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ASSIGNMENT:

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 order to properly answer this question it’s background must me examined first. According to the Oxford learners dictionary Citizenship is the legal right to belong to a particular country. In a broader sense 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 governmental authority, Individual states and nations recognize citizenship of persons according to their own policies, regulations and criteria as to who is entitled to its citizenship. A person may have multiple citizenship . A person who does not have citizenship of any state is said to be stateless , while one who lives on state borders whose territorial status is uncertain is a border-lander. Nationality  is often used as a synonym for citizenship in English – notably in international law  – although the term is sometimes understood as denoting a person's membership of a nation (a large ethnic group). In some countries, e.g. the United States , the United kingdom , nationality and citizenship can have different meanings.

 In Nigeria citizenship can be gotten by birth, naturalization, registration and merit. Thesame way a Lebanese citizenship can gain a Nigerian citizenship he or she can also lose it.

 In the constitution of Nigeria a person can lose his citizenship either;

 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 voluntarily acquires the citizenship of a foreign country. Naturalized citizen, before seven years of residence, sentenced to prison for three years or more. Registered or Naturalized citizen is convicted of acts of disloyalty to the Federal Republic of Nigeria.

 Other ways a person can lose his citizenship is by the government depriving their citizenship or by renouncing it.

 Some reasons why he or she might want to renounce it include:

-**Multiple citizenship**
In Nigeria, despite the fact that **S. 28** of the 1999 constitution allows for dual citizenship, on the other hand, it has also limited same by making a person to forfeit his citizenship where it appears that such person is not a citizen by birth and he later acquires or retain the citizenship or nationality of another country other than Nigeria.Candidates disqualification provisions as can be seen in **S. 66(1) (a), S. 107(1) (a), S. 137 (1) (a), and S. 182 (1) (a)** of the 1999 Constitution also provide further reasons why people can renounce their citizenship. In these provisions, candidates vying for elective political offices are disqualified on the basis of their voluntary acquisition of citizenship of another country other than Nigeria.It is advised that any person(s) with interest in vying for any elective political position should rather renounce their citizenship of the other country before making attempt to contest for any election in Nigeria.

-**Conscription**
Dated back to the 18th century, people from certain countries renounce their citizenship to avoid compulsory military services also known as conscription. This form of compulsory enlistment into military services in recent times has raised several objections on different grounds ranging from religious or philosophical grounds; political objection, for example to service for a disliked government or unpopular war; and ideological objection, for example, to a perceived violation of individual rights.Those conscripted may evade service, sometimes by leaving the country. As of the early 21st century, many states no longer conscript soldiers, relying instead upon professional militaries. Many states that have abolished conscription therefore still reserve the power to resume it during wartime or times of crisis.

-**Oath of allegiance**
Whenever a person pledges his allegiance or loyalty to another country other than his country, he advertently or inadvertently relinquishes his citizenship of his earlier country. This can overtly be carried out by joining the armed forces of the country or accepting jobs where an oath of allegiance or other form declaration of allegiance is required.

 The processes and conditions for renouncing citizenship include;

**Eligibility**

* Such person must be aged 18 years and above (exception to a married woman below age 18 (**S. 29 (4)(b)**)
* Such person must be of a sound mind
* Such person must have acquired or would likely be granted citizenship in another country
* Such person has no criminal or financial liability to the state

**The procedure for renunciation of citizenship in Nigeria**

* Visit to the appropriate authority i.e the Ministry of interior, Nigerian immigration service or the Nigerian embassy in the country where the person resides.
* Fill the application form with complete information which must be signed and certified before a magistrate, notary public, justice of peace or commissioner of oath
Submit the application form(s) with the following documents:
1. Copy of the foreign passport
2. Copy of the foreign citizenship certificate or copy of confirmation that the applicant will become the citizen of a foreign country
Birth certificate
3. Citizenship certificate (if any)
4. National Identity card (if any)
5. Passport-sized photograph of the applicant
6. Nigerian passport or other traveling document
7. Marriage document (for female applicant below age 18)

Proof of acquisition of citizenship in another country

 Another way a person can lose his citizenship is if the government of Nigeria deprives him or her of citizenship.
Here, citizenship is involuntarily taken away by the government from an individual whose act and conduct has been confirmed to be inconsistent with the provisions of the constitution. Some reasons why he or she might be deprived of their citizenship include ;

-Such person(s) has committed an act of treason or an attempt to overthrow the government by force and being convicted by a court of law or tribunal may be deprived of his citizenship by the president although subject to the fact that such person is not a citizen by birth. **see S. 30 (2) of the 1999 constitution**

-Such person(s) has traded or assisted the enemy of Nigeria during the time of war with the intent to cause damage to the interest of Nigeria. **See S. 30 (2) (b) of the 1999 constitution.**

 **On the other hand of the question a person can retain his or her citizenship by simply being a good citizen . He or she should refrain from crime that can lead to the government depriving their citizenship. He or she should also adequately perform their duties as a citizen and not trample on the rights of others. In a nut shell he or she should follow the laws binding Nigeria .**

**2**

Evolutionary theory

This theory 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 defence

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 Defence

Property and depence played a vital role in the evolution of state in ancient times particularly among the people who were nomads and wagabonds and tribals. Prof. Laski has referred to the necessity of acquiring property by the members of society and protecting the property aequired 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.

## 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.

## FORCE THEORY

According to this theory, the state originated due to force exerted by the strong over the weak. The idea contained in the statement is that 'war begat the king'. The same view is expressed by Hume, Oppenheim, Jenks-Bernhardy and Trietschke are the exponents of force theory. A number of rulers also believed in this theory. The powerful conquered the weak state is the outcome of the process of aggressive exploitation of the weaker by the stronger. Might without right is antagonist to individual liberty.There were other factors besides force which helped the expansion of the state. Similarly force alone is not the basis of state and it cannot be maintained by force.

## Criticism

Force indeed has played an important part in the origin and development of the state. Some of the greatest empires of today have been established through blood and iron.The theory of force unduly emphasis the principle of the survival of the fittest. It means that might is right and those who are physically weak should go to the wall. It is dangerous to employ such a principle in the internal existence of the state. Every state will be at perpetual war with the rest. This is a condition of chaos, pure and simple endangering the peace and security of the world. The attention and efforts of every state will be directed towards war preparedness and to win the war if it comes. War which is an alias for murder, glorifies brute process, suppressing the moral forces. This is the mean self of man and not his real self. This theory justifies despotism. It is opposed to the idea of freedom. It is too much to believe that the state is created and maintained by sheer force and the spiritual and moral values have absolutely no place in life.

 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.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 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-Haque 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 has a Divine Origin and sanction finds equivocal 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, resisteth the power, resisteth 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 Vicegerent 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 I command was a sin for which there was divine punishment.

### The Divine Right Of Kings.

* There were direct and precise instructions to the faithful. Although the Roman Empire was a pagan empire, Paul had ordered Christians to accept its authority as derived horn God and thereby admitted that the State, whatever the personal morality of the monarch, was divinely ordained. During the Middle Ages in Europe the theory of the Divine Origin of the State was transformed into the doctrine of the Divine Right of Kings. The temporal authority, having emerged victorious over the spiritual authority, claimed that it was a divine favor to the Vicegerents of divine authority. Even today the Queen of Great Britain is a Queen “by the Grace Of God”.
* The Stuarts in England found refuge in the doctrine of the Divine Right of Kings and its leading exponent was James I Sir Robert Filmer was its enthusiastic supporter. Bousset advocated it in France and supported the despotism of Louis XIV. It was claimed that Kings ruled by divine right and the subjects had no recourse against them. “Kings”, wrote James I, “are breathing images of God upon earth” and disobedience to their commands was disobedience to God. As it is atheism and blasphemy to dispute what God can do, so it is presumption and high contempt in a subject to dispute What a King can do, or to say that a King cannot do this or that. Even rebellion in the cause of religion was deemed a sacrilege because, the State of monarchy is the supreme-st thing upon earth for Kings are not only God’s lieutenants upon earth, and sit upon God’s throne, but even by God himself they are called Gods. As men are children of God, so are men children of the King and they owe him an equal obedience, Without a King there could be no civil society, as the people were a mere heedless multitude incapable of making laws. All law proceeded from the King as the divinely instituted law-giver of his people. The only choice for the people was submission to the authority of the King or complete anarchy. The King could not be held answerable for his actions to human judgment. He was responsible to God alone. A bad King will be Judged by God but he must hot be judged by his subjects Or by any human agency for enforcing the law, such as the estates or the courts. The law resided ultimately in the breast of the King.
* The main points in the doctrine of the Divine Right of Kings may, thus, be summed up:-
* ***1. Monarchy is divinely ordained and the King draws his authority from God.***
* ***2. Monarchy is hereditary and it is the divine right bf a King that it should pass from father to soil.***
* ***3. The King is answerable to God alone and***
* ***4. Resistance to the lawful authority of a King is a sin.***
* The theory of the Divine Right of Kings, originally used in the Middle Ages to serve as a bulwark against the claims of the Church, Fathers, was later used by Kings and their supporters to defend their existence against the political consciousness of the peoples: when the people claimed that ultimately power and sovereign authority rested with them.

## MATRIARCHAL THEORY

Mclennan, 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 organised 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.       Atlast 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

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. howsoever numerous.

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 anchestors, they associated in a wider common fellowship group, the gens, owing allegiance to some elected elder - perhaps the oldest living ascendent 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