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

Social contract theory explains the evolution of states ,what other theories explain the same ,and their strengths.

LEBANESE NATIONALITY

Lebanese nationality law governs the acquisition, transmission and loss of Lebanese citizenship. Lebanese citizenship is the status of being a citizen of [Lebanon](#) and it can be obtained by [birth](#) or [naturalization](#). Lebanese nationality is transmitted by [paternity](#) (father) (see [Jus sanguinis](#)). Therefore, a Lebanese man who holds Lebanese citizenship can automatically confer citizenship to his children and foreign wife (only if entered in the Civil Acts Register in the Republic of Lebanon). Under the current law, descendants of Lebanese [emigrants](#) can only receive citizenship from their father and women cannot pass on citizenship to their children or foreign spouses.

On 12 November 2015, the [Parliament of Lebanon](#) approved a draft law that would allow "foreigners of [Lebanese origin](#) to get citizenship", the Minister of Foreign Affairs and Emigrants [Gebran Bassil](#) announced on 5 May 2016 the beginning of the implementation of citizenship law for Lebanese Diaspora.

Rights and responsibilities of Lebanese citizens

Rights of citizens

Citizens of Lebanon have by law the legal right to:

- Live freely in Lebanon without any [immigration](#) requirements
- Gain access to free education covering primary, secondary and university education
- Receive all health-care benefits at any public health institution
- Participate in the Lebanese political system
- Benefit from the privileges of the free trade market agreements between Lebanon and many Arab countries
- Get exempted from taxes with no condition of reciprocity
- Own and inherit property and values in Lebanon
- Enter to and exit from Lebanon through any port
- Travel to and from other countries in accordance with [visa](#) requirements
- Seek consular assistance and protection abroad by Lebanon through Lebanese embassies and consulates abroad.

Responsibilities of citizens

All Lebanese citizens are required by law, when required by the Lebanese government, to bear arms on behalf of Lebanon, to perform noncombatant service in the [Lebanese Armed Forces](#), or to perform work of national importance under civilian direction.

The code

The code covering the Lebanese nationality was issued in 1926.

Acquisition of Lebanese citizenship

Jus sanguinis

A child born to a Lebanese [father](#) or whose paternity has been declared acquires Lebanese citizenship by descent, irrespective of the nationality of the mother, and irrespective of her marital status.

A child whose Lebanese citizenship depends on paternal links loses citizenship when those are cut.

By marriage

A foreign woman who marries a Lebanese man may apply for Lebanese citizenship after having been married for at least one year and their marriage has been entered in the Civil Acts Register in the Republic of Lebanon. No language test is required, but the wife must show integration into the Lebanese way of life, compliance with the Lebanese rule of law and that she poses no danger to Lebanon's internal or external security.

A foreign wife of a Lebanese citizen can apply for naturalization while resident overseas after one year of marriage to a husband who is a Lebanese citizen, and close ties to Lebanon.

The non-Lebanese husband cannot acquire Lebanese citizenship by marriage to a Lebanese woman. It has been argued that to enable the Lebanese wife to pass Lebanese citizenship to a non-Lebanese husband would lead to a flood of Palestinians acquiring citizenship, upsetting the delicate demographics in the country.

Birth in Lebanon

Birth in Lebanon does not in itself confer Lebanese citizenship. Therefore, *jus soli* does not apply

Loss of Lebanese citizenship [\[edit\]](#)

Loss due to adoption [\[edit\]](#)

A Lebanese child adopted by foreign parents is considered to have lost Lebanese citizenship.

Annulled adoptions [\[edit\]](#)

Where a former Lebanese citizen lost citizenship due to adoption by foreign parents and that adoption is later annulled, the Lebanese citizenship is considered to never have been lost.

Loss due to birth abroad [\[edit\]](#)

A Lebanese citizen born abroad to a Lebanese father and holding at least one other nationality loses the Lebanese citizenship at age 25 if: [\[citation needed\]](#)

- She/He has never been announced to the Lebanese authorities,
- She/He has never written to the Lebanese authorities expressing her/his desire to retain Lebanese citizenship,
- She/He (or her/his guardians) have never sought to procure Lebanese identity documents for her/him, i.e. a passport or an identity card,
- Equally, the child of a person who thus loses Lebanese nationality equally loses Lebanese nationality,
- Exceptionally, a person who has been prevented, against their will, from taking the necessary actions to retain Lebanese citizenship may undertake the required actions within a delay of one year following the cessation of such delays.

Dual citizenship^[edit]

According to the [Lebanese Ministry for Migration](#), there have been no restrictions on [multiple citizenship](#) in Lebanon since 1 January 1926,^{*[citation needed]*} and foreigners who acquire Lebanese citizenship and Lebanese citizens who voluntarily acquire another citizenship retain their Lebanese citizenship (subject to the laws of the other country), as was the case before that date.

Since the [nationality laws](#) of many countries now allow both parents to transmit their nationality to their common child (and not only the father, as used to often be the case), many children automatically acquire multiple citizenship at birth. However, Lebanon specially notes that this has not created any practical problems. [Military service](#), the most likely problem to arise, is usually done in the country where the person resides at the time of conscription. For instance, a [dual Lebanese-Armenian national](#) must do his military service in Armenia, since [Armenia](#) has [compulsory military service](#) for two years for males from 18 to 27 years old. All male dual citizens regardless where they live are required to serve in the military as if they were Armenian resident citizen with certain exceptions. Most male Armenian citizens living outside of Armenia do not return to serve in the military.

Until 2007, [military service in Lebanon](#) was mandatory for men only. All men were required to do a one-year military service through age 18+. Training was only done whenever they had free time or time off school including summer vacations and holidays. There was also training done alongside high school. On 4 May 2005, a new conscription system was adopted, making for a six-month service, and pledging to end conscription within two years. As of 10 February 2007 mandatory military service no longer exists in Lebanon.^[6]

Even though Lebanese nationality law permits multiple citizenship, a Lebanese national who also holds another country's citizenship may be required to renounce the foreign citizenship, under the foreign country's nationality law. A

dual Lebanese-Japanese national must, for instance, make a declaration of choice, to the Japanese [Ministry of Justice](#), before turning 22, as to whether he or she wants to keep the Lebanese or [Japanese citizenship](#).

Reforms[\[edit\]](#)

There is a public demand for giving the opportunity for Lebanese women to transmit their Lebanese nationality to their children and also to their husbands.^{[7][8][1]} Moreover, the Lebanese citizenship to be given to the [8-14 million diaspora](#) of Lebanese living all over the world.^{[9][10]}

On 7 November 2015, [Gebran Bassil](#), the [Minister of Foreign Affairs and Emigrants](#), "refused to compromise on a draft law that would grant citizenship to the descendants of Lebanese expatriates by expanding it to include the foreign spouses and children of [Lebanese women](#)".^[11]

On 11 November 2015, the Lebanese Parliament and [Free Patriotic Movement](#) member Ibrahim Kanaan stated that the ministers have agreed to pass a "10-article draft law titled "The Reacquisition of Lebanese Citizenship to the Descendants of Lebanese Emigrants," to grant those of Lebanese origin the nationality on the basis of certain procedures and legal pathways.^{[10][12]}

On 12 November 2015, the [Lebanese Parliament](#) approved a raft of draft laws, including a law allowing foreigners of Lebanese origin to get citizenship.^[3]

On 5 May 2016, the [Gebran Bassil](#), the [Minister of Foreign Affairs and Emigrants](#) announced the beginning of the implementation of citizenship law for Lebanese diaspora.^{[4][5][*additional citation(s) needed*]} However, the law would allow only grandchildren of Lebanese paternal grandfathers but not grandchildren of Lebanese maternal grandmothers to apply for citizenship.^[1]

Law for descendants of Lebanese origin[\[edit\]](#)

Article I ^{[13][10][5]} Every natural person who meets one of the two eligibility requirements has the right to reclaim his/her Lebanese nationality.

- 1- If the records of the 1921 census at the Ministry of the Interior and Municipalities, and the records of emigration clearly indicate that he/she or any direct paternal ancestral/predecessors or next of kin to the fourth degree were present in the Republic of Lebanon, as registered by the 1921 census records at the Ministry of the Interior and Municipalities (that will prove the emigration to a direct paternal/ancestral predecessor.
- 2- If he/she or the above-mentioned ancestral predecessors or next of kin were naturalized as Lebanese citizens according to the law of naturalization promulgated on January 19, 1925, and has neglected to claim or reclaim his/her citizenship. In other words, most emigrants required little more than their emigration papers that listed origins.^{[14][15]}

Article II ^{[13][10][5]} This law intends to verify the “actual presence of Lebanese relatives in the town, village or neighborhood,” which an individual would claim, including the degree of kinship, along with any ownership/holding of rights to real property that may have been “devised, bequeathed, or inherited from a Lebanese citizen.”

I swear by Almighty God that I have decided to reclaim my Lebanese nationality entirely of m

Although bureaucratic in nature, this aspect of the law was meant to encourage associations with the land, a defining feature of Lebanese nationality. Where one traced his/her roots were deemed vital that, again, added a specific feature to the law. The law would allow grandchildren of Lebanese paternal grandfathers to apply for citizenship.^[1] The latest law would help Lebanese expatriates take part in future Lebanese parliamentary elections by voting at Lebanese embassies abroad. The number of Lebanese living outside the country is thought to at least double the number of citizens living inside,^[2] which means at least 8 million people.

Refugees in Lebanon^[edit]

Excessive restrictions are in place on granting of Lebanese citizenship due to the importance of the country's demographics in the political system.^[16] However, [Armenian](#) and [Assyrian](#) refugees came to Lebanon in 1915 from present-day [southeastern Turkey](#), following the [Armenian and Assyrian genocide](#).^[17] And when Lebanon was formed after Ottoman rule subsided, these Armenians and Assyrians were given citizenship to Lebanon.^[18] Also, under the [Syrian-occupied Lebanon](#) in 1994, the government naturalized over 154,931 foreign residents, of [Palestinian](#) (mostly [Palestinian Christians](#)) and [Syrian](#) (mostly [Syrian Sunnis](#) and [Christians](#)) descent.^[19] It was argued that the purpose of these naturalizations was to sway the elections to a pro-Syrian government.^[20] This allegation is based on how these new citizens were bussed in to vote and displayed higher voting rates than the nationals did.^[19]

Most [Palestinians in Lebanon](#) do not have Lebanese citizenship and therefore do not have [Lebanese identity cards](#), are legally barred from owning property or legally barred from entering a list of desirable occupations.^[21] However, some Palestinians, mostly [Palestinian Christians](#), however, did receive Lebanese citizenship, either through marriage with Lebanese nationals or by other means.^[19] In 2017, a census by the Lebanese government counted 174,000 Palestinians in Lebanon,^[22] but other sources estimate the number as high as 400,000.

On June 1, 2018, the notoriously anti-naturalization [Lebanese president, Michel Aoun](#)^[23] signed a naturalization decree granting citizenship to a reported 300 individuals. These individuals come from various backgrounds and religions, however all of them are in one way wealthy and have ties to [Syrian president, Bashar al-Assad](#)

Beirut) – [Lebanon](#) should amend an outdated nationality law to ensure that children and spouses of Lebanese women have the same right to citizenship as those of Lebanese men, Human Rights Watch said today.

The current law discriminates against women married to foreigners, their children, and spouses, by denying citizenship to the children and spouses. The law affects almost every aspect of the children’s and spouses’ lives, including legal residency and access to work, education, social services, and health care. It leaves some children at risk of [statelessness](#). Lebanon should end all forms of discrimination against Lebanese women, their children, and spouses in the nationality law.

“Parliament should urgently amend a French mandate-era nationality law that has been causing untold hardship for more than 90 years with no justification,” said [Lama Fakih](#), deputy Middle East director at Human Rights Watch. “Recent steps to provide access to basic rights like education and work to the children and spouses of Lebanese women are a step in the right direction, but confusing and piecemeal measures are no substitute for equal citizenship.”

Dual nationality [\[edit\]](#)

Nigerian nationality law allows [dual nationality](#) of people of Nigerian descent either through birth or parentage. They are also allowed to hold public office in [Nigeria](#).^{[1][2]}

Some in Nigeria feel that dual nationality damages nationality unity of the country

Social Contract Theory

Social contract theory, nearly as old as philosophy itself, is the view that persons’ moral and/or political obligations are dependent upon a contract or agreement among them to form the society in which they live. Socrates uses something quite like a social contract argument to explain to Crito why he must remain in prison and accept the death penalty. However, social contract theory is rightly

associated with modern moral and political theory and is given its first full exposition and defense by Thomas Hobbes. After Hobbes, John Locke and Jean-Jacques Rousseau are the best known proponents of this enormously influential theory, which has been one of the most dominant theories within moral and political theory throughout the history of the modern West. In the twentieth century, moral and political theory regained philosophical momentum as a result of John Rawls' Kantian version of social contract theory, and was followed by new analyses of the subject by David Gauthier and others. More recently, philosophers from different perspectives have offered new criticisms of social contract theory. In particular, feminists and race-conscious philosophers have argued that social contract theory is at least an incomplete picture of our moral and political lives, and may in fact camouflage some of the ways in which the contract is itself parasitical upon the subjugations of classes of persons.

1. Socrates' Argument

In the early Platonic dialogue, *Crito*, [Socrates](#) makes a compelling argument as to why he must stay in prison and accept the death penalty, rather than escape and go into exile in another Greek city. He personifies the Laws of Athens, and, speaking in their voice, explains that he has acquired an overwhelming obligation to obey the Laws because they have made his entire way of life, and even the fact of his very existence, possible. They made it possible for his mother and father to marry, and therefore to have legitimate children, including himself. Having been born, the city of Athens, through its laws, then required that his father care for and educate him. Socrates' life and the way in which that life has flourished in Athens are each dependent upon the Laws. Importantly, however, this relationship between citizens and the Laws of the city are not coerced. Citizens, once they have grown up, and have seen how the city conducts itself, can choose whether to leave, taking their property with them, or stay. Staying implies an agreement to abide by the Laws and accept the punishments that they mete out. And, having made an agreement that is itself just, Socrates asserts that he must keep to this agreement that he has made and obey the Laws, in this case, by staying and accepting the death penalty. Importantly, the contract described by Socrates is an implicit one: it is implied by his choice to stay in Athens, even though he is free to leave.

In Plato's most well-known dialogue, *Republic*, social contract theory is represented again, although this time less favorably. In Book II, Glaucon offers a candidate for an answer to the question "what is justice?" by representing a social contract explanation for the nature of justice. What men would most want is to be able to commit injustices against others without the fear of reprisal, and what they most want to avoid is being treated unjustly by others without being able to do injustice in return. Justice then, he says, is the conventional result of the laws and covenants that men make in order to avoid these extremes. Being unable to commit injustice with impunity (as those who wear the ring of Gyges would), and fearing becoming victims themselves, men decide that it is in their interests to submit themselves to the convention of justice. Socrates rejects this view, and most of the rest of the dialogue centers on showing that justice is

worth having for its own sake, and that the just man is the happy man. So, from Socrates' point of view, justice has a value that greatly exceeds the prudential value that Glaucon assigns to it.

These views, in the *Crito* and the *Republic*, might seem at first glance inconsistent: in the former dialogue Socrates uses a social contract type of argument to show why it is just for him to remain in prison, whereas in the latter he rejects social contract as the source of justice. These two views are, however, reconcilable. From Socrates' point of view, a just man is one who will, among other things, recognize his obligation to the state by obeying its laws. The state is the morally and politically most fundamental entity, and as such deserves our highest allegiance and deepest respect. Just men know this and act accordingly. Justice, however, is more than simply obeying laws in exchange for others obeying them as well. Justice is the state of a well-regulated soul, and so the just man will also necessarily be the happy man. So, justice is more than the simple reciprocal obedience to law, as Glaucon suggests, but it does nonetheless include obedience to the state and the laws that sustain it. So in the end, although Plato is perhaps the first philosopher to offer a representation of the argument at the heart of social contract theory, Socrates ultimately rejects the idea that social contract is the original source of justice.

2. Modern Social Contract Theory

a. Thomas Hobbes

Thomas Hobbes, 1588-1679, lived during the most crucial period of early modern England's history: the English Civil War, waged from 1642-1648. To describe this conflict in the most general of terms, it was a clash between the King and his supporters, the Monarchists, who preferred the traditional authority of a monarch, and the Parliamentarians, most notably led by Oliver Cromwell, who demanded more power for the quasi-democratic institution of Parliament. Hobbes represents a compromise between these two factions. On the one hand he rejects the theory of the Divine Right of Kings, which is most eloquently expressed by Robert Filmer in his *Patriarcha or the Natural Power of Kings*, (although it would be left to John Locke to refute Filmer directly). Filmer's view held that a king's authority was invested in him (or, presumably, her) by God, that such authority was absolute, and therefore that the basis of political obligation lay in our obligation to obey God absolutely. According to this view, then, political obligation is subsumed under religious obligation. On the other hand, Hobbes also rejects the early democratic view, taken up by the Parliamentarians, that power ought to be shared between Parliament and the King. In rejecting both these views, Hobbes occupies the ground of one who is both radical and conservative. He argues, radically for his times, that political authority and obligation are based on the individual self-interests of members of society who are understood to be equal to one another, with no single individual invested with

any essential authority to rule over the rest, while at the same time maintaining the conservative position that the monarch, which he called the Sovereign, must be ceded absolute authority if society is to survive.

Hobbes' political theory is best understood if taken in two parts: his theory of human motivation, [Psychological Egoism](#), and his theory of the social contract, founded on the hypothetical State of Nature. Hobbes has, first and foremost, a particular theory of human nature, which gives rise to a particular view of morality and politics, as developed in his philosophical masterpiece, *Leviathan*, published in 1651. The Scientific Revolution, with its important new discoveries that the universe could be both described and predicted in accordance with universal laws of nature, greatly influenced Hobbes. He sought to provide a theory of human nature that would parallel the discoveries being made in the sciences of the inanimate universe. His psychological theory is therefore informed by mechanism, the general view that everything in the universe is produced by nothing other than matter in motion. According to Hobbes, this extends to human behavior. Human macro-behavior can be aptly described as the effect of certain kinds of micro-behavior, even though some of this latter behavior is invisible to us. So, such behaviors as walking, talking, and the like are themselves produced by other actions inside of us. And these other actions are themselves caused by the interaction of our bodies with other bodies, human or otherwise, which create in us certain chains of causes and effects, and which eventually give rise to the human behavior that we can plainly observe. We, including all of our actions and choices, are then, according to this view, as explainable in terms of universal laws of nature as are the motions of heavenly bodies. The gradual disintegration of memory, for example, can be explained by inertia. As we are presented with ever more sensory information, the residue of earlier impressions 'slows down' over time. From Hobbes' point of view, we are essentially very complicated organic machines, responding to the stimuli of the world mechanistically and in accordance with universal laws of human nature.

In Hobbes' view, this mechanistic quality of human psychology implies the subjective nature of normative claims. 'Love' and 'hate', for instance, are just words we use to describe the things we are drawn to and repelled by, respectively. So, too, the terms 'good' and 'bad' have no meaning other than to describe our appetites and aversions. Moral terms do not, therefore, describe some objective state of affairs, but are rather reflections of individual tastes and preferences.

In addition to Subjectivism, Hobbes also infers from his mechanistic theory of human nature that humans are necessarily and exclusively self-interested. All men pursue only what they perceive to be in their own individually considered best interests – they respond mechanistically by being drawn to that which they desire and repelled by that to which they are averse. This is a universal claim: it is meant to cover all human actions under all circumstances – in society or out of it, with regard to strangers and friends alike, with regard to small ends and the most generalized of human desires, such as the desire for power and status. Everything we do is motivated solely by the desire to better our own situations, and satisfy as many of our own, individually considered desires as possible. We are infinitely appetitive and only genuinely concerned with our own selves. According to Hobbes, even the reason that adults care for small children can be explicated in terms of the adults' own self-interest (he claims that in saving an infant by caring for it, we become the recipient of a strong sense of obligation in one who has been helped to survive rather than allowed to die).

In addition to being exclusively self-interested, Hobbes also argues that human beings are reasonable. They have in them the rational capacity to pursue their desires as efficiently and maximally as possible. Their reason does not, given the subjective nature of value, evaluate their given ends, rather it merely acts as "Scouts, and Spies, to range abroad, and find the way to the things Desired" (139). Rationality is purely instrumental. It can add and subtract, and compare sums one to another, and thereby endows us with the capacity to formulate the best means to whatever ends we might happen to have.

From these premises of human nature, Hobbes goes on to construct a provocative and compelling argument for why we ought to be willing to submit ourselves to political authority. He does this by imagining persons in a situation prior to the establishment of society, the State of Nature.

According to Hobbes, the justification for political obligation is this: given that men are naturally self-interested, yet they are rational, they will choose to submit to the authority of a Sovereign in order to be able to live in a civil society, which is conducive to their own interests. Hobbes argues for this by imagining men in their natural state, or in other words, the State of Nature. In the State of Nature, which is purely hypothetical according to Hobbes, men

are naturally and exclusively self-interested, they are more or less equal to one another, (even the strongest man can be killed in his sleep), there are limited resources, and yet there is no power able to force men to cooperate. Given these conditions in the State of Nature, Hobbes concludes that the State of Nature would be unbearably brutal. In the State of Nature, every person is always in fear of losing his life to another. They have no capacity to ensure the long-term satisfaction of their needs or desires. No long-term or complex cooperation is possible because the State of Nature can be aptly described as a state of utter distrust. Given Hobbes' reasonable assumption that most people want first and foremost to avoid their own deaths, he concludes that the State of Nature is the worst possible situation in which men can find themselves. It is the state of perpetual and unavoidable war.

The situation is not, however, hopeless. Because men are reasonable, they can see their way out of such a state by recognizing the laws of nature, which show them the means by which to escape the State of Nature and create a civil society. The first and most important law of nature commands that each man be willing to pursue peace when others are willing to do the same, all the while retaining the right to continue to pursue war when others do not pursue peace. Being reasonable, and recognizing the rationality of this basic precept of reason, men can be expected to construct a Social Contract that will afford them a life other than that available to them in the State of Nature. This contract is constituted by two distinguishable contracts. First, they must agree to establish society by collectively and reciprocally renouncing the rights they had against one another in the State of Nature. Second, they must imbue some one person or assembly of persons with the authority and power to enforce the initial contract. In other words, to ensure their escape from the State of Nature, they must both agree to live together under common laws, and create an *enforcement mechanism* for the social contract and the laws that constitute it. Since the sovereign is invested with the authority and power to mete out punishments for breaches of the contract which are worse than not being able to act as one pleases, men have good, albeit self-interested, reason to adjust themselves to the artifice of morality in general, and justice in particular. Society becomes possible because, whereas in the State of Nature there was no power able to "overawe them all", now there is an artificially and conventionally superior and more powerful person who can force men to cooperate. While living under the authority of a Sovereign can be harsh (Hobbes argues that because men's

passions can be expected to overwhelm their reason, the Sovereign must have absolute authority in order for the contract to be successful) it is at least better than living in the State of Nature. And, no matter how much we may object to how poorly a Sovereign manages the affairs of the state and regulates our own lives, we are never justified in resisting his power because it is the only thing which stands between us and what we most want to avoid, the State of Nature.

According to this argument, morality, politics, society, and everything that comes along with it, all of which Hobbes calls 'commodious living' are purely conventional. Prior to the establishment of the basic social contract, according to which men agree to live together and the contract to embody a Sovereign with absolute authority, nothing is immoral or unjust – anything goes. After these contracts are established, however, then society becomes possible, and people can be expected to keep their promises, cooperate with one another, and so on. The Social Contract is the most fundamental source of all that is good and that which we depend upon to live well. Our choice is either to abide by the terms of the contract, or return to the State of Nature, which Hobbes argues no reasonable person could possibly prefer.

Given his rather severe view of human nature, Hobbes nonetheless manages to create an argument that makes civil society, along with all its advantages, possible. Within the context of the political events of his England, he also managed to argue for a continuation of the traditional form of authority that his society had long since enjoyed, while nonetheless placing it on what he saw as a far more acceptable foundation.

b. John Locke

For Hobbes, the necessity of an absolute authority, in the form of a Sovereign, followed from the utter brutality of the State of Nature. The State of Nature was completely intolerable, and so rational men would be willing to submit themselves even to absolute authority in order to escape it. For [John Locke](#), 1632-1704, the State of Nature is a very different type of place, and so his argument concerning the social contract and the nature of men's relationship to authority are consequently quite different. While Locke uses Hobbes' methodological device of the State of Nature, as do virtually all social contract theorists, he uses it to a quite different end. Locke's arguments for the social contract, and for the right of citizens to revolt against their king were enormously influential on the democratic revolutions

that followed, especially on Thomas Jefferson, and the founders of the United States.