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QUESTIONS

1. How can a Lebanese retain or lose his newly acquired Nigerian citizenship

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

1.

According to the Cambridge dictionary, a citizen is a [person](https://dictionary.cambridge.org/dictionary/english/person) who is a [member](https://dictionary.cambridge.org/dictionary/english/member) of a [particular](https://dictionary.cambridge.org/dictionary/english/particular) [country](https://dictionary.cambridge.org/dictionary/english/country) and who has [rights](https://dictionary.cambridge.org/dictionary/english/rights) because of being [born](https://dictionary.cambridge.org/dictionary/english/born) there or because of being given [rights](https://dictionary.cambridge.org/dictionary/english/rights), or a [person](https://dictionary.cambridge.org/dictionary/english/person) who [lives](https://dictionary.cambridge.org/dictionary/english/lives) in a [particular](https://dictionary.cambridge.org/dictionary/english/particular) [town](https://dictionary.cambridge.org/dictionary/english/town) or [city](https://dictionary.cambridge.org/dictionary/english/city). According to the free dictionary a citizen is a person owing loyalty to and entitled by birth or naturalization to the protection of a state or nation.

Citizenship on the other can be defined as the position or status of being a citizen of a particular country. Also, according to Merriam Webster dictionary citizenship can be defined as a native or naturalized person who owes allegiance to a government and is entitled to protection from it.

Types of Citizenship in Nigeria

The Nigerian Nationality law is the ultimate law that guides issues on citizenship in Nigeria. This legal document discusses citizenship in Nigeria in full, and it will give you a clearer understanding of the peculiarities with the types of citizenship in Nigeria.

Citizens are the most important, integral part of every nation. Being a citizen of a country, you are entitled to certain rights and privileges that non-citizens are not entitled to. Therefore, it is of great importance that every state in the world has its own way of determining who is a citizen of that state.

Laws on citizenship vary from country to country, even though some certain similarities may exist. The international passport is a legal document that identifies an individual as a citizen of a nation. In Nigeria, there three types of citizenship recognized by law. Individuals that are given birth to in Nigeria territory are not automatically conferred citizenship by Jus soli. Now, let us look at the remaining three.

1. Citizenship by Descent

In Nigeria the constitution under the section 25 of the country law it states under the following condition people will be recognize as Nigerian by birth:

* People born in Nigeria pre-independence and those born on Independence Day are Nigerians. A person born in Nigeria on or before 1st October 1960 is considered a Nigerian citizen under the law. Those whose parents or grandparents were born in Nigeria before October 1st, 1960 and we’re legally living in Nigeria at the time are citizens of Nigeria.
* People whose parents or grandparents were or are citizens of Nigeria are eligible to apply for citizenship of Nigeria by birth. This applies even if you were born in another country.
* People whose parents, grandparents or other relatives belong to indigenous Nigerian communities. In Nigeria, there are hundreds of tribe chief amongst them are the Yorubas, the Igbos, and the Hausa Fulanis. Other notable tribes include Efik, Ibibio, Kanuri, Nupe, Ijaw, Itshekiri, and Urhobo. If your lineage belongs to one of these tribal groups, you are eligible for Nigerian citizenship.

1. Citizenship by Registration

The provisions of section 26 of the Nigerian Constitution allows for people, not Nigerians by birth to apply for Nigerian citizenship provided they can satisfy the following conditions.

* The person is of good character (This statement should be testified by two people and one of them should be a religious minister).
* The person expresses and shows a clear desire to be resident in the country.
* The person has subscribed to the oath of allegiance to Nigeria, which is provided by the seventh schedule of the Nigerian Constitution.

Section 26 of the Nigerian Constitution also makes provision for the following categories of people to apply for Nigerian citizenship.

* A woman who is or has been married to a citizen of Nigeria.
* Person who has parents or grandparents of any indigenous Nigerian tribe.

1. Citizenship by Naturalization

If a person cannot apply to become a Nigerian citizen by birth or registration, he can still apply to become a naturalized Nigerian citizen if he meets these requirements:

* The person is of full age (17 years)
* The person is of good character (This statement should be testified by two people, and one of them should be a religious minister).
* Having shown the desire to be resident in the country.
* The person should be capable of contributing to the wellbeing of Nigeria and its citizens.
* The governor of the state where the person applying for citizenship wants to reside has to confirm the desire of the community to assimilate this person.
* The person has lived in Nigeria for fifteen years preceding the application date.

Dual Citizenship in Nigeria

It is quite possible for an individual who is a citizen of Nigeria by birth (descent through at least one parent) to acquire the citizenship of another country. However, multiple citizenships are not allowed for people who gained Nigerian citizenship by naturalization or registration. A person who wants to acquire the citizenship of Nigeria by registration or naturalization will have to renounce his/her other citizenship within 12 months.

Loss of citizenship, also referred to as loss of nationality, is the event of ceasing to be a [citizen](https://en.wikipedia.org/wiki/Citizen) of a country under the [nationality law](https://en.wikipedia.org/wiki/Nationality_law) of that country. It is a blanket term covering both involuntary loss of citizenship, such as through [denaturalization](https://en.wikipedia.org/wiki/Denaturalization), as well as voluntary [renunciation of citizenship](https://en.wikipedia.org/wiki/Renunciation_of_citizenship)

There are generally two categories of grounds for loss of citizenship.[[1]](https://en.wikipedia.org/wiki/Loss_of_citizenship#cite_note-1)[[2]](https://en.wikipedia.org/wiki/Loss_of_citizenship#cite_note-EUDOp2-2) "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.[[2]](https://en.wikipedia.org/wiki/Loss_of_citizenship#cite_note-EUDOp2-2) 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".[[2]](https://en.wikipedia.org/wiki/Loss_of_citizenship#cite_note-EUDOp2-2)

These are some cases in which a Lebanese can lose his or her citizenship

1. Voluntary acquisition of another citizenship
2. Residing abroad on a permanent basis
3. Fraud in the naturalization process, including [sham marriages](https://en.wikipedia.org/wiki/Sham_marriage), or failure to give up the other citizenship in countries which require that as a condition of naturalization
4. Serving in a foreign military or foreign government
5. Upon adoption by a foreign citizen, or other change in the child's legal relation to the parents such as annulment of maternity/paternity
6. For a minor, upon the loss of citizenship by the parents
7. Failure to fulfill conditions
8. Voluntary renunciation: It is very much possible for an individual to renounce his or her Nigerian citizenship. For example, an adult can renounce his or her Nigerian citizenship by simply applying to the President of Nigeria. Once the application is accepted and registered by the president, the person ceases to a Nigeria. However, such application can be rejected by the president if Nigeria is at war during the period of application.
9. Involuntary loss of citizenship does not necessarily mean automatic and immediate loss. Even if a country's laws state that under certain circumstances citizenship is automatically removed, until officials of the government or embassy are informed, that country's government will probably still retain that person's name in its citizenship records.
10. Lying on Your Application: If you are a foreign-born resident, you must complete an application process to become citizens of the 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 the country for five continuous 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.
11. Owing Allegiance to Another Country: A Lebanese can, however, be stripped of citizenship if the government feels that he/she has abandoned 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. This does not mean you cannot be a citizen of the Nigeria and also a citizen of another nation; you can. This is known as dual citizenship. Neither the federal government nor state governments keep records of how many Nigerian citizens hold dual citizenship, so there is no way to know how many Nigerians currently hold citizenship in multiple nations.

2

Marxist theory of state

Marxist theory of state the most protruding theory. Marxist theoretical views challenges the basic concepts of liberal state as well as emphasizes that it subjugates majority men of society to accomplish its objectives. It is to be abolished or smashed without which the emancipation of common men will never be possible. Though, a problem about academic analysis of Marxist theory of state is that nowhere Marx has systematically analyzed the theory. Marx stated that every state is a tyranny. It is said that every state is forced by extra-moral, extra-legal force.

Marx (1818- 1883) and his colleague Engels (1820-1895) have distinct explanations and statements which established state theory. In the Communist Manifesto, the state is the “Political power, properly so called, is merely the organized power of one class for oppressing another”. In the same book we find them saying, “The executive of the modern state is but a committee for managing the common affairs of the whole bourgeoisie”.

Hal Draper in his Karl Marx’s Theory of Upheaval explained that “The state is the institution or complex of institutions which bases itself on the availability of forcible coercion by special agencies of society in order to maintain the dominance of a ruling class, preserve the existing property relations from basic change and keep all other classes in subjection.”

Draper’s description of Marxist state is not basically different from the definitions given by Marx and Engels in the Communist Manifesto. The state is basically an instrument of class domination. In other words, the state is used by the bourgeoisie to exploit the common people and in that sense it is a mechanism for mistreatment. This idea has been expounded by Lenin

Its strength

**1. 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.

**2. 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.

**3. It helps with capitalism.**  
Ironically, when huge multi-nationals dominate the entire world economy, capital advocates would tell us that the future lies with small businesses or always state that “Small is beautiful”. However, we can consider that the youthful phase of capitalism is gone beyond recall. But as far as Marxism is concerned, free competition inevitably begets monopoly, where the struggle between big and small capitals always yields to the same result. In modern times, the vast power of multi-nationals and monopolies seems to exercise a total stranglehold on the world, holding access to economies of scale, staggering sums of money, ability to manipulate commodity prices and even the influence of government policies. Now, Marxism was able to predict the inevitable tendency towards monopolization, where free competition was a standard.

**4. It reduces the tendency of debt.**   
Under the Marxist philosophy, communities will be working together to achieve success, where all people would come together to provide for each other, with the help of the government distributing resources as required.

**5. It protects the rights of unions.**   
Rather than exploiting managers, Marxism encourages unions to stand up for personal rights, creating a system of checks and balances for a maximum production level to be achieved. As it is believed that this philosophy never exploits workers by management, followers believe that unions are definitely a great idea.

The Historical or Evolutionary theory

The theory which explains and is now accepted as a convincing origin of the state, is the Historical or Evolutionary theory. It explains the state is the product of growth, a slow and steady evolution extending over a long period of time and ultimately shaping itself into the complex structure of a modern state. This theory is more scientific.

 The state is neither the handiwork of God, nor the result of superior physical force, nor the creation of evolution or convention, nor a mere expansion of the family. The state is not a mere artificial mechanical creation but an institution of natural growth or historical evolution says Professor Garner.

There were a number of factors which helped the evolution of the state. They were kinship, religion, war, migration economic activities and political consciousness. The important factors which contributed to the growth of the state are

1.       Kinship

2.       Religion

3.       Property and defense

4.       Force

5.       Political consciousness

Kinship

Kinship is the most important and was based upon blood relationship and kinship was the first strongest bond of unity. Family constituted the first link in the process of the evolution of the state with the expansion of the family arose new families and the multiplication of families led to the formation of clans and tribes. Kinship was the only factor which bound the people together.

According to Professor Mac Iver, the magic of names 'Reinforced the sense of kinship, as the course of generations enlarged the group. The blood bond of sonship changed imperceptibly into the social bond of the wider brotherhood. The authority of the father passes into the power of the chief once more under the aegis of kinship new forms arise which transcend it. Kinship creates society and society at length creates the state'.

Religion

Religion provided the bond of unity in early society. It also affected all walks of life. The worship of a common ancestor and common goods created a sense of social solidarity. There was fear in the hearts of men as far as religion was concerned. Even today we see religious practices, affairs and faith in uniting people. In the early days a number of races are united by religion and unity was essential for the creation of state.

Force

 Force also played an important part in the evolution of the state. It was the use of physical force that was responsible for the growth of kingdoms and empires.

Property and Defense

Property and defense played a vital role in the evolution of state in ancient times particularly among the people who were nomads and vagabonds and tribal. Prof. Laski has referred to the necessity of acquiring property by the members of society and protecting the property acquired with reference to the population mentioned above.

This led to making adjustments in the social system and relationship between the members of different groups. The need to protect property ultimately compelled the ancient people to establish the state.

Political consciousness

  The last is political consciousness arising from the fundamental needs of life for protection and order.

When the people settle down on a definite territory in pursuit of their, subsistence and a desire to secure it from encroachment by others. The need for regulating things and persons is felt imminently and this is the essence of political consciousness.

Force Theory of State

According to Force [theory of government](http://www.studylecturenotes.com/tags/theory-state) also known as force theory of state, the state was born as a result of force i.e. aggression, war, conquest and subjugation. In ancient times a strong man with the help of his supporters dominated the weaker people of his tribe and established the political relation of command and obedience. This was the beginning of the [state](http://www.studylecturenotes.com/social-sciences/law/264-what-is-state). Later on a strong tribe dominated the weaker ones and in this way a kingdom came into being. With the passage of time a strong king subjugated the weaker ones and created an empire.

A Writer says that human history is nothing but a record of fighting and wars. Some people say that people have to start wars because population increased and people were forced to capture the means for the basic necessities. This required better tactics and improve art of war. In this way the strong and better trained people dominated the weaker and less trained people. In order to support this argument the example of England is given.

In ancient times English fought with one another. The result was that they were divided into seven kingdoms called heptarch, Later on one king becomes so powerful that he conquered the rest and the kingdom of England was borne. Later on the kingdom of England dominated several other kingdoms of the world and became the British Empire. This goes to prove that the state born as a result of force. The matter does not end there. Even after establishment of the state, force is still required to maintain the state. Within the state force is required to maintain law and order and punish those who violate laws. Similarly in order to defend the orders of the state force was needed

DIVINE COMMAND THEORY OF STATE

The theory of Divine Origin, though one of the earliest, has a simple explanation to offer. It is a theory of political authority and not a theory of the origin of the State.

The State, its advocates maintain, was created by God and governed by His deputy or Vice-regent. It was His will that men should live in the world in a state of political society and He sent His deputy to rule over them.

The ruler was a divinely appointed agent and he was responsible for his actions to God alone. As the ruler was the deputy of God, obedience to him was held to be a religious duty and resistance a sin. The advocates of the Divine Origin Theory, in this way, placed the ruler above the people as well as law.

Nothing on earth could limit his will and restrict his power. His word was law and his actions were always just and benevolent. To complain against the authority of the ruler and to characterize his actions as unjust was a sin for which there was divine punishment.

The theory of the Divine Origin of the State is as old as Political Science itself. There is sufficient evidence to prove now that early States were based on this conception and all political authority was connected with certain unseen powers. The earliest ruler was a combination of priest and king or the magic man and king.

Image Source: plansmartnj.org

The authority and reverence which a ruler commanded depended upon his position as a priest or a magic man. Religion and politics were so inextricably mixed up in the primitive society that not a hazy line of demarcation could be drawn between the two.

Even today, the State of Pakistan does not seem to draw a distinction between religion and politics. Sir Mohammad Zafarullah Khan, the then Pakistan Foreign Minister, while speaking on the Objective Resolution in the Pakistan Constituent Assembly in 1949, said: “Those who sought to draw a distinction between the spheres of religion and politics as being mutually exclusive put too narrow a construction upon the functions of religion.”

The abrogated Constitutions declared Pakistan an Islamic Republic to be governed with the Islamic principles. President Zia-ul-Haq significantly modified the 1973 Constitution to bring it in conformity to the injunctions of Islam.

In addition to Islamic Arab States, the Islamic Republic of Iran, the Islamic Republic State of Bangladesh and the Islamic State of Afghanistan are the most recent examples of theocratic States.

The theory that the State and its authority have a Divine Origin and sanction finds unequivocal support in the scriptures of almost all religions in the world. In the Mahabharata, it is recounted that the people approached God and requested him to grant them a ruler who should save them from the anarchy and chaos prevailing in the state of nature. “Without a Chief, O Lord”, they prayed, “We are perishing. Give us a Chief whom we shall worship in concert and who will protect us.”

The theory of Divine Origin, however, received a new impetus with the advent of Christianity. “Render unto Caesar the things that are Caesar’s,” said Jesus Christ, and Paul amplified this in his Epistle to the Romans, which has been quoted by writers time and again in support of the theory of Divine Origin.

We are, thus, told, “Let every soul be subject unto the higher powers. For there is no power but of God: the powers that be are ordained of God. Whosoever, therefore, resisted the power, resisted the ordinance of God: and they that resist shall receive themselves damnation.”

The theory of Divine Origin so enunciated, believed in and accepted, thus, implied:—

1. That God deliberately created the State and this specific act of His grace was to save mankind from destruction;

2. That God sent his Deputy or Vice-regent to rule over mankind. The ruler was a divinely appointed agent and he was responsible for his actions to God alone whose Deputy the ruler was. All were ordained to submit to his authority and disobedience to his command was a sin for which there was divine punishment.

Its strengths

* Metaphysical and objective: God is the origin and regulator of morality. Surely there is no better source for deciding what is right and wrong than God's unchanging law
* God knows us best: God is objective, as well as our creator. We may think that things are good for us, such as having an affair, but God's law is against this for a reason
* Absolute rules: the laws we have to stick by are often clear, such as the Ten Commandments
* Takes away human responsibility: goodness isn't subject to our misunderstanding of situations - our reasoning is fallible, and so following God's law safeguards against this

God is inherently good: the Bible describes God as 'holy', meaning separate from sin. Therefore, what he commands must be good