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**COURSE TITLE: CITIZENS AND THE STATE**

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*QUESTIONS:*

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

*ANSWERS:*

Question 1: How can a Lebanese retain or lose his or her newly acquired Nigerian citizenship?

Making a home in another country is an issue for almost everyone, this is because there are certain things to do in a particular country that you might not be able to do in the other countries, and also there are some countries that do not allow their citizens to have dual citizenship. Dual citizenship, is a person's citizenship status, in which a person is concurrently regarded as a citizen of more than one country (in this case, two) under the laws of those countries. Colloquially, people may "hold" multiple citizenship but, technically, each nation makes a claim that a particular person is considered its national. Dual citizens enjoy certain benefits and at the same time there are disadvantages involved in dual citizenship. Benefits such as the ability to live and work freely in two countries, own property in both, and travel between the countries with relative ease. Disadvantages include the potential for double taxation, the long and expensive process for obtaining dual citizenship and the fact that you become bound by the laws of two nations. Dual citizenship happens automatically in some situations, such as when a child is born in the United States to foreign parents. Unless the parents are foreign diplomats, the child generally becomes a citizen of the United States, as well as of the parents’ home nation. Similarly, if a child of U.S. citizens is born overseas, he or she may automatically become a citizen of both the United States and the country of birth, depending on that country’s laws.

There are ways citizens can lose their citizenship of other countries. Loss of citizenship, also referred to as loss of nationality, is the event of ceasing to be a citizen of a country under the nationality law of that country. It is a blanket term covering both involuntary loss of citizenship, such as through denaturalization, as well as voluntary renunciation of citizenship.

There are generally two categories of grounds for loss of citizenship. Involuntary loss may occur due to either automatic lapse of citizenship from the citizen for failure to take some action to retain citizenship, or active withdrawal of citizenship by the country. In contrast, voluntary loss, often called relinquishment or renunciation, is initiated by the citizen. It is not always easy to make a clean distinction between the two categories: loss of citizenship due to an initial cause undertaken voluntarily (for example, voluntarily serving in a foreign military or voluntarily naturalizing as a citizen of a foreign country) could be seen either as voluntary loss or involuntary loss.

There are rules and regulations placed down by different countries to retain citizen’s citizenship, and if they go against it, they would lose it. In the case of a Lebanese, who just acquired a Nigerian citizenship, such citizenship can be retained and lost in many ways. A Lebanese can lose his newly acquired Nigerian citizenship if he/she goes against such rules, the citizenship shall be lost, but if he/she should follow the rules, such citizen would retain his/ her citizenship. I would identify below, firstly, how a Lebanese can lose a newly acquired citizenship:

1. A Lebanese can lose his/her citizenship through obtaining or acquiring the citizenship illegally in the first place, through fraud or concealment of a material fact, or willful misrepresentation.
2. Also a Lebanese could lose his citizenship through deprivation. Deprivations like:

 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.

1. Committing treason or other acts against the Nigerian government could also make a Lebanese lose his Nigerian citizenship. Not surprisingly, trying or conspiring to do things like overthrow, bear arms against, or make war on the country can result in a finding that you have given up your Nigerian citizenship automatically.

N.B: Losing your citizenship for a natural-born citizen is actually quite difficult. The law prohibits the taking of your citizenship against your will, but there are certain actions a citizen can take which are assumed to be a free-will decision that constitutes a voluntary renunciation of the citizenship. Moving to another country for an extended period of time does not constitute an act that presumes renunciation.

1. Performing some act to intentionally give up citizenship is a way of losing a newly acquired Nigerian citizenship**.** For example, some people file a formal oath of renunciation. They may perhaps because they wish to live in another country and leave that particular country. This is like a permanent way to give up your Nigerian citizenship. Giving up your Nigerian citizenship is almost always a permanent decision.
2. Lying on Your Application: As a Lebanese who acquired a Nigerian citizenship, you must complete an application process to become citizens of Nigeria. You must tell the complete truth on your application. Any deliberate lie, whether you are telling a falsehood or withholding the truth, can disqualify you from citizenship. For example, among other criteria, you must have lived in Nigeria for fifteen years before becoming a citizen. If you lie about your term of residency and the government finds out, your citizenship will be disqualified because you never should have been a citizen in the first place.
3. Owing Allegiance to Another Country: A Lebanese can be stripped of their Nigerian citizenship if the government feels that you have abandoned your Nigeria residence. This happens if you demonstrate your voluntary allegiance to another country. For example, you might become a naturalized citizen of another country with the intent of renouncing Nigeria citizenship. You could also lose your citizenship by swearing an oath of allegiance to another country, such as if you are working for the government of a foreign nation or voluntarily serving in the military of a foreign country if that country is at war with Nigeria. This does not mean you cannot be a citizen of Nigeria and also a citizen of another nation; you can. This is known as dual citizenship as we have learnt earlier on.
4. There are also voluntary and involuntary ways to lose citizenship: Voluntary renunciation of Nigerian citizenship is permitted by law. Anyone who wishes to voluntarily lose his/her citizenship can contact the Embassy for details and required paperwork. Involuntary on the other hand, requires the following grounds for loss of Nigerian citizenship involuntarily; 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.

So, unless something on the above list fits you, being a Lebanese should not affect your newly acquired Nigerian citizenship.

To retain your Nigerian citizenship as a Lebanese, you simply need to follow the rules and regulation and not do everything stated above (things to do to lose your citizenship).

Question 2: Social Contract Theory explains the evolutions of states, what other theories explain the same, and their strengths.

The state has no specific definition, therefore, there is no academic consensus on the most appropriate definition of the state. The term "state" refers to a set of different, but interrelated and often overlapping, theories about a certain range of political phenomena. The act of defining the term can be seen as part of an ideological conflict, because different definitions lead to different theories of state function, and as a result validate different political strategies. According to Jeffrey and Painter, "if we define the 'essence' of the state in one place or era, we are liable to find that in another time or space something which is also understood to be a state has different 'essential' characteristics". Different definitions of the state often place an emphasis either on the ‘means’ or the ‘ends’ of states. Means-related definitions include those by Max Weber and Charles Tilly, both of whom define the state according to its violent means. For Weber, the state "is a human community that (successfully) claims the monopoly of the legitimate use of physical force within a given territory” (Politics as a Vocation), while Tilly characterizes them as "coercion-wielding organizations" (Coercion, Capital, and European States).

The state as a whole has a lot of theories, which explains the state in different lights. In my write up, I would be dwelling extensively more on the social contract theory. It is a theory recognized and used by many, it explains the evolutions of the states. There are other theories that shed light on the evolution of the state, it will be discussed here, alongside their strengths. The Social Contract is a theory or model that originated during the Age of Enlightenment and usually concerns the legitimacy of the authority of the state over the individual. Social contract arguments typically posit that individuals have consented, either explicitly or tacitly, to surrender some of their freedoms and submit to the authority (of the ruler, or to the decision of a majority) in exchange for protection of their remaining rights or maintenance of the social order. The relation between natural and legal rights is often a topic of social contract theory. The term takes its name from *the social contract.* (French: *Du contrat social ou Principes du droit politique*), a 1762 book by Jean-Jacques Rousseau that discussed this concept. Although the antecedents of social contract theory are found in antiquity, in Greek and Stoic philosophy and Roman and Canon law, the heyday of the social contract was the mid-17th to early 19th centuries, when it emerged as the leading doctrine of political legitimacy.

The starting point for most social contract theories is an examination of the human condition absent of any political order (termed the "state of nature" by Thomas Hobbes). In this condition, individuals' actions are bound only by their personal power and conscience. From this shared starting point, social contract theorists seek to demonstrate why a rational individual would voluntarily consent to give up their natural freedom to obtain the benefits of political order. Prominent of 17th- and 18th-century theorists of social contract and natural rights include Hugo Grotius (1625), Thomas Hobbes (1651), Samuel Von Pufendorf (1673), John Locke (1689),Jean-Jacques Rousseau (1762) and Immanuel Kant (1797), each approaching the concept of political authority differently. Grotius posited that individual humans had natural rights. Thomas Hobbes famously said that in a "state of nature", human life would be "solitary, poor, nasty, brutish and short". In the absence of political order and law, everyone would have unlimited natural freedoms, including the "right to all things" and thus the freedom to plunder, rape and murder; there would be an endless "war of all against all". To avoid this, free men contract with each other to establish political community (civil society) through a social contract in which they all gain security in return for subjecting themselves to an absolute sovereign, one man or an assembly of men. Though the sovereign's edicts may well be arbitrary and tyrannical, Hobbes saw absolute government as the only alternative to the terrifying anarchy of a state of nature. Hobbes asserted that humans consent to abdicate their rights in favor of the absolute authority of government (whether monarchical or parliamentary). Pufendorf disputed Hobbes's equation of a state of nature with war. Alternatively, Locke and Rousseau argued that we gain civil rights in return for accepting the obligation to respect and defend the rights of others, giving up some freedoms to do so.

The central assertion that social contract theory approaches is that law and political order are not natural, but human creations. The social contract and the political order it creates are simply the means towards an end—the benefit of the individuals involved—and legitimate only to the extent that they fulfill their part of the agreement. Hobbes argued that government is not a party to the original contract and citizens are not obligated to submit to the government when it is too weak to act effectively to suppress factionalism and civil unrest. According to other social contract theorists, when the government fails to secure their natural rights (Locke) or satisfy the best interests of society (called the "general will" by Rousseau), citizens can withdraw their obligation to obey, or change the leadership through elections or other means including, when necessary, violence. Locke believed that natural rights were inalienable, and therefore the rule of God superseded government authority, while Rousseau believed that democracy (self-rule) was the best way to ensure welfare while maintaining individual freedom under the rule of law. The Lockean concept of the social contract was invoked in the United States Declaration of Independence. Social contract theories were eclipsed in the 19th century in favor of Utilitarianism, Hegelianism and Marxism; they were revived in the 20th century, notably in the form of a thought experiment by John Rawls.

Theories of the social contract differed according to their purpose: some were designed to justify the power of the sovereign, while others were intended to safeguard the individual from oppression by a sovereign who was all too powerful. According to Hobbes (Leviathan, 1651), the state of nature was one in which there were no enforceable criteria of right and wrong. People took for themselves all that they could, and human life was “solitary, poor, nasty, brutish and short.” The state of nature was therefore a state of war, which could be ended only if individuals agreed (in a social contract) to give their liberty into the hands of a sovereign, who was thenceforward absolute, on the sole condition that their lives were safeguarded by sovereign power.

Although similar ideas can be traced to the Greek Sophists, social-contract theories had their greatest currency in the 17th and 18th centuries and are associated with such philosophers as the Englishmen Thomas Hobbes and John Lock and the Frenchman Jean-Jacques Rousseau, as mentioned earlier. What distinguished these theories of political obligation from other doctrines of the period was their attempt to justify and delimit political authority on the grounds of individual self-interest and rational consent. By comparing the advantages of organized government with the disadvantages of the state of nature, they showed why and under what conditions government is useful and ought therefore to be accepted by all reasonable people as a voluntary obligation. These conclusions were then reduced to the form of a social contract, from which it was supposed that all the essential rights and duties of citizens could be logically deduced.

Social contract theory just like other theories has its strengths and weaknesses. Social contracts are imagined constructs of JS Mill, Thomas Hobbes and John Locke. All assumed societal relations are formed based on the fiduciary principle of exchange: I protect your rights, and you protect mine basically. The problem is that, resources are allocated un-evenly throughout. Invariably, the richer and powerful people would demand that their rights or way of life be protected first. US Constitution, for example, sought to protect the rights of the landed gentry before those of the slaves; whose rights had to be redeemed and protected literally 100 years later. Social contract theory, therefore, cannot correct any of these imbalances that exist between the different classes of people. It can only reinforce them; often leading to more embedded conflict, animosity and latent anger, all of which still make societies extremely unhappy even if there is no open conflicts and warfare. But because social contract is self-serving and self-righteous, those that try to challenge it are often struck down, or, accused of being anti-social. More psychic injury is therefore inflicted, as social contract is perennially maintained.

The general idea behind social contract theory is that humans enter into a social contract when they form societies, and thereby agree to trade some amount of the liberty they had in “a state of nature” for order and protection within a group (they elect to limit liberty and embrace civil law to avoid “a state of war”).

The Family and the Social Contract: The simplest example of a social contract, according to Rousseau, Filmer, and others is the family. We all must trade liberty for order when we enter into the implicit social contract of a family. Using this simple example helps us to empirically understand the difference between nature and civil society.

Take note: Filmer uses “the first family” (Adam and Eve) to justify a patriarchal society where the King has “Divine Right“, Hobbes does away with the Divine Right argument but argues for Absolute Right, but Locke argues that the father does not have either divine or absolute natural right over his family.

The General Will of a Sovereign People and their Government as their Will-in-Action: According to Rousseau, all the citizens of a state are sovereign. This sovereign body has a “general will“. It is the government’s job to act (to preform executive, legislative, and judicial duties) in accordance with the general will, and thus the government is the “will-in-action” of the people (the will of the people, in action via delegates).

Governors are the officials of the sovereign people who carry out its will and help the body communicate with the head: According to Rousseau, legislative power belongs to the people, as the will of the body can only be the will of the people. The government cannot have its own will, it is simply the executive of the people’s will. The will of the body as a whole can be called “the Prince”.

Take note: The “head of state” describes either the highest-ranking position(s) in a sovereign state or the natural inalienable sovereignty of the citizens (this differs by philosopher and context). If we consider only the head sovereign then, a pure democracy the whole people are the highest position and the whole people constitute the sovereign (in a state of 1,000 each are 1/1,000 the sovereign, regardless of wealth, birthright, or position in government). In a republic, a body of elected officials are sovereign. In an absolute monarchy, only the King is sovereign. Rousseau and Locke believed that for a government in any form to be legitimate, it must be subordinate to the general will and consent of the body politic (thus, to Rousseau for example, all people in society were always sovereign), Hobbes argued only the head-of-state is sovereign.

Take note: Under a social contract, all sovereign are theoretically subject to civil laws (but in America government entities, not the members who comprise the entities, have “sovereign immunity“; so, for example, a President is subject to civil law, but the United States itself can’t be sued by foreign governments).

The Head of State and the Anatomy of the Body Politic. The body politic is a term that describes a “political body” of which all members of a state form.

Everyone bound by the social contract, including the head of state, is the body, but since not everyone in the state can act (as that would be anarchy), action is delegated to “heads”, “limbs”, and “organs” (AKA government, or “a governing body”).

Thus, the body politic has a head(s) of state (like a President, Prime Minister, or King), limbs (or branches of government like executive, legislative, and judicial; state and federal; each with heads), and organs (like agencies created by the branches). The body politic can be seen in the picture below from Hobbes’ Leviathan where 300 people make up the body, and the king’s head sits atop with staff and scepter. The metaphor of a “political body” comes from medieval time.

Take note: The body politic is a metaphor, above is my synthesis of the metaphor. Each philosopher is entitled to use it differently. I tend to discuss things using Rousseau’s idea that all people are sovereign, not all philosophers agree with this.

**Conclusively, Social Contract Theory** is the theory of why people form governments based on how people lived in a State of Nature before government. I really do hope this gives you a clear insight of the theory and other theories about the evolution of the state.

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