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COLLEGE OF LAW

POL 102: POLITICAL SCIENCE

ASSIGNMENT:

- 1. Explanation on how a naturalized citizen of a state can lose or retain his citizenship.**
- 2. Explanation on theories explaining evolution of states.**

1. HOW A LEBANESE CITIZEN CAN RETAIN OR LOSE HIS NEWLY ACQUIRED NIGERIAN CITIZENSHIP.

There are various manners by which citizenship can be attained. A few of these methods of acquiring citizenship are; by marriage, by birth and by naturalization. Naturalization is the legal act by which a citizen of a country may acquire citizenship of another country. As an example, a Lebanese citizen may seek interest in residing in Nigeria, and as a result will come down to the country of his interest and apply for citizenship. For it to be granted to him, there are processes which he will have to follow. There will also be requirements for him to meet before he can become a recognised Nigerian citizen. The following are requirements for naturalized citizenship in Nigeria:

- He has lived in Nigeria for a period not less than 15 years immediately preceding the date of his application or has resided in Nigeria continuously for a period of 12 months preceding the application and has in the past 20 years preceding the 12 months resided for an aggregate period that is not less than 15 years.
- He must be capable of contributing to the general wellbeing and progress of Nigeria.
- He must be among the independent ratio and must not be less than seventeen years old.
- He is of good character and does not hold any past records of violence.

- He is, in the opinion of the governor in the state where he intends to reside, acceptable to the local community and has assimilated into the way of life of such community.
- Finally, he has subscribed to the oath of allegiance as contained in the seventh schedule of the constitution.

If the Lebanese man in question meets the stated requirements, he will become recognised as a full-fledged citizen of the Federal Republic of Nigeria. This also implies that the rights and duties applicable to every Nigerian citizen will become applicable to him too. Moreover, it also means that he is subject to the country's laws. Breaking any laws set by the Nigerian state legislature will bring about the necessary punishment. Note that Nigerian citizenship by naturalisation or registration would not take effect until the applicant renounces his citizenship of any other country within 12 months after registration or grant of a certificate of naturalisation.

However, there is a way this Lebanese man in question can lose his acquired citizenship. The following are the ways which a naturalized citizen of the federal republic of Nigeria;

The Nigerian President can deprive a naturalised citizen of his Nigerian citizenship if such person bags an imprisonment of three years or more within a period of seven years after he was naturalised.

The President can also deprive a registered or naturalised citizen of Nigeria of his citizenship if he is considered to be disloyal to the Federal Republic of Nigeria. This consideration would be based on his acts or speech or after due enquiry by the President in a manner stated in the regulations. Please note that the act or speech must relate to what he did or said from the records of proceedings of a court of law or tribunal established by law.

Also, the President may deprive a citizen by registration or naturalisation of his citizenship if he trades with the enemy of Nigeria during the period of war in which Nigeria is physically involved or conducts business that is against the interest of Nigeria. This applies to both registration and naturalisation.

Note finally that the president has the power to make regulations that are not inconsistent with the provision of the Constitution regarding the citizenship and the status of anybody subject to the rules of citizenship. The law requires that whatever regulations made by the president in respect of citizenship shall be laid before the National Assembly.

2. THEORIES EXPLAINING EVOLUTION OF STATES.

The following are theories explaining origin of state;

1. Divine right theory
2. Force theory
3. Evolution theory
4. Social contract theory

• THE DIVINE RIGHT THEORY

The oldest theory about the origin of the state is the divine origin theory. It is also known as the theory of divine right of Kings. The exponents of this theory believe that the

state did not come into being by any effort of man. It is created by God. The King who rules over the state is an agent of God on earth.

The King derives his authority from God and for all his actions he is responsible to God alone. Obedience to the King is ordained to God and violation of it will be a sin. The King is above law and no subject has any right to question his authority or his action. The King is responsible to God alone.

The conception of the divine creation of the state may be traced back to remote antiquity. It was universal belief with the ancient people that the King is the representative of God on earth and the state is a bliss of God. Thus the King had both political and religious entity. In the religious books also the state is said to be created by God. In some religions this conception is explicit, but in others it is implicit.

The divine origin of the state is gleaned first the Old Testament of the Bible. There we find St. Paul saying- **“Let every soul be subject unto the higher powers; for there is no power but of God; the powers that be, are ordained by God. Whosoever resist the power, resisted the ordinance of God and they that resist shall receive to themselves damnation.”**

Along the line of the application of the divine theory (which went on for centuries), there were criticisms steadily rising against it which slowly reduced its application. The following are some of the causes of the declines of the divine right theory;

1. The introduction of the social contract theory suggested that the state is a handiwork of men and not a grace of God
2. The reformation that separated the church from the state debased the coin of the divine theory. The post-reformation period is a period of non-religious politics
3. The emergence of democracy was a big blow to the autocratic dogma of mixing politics with religion and thereby blunted the edge of identifying God with the king. Democracy glorified the individual and shattered the divine halo around the origin of state
4. The growth scientific enquiry and materialistic view of the political mechanism. The result was that the erstwhile blind faith and superstition was no longer acceptable. The people began to accept only those things that stood the test of logic and reasoning.

The following are criticisms of the divine theory;

There are seven lines of argument in the hands of R. N. Gilchrist levelled against the divine theory:

The first line of argument of Gilchrist is that the state is a human institution organised in an association through human agency. Modern political thinkers cannot accept the view that God has anything to do with the creation of the state. It does not stand the common sense of the moderns that God selects anybody to rule over the state.

The second line of argument is that the divine theory is fraught with dangerous consequences, because a semi-divine King is bound to rule arbitrarily as he is responsible only to God and not bound to heed public opinion. Such a theory will make the ruler despotic and autocratic.

The third line of argument is that the divine theory is unrealistic because a bad ruler will continue to rule under the divine shield. There were some bad rulers like James II of England and Louis XVI of France, who were replaced by the people. This could not happen if the divine theory was to be accepted.

The fourth line of argument is that the New Testament of the Bible reversed the divine conception of the state as ingrained in the Old Testament. It is emphatically stated in the New Testament- **“Render unto Caesar the things that are Caesar’s and unto God the things that are God’s”**, which gives the state a human character as against the divine coating.

The fifth line of argument is that the divine theory is unscientific. The anthropologists and sociologists after careful scientific analysis have discarded the theory as totally untenable as an explanation of the origin of the state.

The sixth line of argument is that the divine theory runs counter to the universally accepted conception that the state is the result of a historical evolution. The generally accepted theory of the origin of the state is that various factors like religion, family, force and political consciousness were behind the growth of the state.

The seventh line of argument is that the divine theory is undemocratic. The inevitable implication of the theory in content and tone will make the King absolute and his government never democratic. So the theme of the theory is against the spirit of democracy.

- **THE FORCE THEORY**

Another early theory of the origin of the state is the theory of force. The exponents of this theory hold that wars and aggressions by some powerful tribe were the principal factors in the creation of the state. They rely on the oft-quoted saying “**war begot the King**” as the historical explanation of the origin of the state.

The force or might prevailed over the right in the primitive society. A man physically stronger established his authority over the less strong persons. The strongest person in a tribe is, therefore, made the chief or leader of that tribe.

After establishing the state by subjugating the other people in that place the chief used his authority in maintaining law and order and defending the state from the aggression from outside. Thus force was responsible not only for the origin of the state but for development of the state also.

History supports the force theory as the origin of the state. This theory is based on the well-accepted maxim of survival of the fittest. There is always a natural struggle for existence by fighting all adversaries among the animal world. This analogy may be stretched to cover the human beings. Secondly, by emphasising the spiritual aspect of the church the clergymen condemned the authority of the state as one of brute force. This indirectly lends credence to the theory of force as the original factor in the creation of the state. Thirdly, the socialists also, by condemning the coercive power of the state as one bent upon curbing and exploiting the workers, admit of force as the basis of the state.

Following criticisms are levelled against the theory of force;

. In the first place, the element of force is not the only factor in the origin of the state; religion, politics, family and process of evolution are behind the foundation of the state. Thus to say that force is the origin of the state is to commit the same fallacy that one of the causes is responsible for a thing while all the causes were at work for it.

In the second place, the theory of force runs counter to the universally accepted maxim of Thomas Hill Green- “Will, not force, is the basis of the state.” No state can be permanent by bayonets and daggers. It must have the general voluntary acceptance by the people.

In the third place, the theory of force is inconsistent with individual liberty. The moment one accepts that the basis of a state is force, how can one expect liberty there? The theory of force may be temporarily the order of the day in despotism as against democracy.

In the fourth place, the doctrine of survival of the fittest which is relied upon by the champions of the force theory has erroneously applied a system that is applicable to the animal world to human world. If force was the determining factor, how could Mahatma Gandhi's non-violence triumph over the brute force of the British Imperialists?

Lastly, the force theory is to be discarded because political consciousness rather than force is the origin of the state. Without political consciousness of the people the state cannot be created. This is so because man is by nature a political animal. It is that political conscience that lay deep in the foundation of the state.

- THE HISTORICAL EVOLUTION 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.

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

