of family. The state is not a mere product of an institution or natural growth of historical evolution". J W Burgess has a continuous development of human society out of a grossly primitive form through crude but improving forms of manifestation towards a perfect organization of mankind"48. According to Leacock "the state is a result of a gradual process running through out all the known ages, receiving into remote and unknown past"49. A detailed examination of the state resulted in that there were many factors which have contributed to the growth of the state. Thus, the important factors contributed to the growth of the state are: 1. Natural Instinct 2. Kinship 3. Religion 4. Property and defense 5. Consciousness Further, investigation reveals that the facts contribute to the role in attaining the constituent portion of the statehood. The method of development of community varies from each other and is different according to the stage. In regard, Sumner and Keller rightly pointed out that "As there are no sharply marked lines of demarcation between periods of evolution, the transition only, it is impossible to say at what point the state first appeared and to determine when moral becomes law or at what hour the child became a man".