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LEVEL: 100

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ANSWER TO ASSIGNMENT

* How can a Lebanese retain or lose his or her newly acquired Nigerian citizenship

One can be a citizen of Nigeria through the following means:

* Citizenship by birth: A person is a citizen of Nigeria if;
1. They are born before the date of independence and either of their parents or grandparents belongs or belonged to a community indigenous to Nigeria.
2. They are born after the date of independence and either of their parents or grandparents are citizens of Nigeria
3. They are born outside Nigeria and either of their parents is a citizen of Nigeria.

All these is contained in Section 25(1) of the Constitution of the Federal Republic of Nigeria 1999 as amended

* Citizenship by Registration: A person can be a citizen of Nigeria by registration if;
1. The president is satisfied that the person is of good character, has shown a clear tension of desire to be domiciled in Nigeria and if he has taken the Oath of Allegiance.
2. As a woman you are married to a citizen of Nigeria

All these can be found in Section 26(1) & (2) of the Constitution of the Federal Republic of Nigeria 1999 as amended

* Citizenship by Naturalization: A person can be a citizen of Nigeria by naturalization by applying to the President for the grant of a certificate of naturalization if;
1. They are of full age and capacity
2. They are of good character
3. They have shown a clear intention of his desire to be domiciled in Nigeria
4. They are acceptable in the opinion of the Governor of the State where they reside, acceptable to the local community and they are assimilated into the way of life of Nigerians
5. They are capable of making useful contribution to the advancement and progress and well-being of Nigeria
6. They have taken the Oath of Allegiance
7. They have resided in Nigerian continuously for a period of fifteen years or have resided in Nigeria for a continuous period of twelve months and during the period of twenty years immediately preceding that period of twelve months they have resided in Nigeria for periods amounting in the aggregate to not less than fifteen years

All these can be found in Section 27(2) of the Constitution of the Federal Republic of Nigeria 1999 as amended

However a Lebanese i.e. a person who is a citizen of Lebanon can also be a citizen of Nigeria if;

* He/She is born in Lebanon or any other country but either of his/her parents is a citizen of Nigeria
* She is a woman and she is married to a citizen of Nigeria
* He/She applies for a certificate of naturalization and he/ she is able to fulfil the conditions guiding the approval of citizenship by naturalization

Moreover as a Lebanese who has just newly acquired the citizenship of Nigeria he/she can lose it if he/she does any of the following;

* If he/she decides to renounce their Nigerian citizenship, however the President may hinder this if the declaration is made during any war in which Nigeria is physically involved or in his own opinion it is otherwise contrary to public policy( Section 29(1), (2)& (3) of the CFRN 1999 as amended)
* If he/she acquires their citizenship through naturalization , and within a period of seven years after being naturalized he/she has been sentenced to imprisonment for a term of not less than 3 years, The President may derive such a person of their citizenship (Section 30(1) of the CFRN 1999 as amended)
* If he/she acquires their citizenship through registration or naturalization and he or she has shown himself/herself by act of speech to be disloyal towards the Federal Republic of Nigeria or the person has during any war in which Nigeria was engaged, unlawfully traded with the enemy or has 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 with intent to cause damage to the interest of Nigeria( Section 30(2) of the CFRN 1999 as amended)

Furthermore, a Lebanese can retain their newly-acquired citizenship by doing their duties as citizens of Nigeria according to Section 24 of CFRN 1999 as amended. The duties include:

1. Abiding by the Constitution, respecting its ideals and its institutions , the National Flag, the National Anthem, the National Pledge, and the legitimate authorities
2. Helping to enhance the power , prestige and good name of Nigeria , defend Nigeria and render such national service as may be required;
3. Respect the dignity of other citizens and the rights and legitimate interests of others and live in unity and harmony and in the spirit of common brotherhood
4. Making positive and useful contribution to the advancement , progress and well-being of the community where he resides;
5. Rendering assistance to appropriate and lawful agencies in the maintenance of law and order; and
6. Declaring his income honestly to appropriate and lawful agencies and pay his tax promptly
* Social contract Theory explains the evolution of states; what other theories explain the same and their strengths
1. Evolution Theory: This theory is generally accepted because it did not consider the state neither as a divine institution nor as a deliberate human contrivance. Rather, it conceived the state coming into existence as the result of natural evolution. Based on this conviction, it is evident according to scholars that the theories previously discussed must for reasons already stated, be rejected as unsatisfactory. The proposition therefore of the state as a product of history was aptly captured succinctly by J.W. Burgess who explained that the evolutionary theory is premised on a gradual and continuous development of human society out of a grossly imperfect beginning through crude but improving forms of manifestation towards a perfect and universal organization of mankind. ‘The beginnings of government cannot be traced to a particular time or cause because of the result of various factors through ages such as the influences as kinship, religion, war and political consciousness. Now let us explain the key influences one after the other.**1. Kingship**: In early society, the first and strongest bond and government was kingship. This bond expectedly, clearly defined family discipline which would scarcely be possible among races in which blood-relationship was subject to profound confusion and in which family organization, therefore, had no clear basis of authority on which to rest. In every case, it would seem the origin of what we should deem worthy of the name of government must-have awaited the development of some such definite family as that in which the father was known and known as ruler. However, whether or not the patriarchal family was the first form of the family, it must have been adequate as the first form ofgovernment.**2. Common worship**: This undoubtedly is another element in the welding together of families and tribes. This worship evolved from primitive animism to ancestor-worship. When ancestor worship became the prevailing form of religion, religion was inseparably linked with kinship for, at the family or communal altar; the worshipper did homage to the great dead of his/her family or group and craved protection and guidance. In some tribes, also we find that the medicine-man or magician, who naturally held a predominant position, acquired or was elevated to the position of kingship. The primitive man had implicit faith in the existence of spirits, the spirits of the dead and the spirits of nature. The medicine-man or woman, professing ability to control them by means of his/her sorcery, naturally came to be regarded with mysterious awe and acquired unique influence.. The point at issue is that the demands of constant warfare often led to the rise of permanent headship. In effect, when a tribe was threatened by danger or involved in war, it was driven by necessity to appoint a leader. This continuity of war conduced to the permanence of leadership. Accordingly, war and conquest helped to give the mark of territoriality to the state. In the patriarchal society or tribe, the nexus had been that of blood; but when leader established his/her authority over a territory by conquest, over a people with whom he/her had no blood relationship, all those who lived in that territory become his/her subjects thus making blood no longer the essential bond of unity. Finally, political consciousness on the other hand, originally government was spontaneous, natural, and twin-born with man and the family. Indeed, Aristotle could be said to be stating a fact when he said ‘man is by nature a political animal’. This act becomes more cogent based on the fact that the need for order and security is an ever-present factor; man knows instinctively that he/she can develop the best of which he/she is capable only by some form of political organization. Obviously, though at the beginning, it might well be that the political consciousness was really political unconsciousness; however, ‘just as the forces of nature operated long before the discovery of the law of gravitation, it is only apt to agree that political organization really rested on the community of mind, unconscious, dimly conscious, or fully conscious of certain moral ends present throughout the whole course of development’.
2. Theory of Force:

This theory proposes that the state is the result of the subjugation of the weaker by the stronger. The reason for this perhaps may not be far from the fact that historically ‘there is not the slightest difficulty in proving that all political communities of the modern type owe their existence to successful warfare’. In effect, as a justification of this, in the eighteenth century, Hume expressed that: ‘It is probable, that the first ascendant of one man over multitudes began during a state of war, where the superiority of courage and of genius discovers most visibly, where unanimity and concert are most sensibly felt. The long continuance of that state, an incident common among savage tribes, inured the people to submission” (Humeas cited in Appadorai,1968).The basic argument by Hume is that consequent upon the increase of population and the consequent pressure on the means of subsistence invariably there would be also an improvement in the art of warfare. It is therefore in this light that he conceived that a state is founded when a leader, with his band of warriors, gets permanent control of a definite territory of a considerable size. This may occur in one of two ways:1. When the leader, after firmly establishing his or her position as ruler of his/her own tribe, extends his/her authority over neighboring tribes until he or she comes to rule over a large territory. This is what seems to have happened in Scandinavia, where, in the ninth century, ‘the innumerable tribes became gradually consolidated, as the result of hard fighting, into the three historic kingdoms of Norway, Denmark and Sweden’. .2. A state is founded by successful migrations and conquests. This

Was the history of the Normans, ‘who, in the ninth century, became the ruling power in Russia. In Nigeria, we have the cases of the conquests of the Sakkwato Conquests of Hausa Speaking lands in the North. Expectedly, the new type of community founded by consolidation or by migration and conquest in order words differed from the tribes because

of their territorial character. The understanding here therefore is that all those who live within the territory of the ruler (and not only those who were related to him by blood) were bound to obey his/her commands. This theory like others has also been criticized not only on the claim that force is a factor in the formation of a state but rather as an element like various causes such as kinship, religion, force and political consciousness.

1. Theory of Divine Origin: This theory is also known as the theory of the divine right of kings. Its three main propositions are the following: 1. that the State was established by an ordinance of God2. its rulers/leaders are divinely appointed hence are not accountable to any authority but God. The justification for this proposition is in line with the specific injunction in the Bible (Rom13:1-2) that every soul or body is subject unto the higher powers ordained of God who is most supreme. And that whoever resisteth the power resisteth the ordinance of God and shall receive unto themselves damnation. Following from the above propositions, the essential feature scholars have argued that it is not only that God created the state in the sense that all human institutions may be believed to have had their origin in divine creation but that the will of God is supposed to be made known by revelation immediately to certain persons who are His earthly vice regents and by them communicated to the people. It is glaring therefore that in this theory obedience to the state becomes a religion as well as a civil duty and disobedience is obviously a sacrilege. This position is evidenced in the claims of certain rulers, like James I of England, who governed absolutely without being accountable to their people. In fact, he was so absolutist that he even told his Parliament that: ‘A king can never be monstrously vicious and that even if a king is wicked, it means God has sent him as a punishment for people’ sins and it is unlawful to shake off the burden which God has laid upon them. Patience, earnest prayer and amendment of their lives are the only lawful means of God to relieve them of that heavy curse. ‘On the contrary, it is interesting, however, to note that the view that the bad as well as the good ruler were the representatives of God and as such entitled to unconditional obedience. The shortfall of this theory is its tendency to justify support, cooperation and obedience for a just king who invariably was instituted by the gods and rebellion against a tyrannical king who is supposedly a part of the demons. More so, although it is important to note that though this

theory serves as an explanation of the origin of the state, it is now generally discredited, because it necessarily involves propositions that are to be accepted as matters of faith rather than of reason. Little wonder that J. N. Figg is specifically explains that the theory finds little

acceptance because there is a general belief either that reason should reign supreme; or that, if faith, as distinguished from reasoned conviction, be conceded to have a proper place in the life of men, its precepts should relate exclusively to matters spiritual. But, in spite of the obvious defect of the theory, one of its merits is that it that it may create in the mass of the people, a sense of the value of order and obedience to law, so necessary for the stability of the state –and in the rulers a moral accountability to God for the manner in which they exercise their power.