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**MATRIC NO: 19/LAW01/104**

**DEPT: LAW**

**COURSE CODE: POL102**

**COURSE TITLE: CITIZENSHIP AND THE STATE II**

**ASSIGNMENT:**

**DATE: 29TH APRIL; 2020.**

**QUESTION;**

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

(1)

In a nutshell, citizenship means the totality of all rights and privileges accorded all members of a given state. The process of acquiring and losing Nigerian citizenship as proscribed by the law can be found in the 1999 constitution of the Federal Republic of Nigeria as amended. In accordance with the constitution, a Lebanese for instance can acquire and retain or lose his or her newly acquired Nigerian citizenship by corresponding with the provisions of chapters three of the constitution of Nigeria.

**Chapters 3(s. 25-32)**

**25.** (1) The following persons are citizens of Nigeria by birth- namely-

(a) every person born in Nigeria before the date of independence, either of whose parents or any of whose grandparents belongs or belonged to a community indigenous to Nigeria;

(b) 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.

(c) every person born in Nigeria after the date of Independence either of whose parents or any of whose grandparents is a citizen of Nigeria; and

(d) 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.

**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;

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

(c) he has taken an 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; or

(b) every person of full age and capacity born outside Nigeria any of whose grandparents is a citizen of Nigeria.

**27.** (1) Subject to the provisions of section 28 of this constitution, any person who is qualified in accordance with the provisions of this section may apply to the President for the same of a certificate of naturalization.

(2) No person shall be qualified to apply for the grant of a certificate or naturalization, 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 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 or he proposes to be resident, acceptable 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 Nigeria;

(f) he has taken the Oath of Allegiance prescribed in the seventh schedule to this 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, and during the period of twenty years immediately preceding that period of twelve months has resided in Nigeria for periods amounting in the aggregate to not less than fifteen years.

**28.** (1) Subject to the other provisions of this section, a person shall forfeit forthwith 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.

(2) Any registration of a person as a citizen of Nigeria or the grant of a certificate of naturalization 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.

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

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

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

(a) the declaration is made during any war in which Nigeria is physically involved; or

(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 is a citizen of Nigeria by birth or by registration, of his citizenship, if he is satisfied that such a person has, within a period of seven 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 is citizen of Nigeria by birth, of his citizenship, if he is satisfied from the records of proceedings of a court or other tribunal or after due inquiry in accordance with regulations made by him, that-

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

(b) 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 on in such a manner as to assist the enemy of Nigeria in that war, or unlawfully communicated with such enemy to the detriment of or intent 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 birth of that person such parent or grandparent would have possessed that status by birth if he had been alive on the date of independence; and in this section, “the date of independence” has the meaning 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 which are necessary or convenient to be prescribed for carrying out or giving effect to the provisions of this Chapter, and for granting special immigrant status with full residential rights to non- Nigerian spouses of citizens of Nigeria who do not wish to acquire Nigerian citizenship.

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

The above is an extraction of the Chapter 3 of the 1999 constitution of the Federal Republic of Nigeria. In respect to the question of this discuss whereby a Lebanese can retain or lose his or her newly acquired Nigerian citizenship. First and foremost, the Lebanese who had just acquired a Nigerian citizenship must have in conjunction with the laid down provisions in the Nigerian constitution, done so either through birth (section 25), registration (section 26) or naturalization (section 27) before he or she can retain or lose such citizenship.

**Citizenship by birth:** A Lebanese who is also a Nigerian citizen by means of birth did so because either one of his ancestors specifically (one of the parent or grandparent) is a Nigerian and that automatically makes him or her a citizen by descent or the Lebanese was given birth to within the geographical jurisdiction of Nigeria.

**Citizenship by registration: A** Lebanese can by virtue of registration be conferred a citizen of the Federal Republic of Nigeria irrespective of whether or not his or her parents are Nigerians, so long certain constitutional criteria’s are met.

**Citizenship by naturalization:** The concept of naturalization makes a Lebanese who is not qualified by birth to still become a citizen of Nigeria through some legal processes. These processes can either be direct, derivative or collective. **Direct** means that someone from Lebanon can become a citizen of Nigeria after complying with, and fulfilling specified legal processes of Nigeria; **Derivative** means that a Lebanese becomes a citizen of Nigeria either by being a spouse or child or a directly naturalized citizen; and **Collective** means that a group of Lebanese people occupying a definite territory can acquire the citizenship of Nigeria by treaty or statute.

Furthermore, to retain means to keep possession of something and to lose is the other way round. In order for a Lebanese who newly acquired his or her Nigerian citizenship not to lose it, he or she has to avoid these acts as stated in Chapter 3 of the constitution of Nigeria from section(28-32) in order not to lose it. Below are ways a Lebanese who newly acquired his or her Nigerian citizenship may lose it.

**Renouncement:** to renounce means to give up, refuse, or resign usually by formal declaration. Therefore a Lebanese who newly acquired a Nigerian citizenship can lose it by virtually renouncing it.

**Treason:** if a naturalized Lebanese who newly acquired his or her Nigerian citizenship is found guilty of treasonable felony by any means, he or she loses such citizenship.

**Disloyalty:** A naturalized Lebanese can lose his or her citizenship if his or her activities are prejudicial to the corporate existence and interest of Nigeria.

**Dual citizenship:** if a Lebanese has not renounced the citizenship of his original country, he or she can lose his or her Nigerian citizenship.

**False declaration:** this occurs when there is a fundamental breach of the citizenship agreement binding the Lebanese. Therefore he or she will lose his or her newly acquired Nigerian citizenship.

**Imprisonment:** a Lebanese who newly acquired Nigerian citizenship can lose it if he or she is jailed for more than three years within seven years he or she became a citizen.

If the Lebanese joins any subversive organization within five years he or she acquired Nigerian citizenship, he or she may be deprived.

(2)

The other theory that explains the evolution is states same as the **social contract** theory is the **History** or **Evolutionary** theory. The evolutionary theory of state explains the following;

* State is a historical growth;
* Product of gradual process of social development;
* Evolved from simple basic social structures;
* Not a deliberate creation;
* Evolved over a long period of time;
* Existence for the bare needs of man’s life and continued to exist for his good life;
* State is result of a slow and steady development of human society;
* Verges pointed out that to trace origin of state to one factor is wrong, but it is gradual realization of human nature;
* State started out of imperfect beginning through crude but improving forms of manifestation;
* States arouse from many sources and under various conditions and emerged almost imperceptibly.

**Strengths of the evolutionary theory.**

**Religion:** it helped unification of political communities. Religion reinforced sense of unity and respect for authority.

**War or force:** military was used for defense and conquest. A sense of loyalty to the ruler was established. It helped in development of political sovereignty.

**Property or Economic factors:** protection of property from military raids played important role in state building.

**Political consciousness:** the awareness to have a common authority to meet certain common ends helped in state building

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History and Evolutionary eory

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Stephen Lippmann and Howard E. Aldrich

 e historical turn in organization studies has brought with it increased atten-

tion to context, contingency, and the importance of time and place. For all

scholars of organizations, this comes as welcome news. Organizations, as funda-

mentally social units, have a reciprocal relationship with their socio-historical

environments. Just as organizations shape and give meaning to social life, they

are themselves shaped by the worlds they inhabit