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### **Assignment question**

**N.B; Don't exceed 15 pages**

**1) how can a Lebanese retain or lose his or her newly acquired Nigeria citizenship**

**2) social contract theory explain the evolution of States, what other theories explain the same and their strengths**

### **Answer**

#### **Who is a citizen?**

A citizen is a person who is entitled to enjoy all legal right and privileges granted by a state to the people comprising it's constituency, and is obligated to obey it's laws and to fulfill his or her duties assured upon. Also called national. Seeing all domicile and resident

It is also a native or naturalized member of a state or nation who owes allegiance to it's government and is entitled to it's protection ( distinguished from an alien). An inhabitants of a city or town, especially one entitled to it's privileges or

franchises, an inhabitant or denizen. Now we define a citizen ,we move on to citizenship.

**What is citizenship?** ; Citizenship is 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 government authority. They are also different in which a member of a state can acquire this citizenship , such as;

- 1) Citizenship by birth**; a person can become a citizen of a country if he or she is born within the States of that country. Take Nigeria for example; in Nigeria, a person can become a citizen if he or she was born on or before his/ her parents/ grandparents and are Nigeria citizen can be achieved through descent or hereditary status and not based on the place of birth.
- 2) Citizenship by registration**; this is another method of acquiring citizenship through marriage, for instance a Canadian woman married to a Nigeria may register as a citizen of Nigerian. The woman must reside in Nigeria and made mandatory to take oath of allegiance and remove their Canadian citizenship
- 3) Citizenship by conquest**; through after secession struggles citizenship of break away part may change to new status

e.g. south Sudan from former Sudan, Britain from Ethiopia, Bangladesh from Pakistan.

**4) Citizenship by naturalization**; a person becomes a citizen of a country if he or she has resided in that country for a particular period of time and has shown sincere and genuine desire to be a citizen of that country in Nigeria. A person can become a citizen after he has applied and this can be granted by the president alone.

**How can a Lebanese maintain/retain, his /her newly acquired Nigerian citizenship.**

Now that we are through with the defining who a citizen and what is citizenship, we go back to look at how a Lebanese can maintain /retain his or her citizenship in Nigeria?

- Now, as subject to the provision of section **“28 of the Constitution”** which states that any person who is qualified in accordance with the provision of the section; may apply to the president for the same of a certificate of naturalization.
- No person shall be qualified to apply for the Grant of a certificate.
  - a) He should be a person of full age and capacity
  - b) He should be a person of good character
  - c) He has to show a clear intention of his desire to be domiciled in Nigeria

- d) He should have an opinion of the governor of the State where he is or he proposed to be resident, accepted 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 capable of making useful contribution to the advancement progress and well being of Nigerian.
- f) He has to take an oath of allegiance prescribed in the seventh schedule to this constitution
- g) He has, immediately preceding the date of his application
- h) Resided in Nigeria for a continuous period of fifteen years

In summary: an alien can retain his /her citizenship if he/she is a good and reputable character, if he/she abides by the rules and regulations guiding the country and also if he or she has a zero crime record.

**How can a Lebanese renounce or lose his/her citizenship.**

- Any citizen of Nigerian of full age who wishes to renounce his Nigerian citizenship shall make a declaration in the prescribed manner of the renunciation.
- The president shall cause the declaration made under subsection (1) of the section to be

registered and upon such registration the person who made the declaration shall cease to be a citizen of Nigerian.

- The declaration 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 Nigerian is physically involved or
  - b) In his opinion, it is otherwise contrary to public policy
    - For the purpose of subsection (1) of this section if;
      - 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.
    - The president may deprive a person, other than a person who is a citizen of Nigerian by birth or by registration, of his citizenship, if he is satisfied that such person has within a period of seven years after becoming naturalized, been sentenced to imprisonment for a term of not less than three years
    - The president shall deprive a person, other than a person who is citizen of Nigerian by birth of his citizenship, if he is satisfied from the records of proceedings of a court of law or

other tribunal or after due inquiry in accordance with regulations made by him.

- If the person has shown himself by act or speech to be disloyal towards the federal republic of Nigerian
- The person has during any war in which Nigerian 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 on in such a manner as to assist the enemy of Nigerian in that war, or unlawfully communicated with to cause damage to the interest of Nigerian

Also,

### **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 voluntary acquires the citizenship of a foreign country.  
Naturalized citizen, before gain years of residence, sentenced to prison for three years or more registered or naturalized citizen is

convicted of acts of disloyalty to federal republic of Nigerian.

## **2) Social contract theory**

### **What is the basic meaning of the social contract theory?**

Social contract theory says that people live together in society in accordance with an agreement that establishes moral and political rules of behavior. Some people believe that if we live according to a social contract we can live morally by own choice and not because a divine being requires it. Social contract theory, nearly as old as philosophy itself is the view that person moral and for political obligation are dependent upon a contract of agreement among them to form the society in which they live. Socrates uses something quite like a social contract argument to explain to criticize why he must remain in prison and accept the death penalty. However, social contract theory is rightly associated with modern moral and political theory and is given its first exposition and defense by Thomas Hobbes. After Hobbes, John Locke and Jean Jacques Rousseau are the best know proponents of the enormously influential theory, which has been one of the most dominant theories within moral and political theory, throughout the history of the modern west. More recently philosophy from different perspective have offered criticism of social contract theory, namely;

- a) John Locke's criticism: John Locke's (1632-1704), social contract includes that the idea that life, liberty, and

property are given to us by nature and shouldn't be taken away. Locke's theory states that people form government makes. Locke's still argues that there is a dual requirement that sovereignty is grounded only in the population it concerns and that government must be aware of social problem and ensure public representation in developing the law on its behalf and proposes a division of power between executive and legislative also political territory must merge on the nation including for power to be legitimate, it must be the emotion of a community of a social entity that pre exists.

b) Thomas Hobbes; Thomas Hobbes (1588-1679) , lived during the most crucial period of early modern England history, he also argue on the social contract theory during the English civil war waged from(1642-1648). To describe this conflict in the most general of terms it was a clash between the king's and his supporters the monarchists, who preferred the traditional authority of a monarch and the parliamentarian, most notably led by Oliver Cromwell, who demanded more power for the quasi democratic institution of parliament.

C)Jean- Jacques Rousseau: Jean- Jacques Rousseau (1712-1778) lived and wrote during what was arguably the headiest period in the intellectual history of modern France the enlightenment. He was one of the bright lights of the



encyclopedia of dident and participating in the salons in Paris, where the great intellectual question of this day were pursued.

### **Why is social contract important?**

Specifically for law enforcement, social contract theory is important to justify the power that law enforcement can exert over the population as a whole (Evans and Mac Millan, 2014). The power imbalance, held by law enforcement, is part of the contract the society has agreed upon in exchange of security.

### **The evolution of the States**

The evolution of the State, this is the coming together to make laws in a community, or state. Now taken Nigeria as an example, the national assembly; the house of representative and the Senate house, they come together in making the laws of the State such as the constitution which is the operational contract upon which other laws derive their power and which powers are been confirmed under the three organs of government.

### **The evolutionary theory**

According to the evolutionary theory, the government originates from a family or clan-bound structure which can explain the formation of worlds first political structure.

These earliest and very loosely formed governments were the result of a shift from Hunter gathering societies to more settled agriculture societies as families joined to form clans and clans joined to form villages, the need for leaders helped determine how to address still unfamiliar issues, such as water rights for crop irrigation and the distribution of other resources. They also provided an increased sense of safety and security for the society. In many early societies, these first states developed monarchies, with rule based on membership in ruling family. For example in a monarchy of Saudi Arabia, the king has been descended from the Al Saud family since 1744.

They are also different theories such as;

**a) Force theory**; the force theory is the idea that government originates from taking control of the state by force and it's often found in a dictatorship, a type of government characterized by one person or one party authoritarian rule. Historically, this has been achieved in some cases through forcible invasion or occupation when a more dominant people or state, imposing its governmental system on that group. New government can also be formed by force during the revolution or coups with a country a coup is the overthrow of an established government, and the resulting leader or

dictator is most often a military figure an example of the force theory occurred in Cuba in 1959 when revolutionary Fidel Castro and a small force of guerilla soldiers defeated the national army, government created by force take on some characteristics of a monarchy, with government created by force take on within the dictators family. Example are the Assad regime in Syria and Kim regime in North Korea.

**B) divine right theory;** with the divine right theory government originates with power vested in an individual by GOD or gods. Generally monarchies lead government of this type. This theory was followed in ancient times including by the ancient Egyptian and Maya. The idea of divine right experienced a resurgence in Western Europe in the 16<sup>th</sup> to the 18<sup>th</sup> centuries when king James 1 of England, several French monarchy and other rulers asserted that their authority came directly from God and thus could not be challenged Russian czars, such as Peter the great, believed their autocratic rule was God given and they used their power to gain territory, wage war and impose taxation on their subjects.

**C) Theory of Justice (John Rawls);** in 1972, the publication of John Rawls extremely influential. A theory

of Justice brought moral and political philosophy back from what had been, a long hiatus of philosophical consideration. Rawls theory relies on a Kantian understanding of person and their capacities. In a theory of Justice, Rawls argues that the moral and political point of views is discovered via impartiality (it is important to note that this view delineated in a Theory, has undergone substantial revisions by Rawls and that he described his late view as political liberalism).

**D) famines argument;** the feminists and race- conscious philosophers, in particular, have made important argument concerning the substance and viability of social contract theory for the most part, feminism resists any simple or universal definition. In general though feminists take warrens experience seriously, as well as the impact that theories and practices have for women lives given the pervasive influence of contract theory on social, political and moral philosophy, then, it is not surprising that feminists should have a great deal to say about whether contract theory is adequate or appropriate from the point of view of taking women seriously.

**E) race culture theory;** Charles Mills 1997 book on the racial contract is a critique not only of the history of Western political thought institution and practices, but more specifically of the history of social contract as do women. As such, it also calls into question the supposed universality of the liberal individual who is the agent of contract theory. Mills central argument is that there exists on racial contract that is even more fundamental to Western society than the social contract. The racial contract determines in the first place who counts as full moral and political person and therefore sets the parameters of who can contract into the freedom and equality that the social contract promise and some persons in particular white men, are full persons according to the racial contract.

**F) the nature of the liberal individual;** following the patemans argument, a number of feminists have also called into question the very nature of the person of the heart of contract theory. The liberal individual, the contractor, is represented by the Hobbesian man, Locke's proprietor, Rousseau "noble Savage", Raul's person in the original position and Gauthier Robinson Crusoe . The liberal individual is purported to be universal raceless, sexless, classless, disembodied, and is taken to represent an abstract, generalized model of

humanity writ large. Many philosophers have argued, that when we look more closely at the characteristics of the liberal individual that we find is not a representation of universal humanity, but historically located, specifically type of person. C.B MacPherson , for example, has argued that Hobbesian man is, in particular, a bourgeois man, with the characteristics we would expect of a person during the nascent capitalism that characterized early modern Europe. Also feminists have argued on the nature of liberal individual.

**G) the sexual contract;** Carole patemans 1988 book the sexual contract, argues that lying benefit the myth of the idealized contract , as described by Hobbes, Locke and Rousseau, is a more fundamental contract concerning men's relationship to women. Contract theory represent itself as being opposed to patriarchy and patriarchal right. Clockes Stark's contract to work of the Robert filmer who argued in favor of patriarchal power). So in the social contract theory precedes that entered into by equals is the agreement by men to dominate and control women. The women who were previously under the exclusive control of one man , the father. The change from classical patriarchalism to modern patriarchy is a shift then in who had power over women are dominated by men. Men's relationship of

power to one another the change , but women's  
relationship to men power does not.