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HOW CAN A LEBANESE RETAIN OR LOSE HIS OR HER NEWLY ACQUIRED NIGERIAN CITIZENSHIP?

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".

The European Union Democracy Observatory, in a study of the nationality laws of thirty-three European countries, found nine broadly-defined cases in which a citizen of a country may 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, 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. Voluntary renunciation

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.

Therefore, a Lebanese man can lose his newly acquired Nigerian citizenship in the following ways above.

A Lebanese citizen can retain his newly acquired Nigerian citizenship in the following ways:

1. By obeying the laws of the nation.
2. By not committing any act of felony.
3. By not renouncing his citizenship.

SOCIAL CONTRACT THEORY EXPAINS THE EVOLUTION OF STATES, WHAT OTHER THEORIES EXPLAIN THE SAME, AND THEIR STRENGHT?

THE EVOLUTION OF THE STATE

Political thinkers have attempted to explain the origin of the state in various ways. When, where and how the state came into existence have not been recorded anywhere in history. Therefore, the political thinkers were compelled to adopt various hypotheses, many of which are now discredited in the light of modern knowledge. Among the many theories which are concerned with the origin of the state the following are explained in this chapter.

* The Theory of Divine origin
* Social Contract Theory( NOT TO BE DISCUSSED)
* Matriarchal and Patriarchal Theory.
* Force Theory.
* Evolutionary Theory.

1. THE THEORY OF DIVINE ORIGIN

Divine theory of origin of State, 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 Vicegerent. 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 characteristic his actions as unjust was a sin for which there was divine punishment.

1. THE MATRIARCHAL AND PATRIACHAL THEORY

* MATRIACHAL THEORY

AMcLennan, Morgan and Jenks are the notable exponents of matriarchal theory. The matriarchal system was prior to the patriarchal system and tribe. There was no permanent institution of marriage. A woman had more than one husband and because of the uncertainty of male parentage kinship was reckoned through woman that is from mother to daughters. In the place of a family consisting of a man his wife and children there was a large and loosely connected group called a horde or pack organized for matrimonial purposes.

The matriarchal family developed as indicated below.

1. First there was a tribe and it was the oldest and primary social group.

2. In course of time a tribe breaks into clans.

3. Clans in their turn give place to households.

4. At last comes the modern family.

CRITICISM

The matriarchal theory is more sociological than political. It seeks to explain the origin of family and not that of the state.

There is no adequate proof in support of the matriarchal system as the universal and necessary beginning of society.

* PATRIARCHAL THEORY

The Patriarchal theory explains that the state originated from the patriarchal family or the family in which the pater or father was the head.

State is an enlargement of the family. Originally the family consisted of a man, his wife and children. The father was the head of the family and his control and authority was complete in all respects over all its members. When his children married there was expansion in the original family and it led to the establishment of new families. But the authority of the father and head of the original family remained as before, and it was duly acknowledged by all his descendants. This constituted the patriarchal family. The chief exponent of the patriarchal theory is Sir Henry Maine.

* The following important points may be noted in Maine's Patriarchal theory:

1. In the Patriarchal family the element of paternity was the chief fact.

2. Descent was traced not only through males and from the same ancestor. None of the descendants of a female was included in the primitive notion of family relationship. Kinship was accordingly, purely negative.

3. Permanent marriage was the rule whether monogamy or polygamy

4. The Head of the family was the basis of all authority, and his power was unqualified over his children and their houses and other relations of all descendants.

5 He controlled not only the business affairs of the group which he headed but its religion and its conduct.

The family was the primal unit of political society, 'the seed led of all larger growths of governments, 'as Woodrow Wilson calls it. The single family had developed into several families; yet all of them were fully conscious of their ultimate kinship. Bound together by ties of common ancestors, they associated in a wider common fellowship group, the gens, owing allegiance to some elected elder - perhaps the oldest living ascendant or the most capable. Similarly, the gens broadened into the tribe. The pastoral pursuits gave way to agriculture and settled life on a definite land became a matter of necessity; land tribes united to form the state.

In support of his statement, Sir Henry Maine cited the patriarchs of the Old Testament 'families' and 'brotherhood' of Athens, the patriapotestos in Rome and the Hindu Joint family system in India.

CRITICISM

Modern theories show that the patriarchal family was not universal; the patriarchal theory was subjected to severe attacks.

* Patriarchal and matriarchal theories are in essence sociological rather than political theories.

Stephen Leacock says nonetheless, both the theories sufficiently establish that family is the original link in the evolution of the state.

Both these theories do not satisfactorily explain the origin of the state. Matriarchal and patriarchal could have been prevalent in certain early societies. But it is wrong to assume that the creation of state was occasioned by these systems. There was not substantial proof to support the universal validity of these theories.

1. THE FORCE THEORY

Force Theory of origin of state is another fallacious theory, but historically important, which is offered as an explanation of the origin and meaning of the State. There is an old saying that war beget the king and true to this maxim, the theory of Force emphasizes the origin of the State in the subordination of the weak to the strong. The advocates of the theory argue that man, apart from being a social animal is bellicose by nature. There is also a lust for power in him. Both these desires prompt him to exhibit his strength and in the early stages of the development of mankind a person physically stronger than the rest captured and enslaved the weak. He collected in this way a band of followers, fought with others, and subjugated the weak.

1. THE EVOLUTIONARY THEORY

Five theories in explanation of the origin of the state, but no single theory offers an adequate explanation. 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:
* 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.

* 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 trials .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.

* POLITICAL CONCSIOUSNESS

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.

CONCLUSION

It follows that many factors helped the growth of the state. No single factor alone was responsible for its origin. Sometimes all and sometimes many of them help the process by which uncivilized society was transformed into a state.

Of all the theories which seek to explain the origin of the states, the evolutionary theory is the most satisfactory. It should be noted that no theory pin-points the time at which the state originated as a consequence of many factors working in union at different times.