

Untraditional Methods Of Obtaining Nationality In Jordanian Legislation (A Comparative Study) Preparation

Prof. Mohammed Jamal Thneibat¹,
Prof. Muhammad Hussain Qudah²,
Researcher hebah Alkhawaldeh³

¹Public Law Department, faculty of law
Al-Ahliyya Amman University
<http://orcid.org/0000-0001-9680-5492>
995@ammanu.edu.jo

²Public Law Department, faculty of law
Al-Ahliyya Amman University
<https://orcid.org/0000-0001-7381-784x>
m.qdah@ammanu.edu.jo

Al-Ahliyya Amman University³
<https://orcid.org/0009-0006-1074-1365>
hibasami2010@hotmail.com

Abstract

This research dealt with non-traditional methods of acquiring nationality in Jordanian legislation compared to legislation that included texts and situations that address the granting of nationality in exceptional ways - other than the region and blood - such as granting citizenship in order to encourage investment, and giving citizenship to creative and distinguished people in various fields ... Etc. where the problem of the research was the lack of unity of Jordanian laws and adequacy to address the acquisition of nationality in exceptional ways and the research concluded that the Jordanian legislator stipulated the granting of nationality in exceptional ways and set terms and conditions, but scattered texts and multiple legislation and recommended the study that the nationality law includes all cases

under which citizenship is granted by non-traditional ways.

Introduction

The person is associated with the state and is subject to its legal system through the nationality bond, which is defined as a legal and political bond that connects the person to the territory of the state in which he resides, nationality determines the political and legal identity of the person, and it is the legal tool under which people are classified according to the political meaning of the people To which they belong according to religious, social and political foundations, the state would not have arisen without the presence of the people, the region and sovereignty, this is one of the most important components of the modern state, and the need for individuals to organize their relations and provide them with the protection they need and regulate this relationship that binds them to the state, each state seeks to identify its members and distinguish them from foreigners residing in it, to ensure loyalty, belonging and sovereignty over its territory, The national legislator has sought to regulate the relationship of individuals with the State through special legislation only for nationality, since nationality is the legal relationship from which mutual rights and duties between a person and the State arise.

The first is related to the status of the individual in international law, whereby the individual is embodied in the political affiliation towards a specific state of public law, through nationality individuals are distributed among different countries, so nationality has occupied great importance in the life of countries as it is the tool according to which the pillar of the people can be determined as we mentioned, while the second aspect is related to the status of the individual at the national level The individual's enjoyment of the nationality of a State makes him enjoy rights and privileges limited to the holders of the nationality of this State, who are called "citizens", and they have rights and duties that other individuals do not bear,

and in view of the importance of enjoying nationality, States have been keen to grant their nationality to individuals, whether granted on the basis of the right of blood or on the basis of territory or on other grounds.

Traditionally, the granting of nationality was limited to the right of blood and the region, but with the development of life and the increase in the needs of individuals and the demand for knowledge and ease of communication and mobility, some individuals became expatriates to obtain knowledge and experience, and there is a global and local demand for people with distinguished skills and talents, and countries are competing to provide great advantages for them. In some of them, the case has reached the granting of citizenship to some of these individuals, and in front of regional entitlements, Arab countries such as the UAE, Qatar, Bahrain and Saudi Arabia are leading a real direction and path in breaking the circle of closure, and opening up to those with expertise and competencies in various fields.

There is no doubt that the legislation regulating nationality in Jordan is the Jordanian Nationality Law No. (6) of 1954 and its amendments and complementary laws, which constitute the legal framework that determines the methods of acquiring Jordanian nationality, whether traditional or non-traditional, with a focus on the methods developed in granting citizenship for exceptional considerations (sports excellence, technical talents, academic competencies and medical skills...)

– **The importance of research**

There is no doubt that the legislative transformation in granting nationality for non-traditional considerations (other than the right of blood and region) constitutes a remarkable development in legal thought, and a watershed in the obligations of legislation regulating the acquisition of nationality, where the justifications associated with sustainable development and making a qualitative difference in progress at all levels need

extraordinary competencies and exceptional talents that lead the desired change, and countries compete among themselves to achieve qualitative addition in human development. And attracting cadres, expertise and minds in all activities and fields To achieve competitive advantage.

Research Objectives

This study aims to clarify the following points:

- 1) Statement of nationality.
- 2) A statement of the authority of the state in its organization.
- 3) Clarifying the position of the Jordanian legislator on granting nationality by non-traditional means.
- 4) Clarifying the relationship between achieving development in the country and attracting competencies through the granting of citizenship.
- 5) Clarifying the target groups of granting citizenship by non-traditional means.

Study Questions

In light of the previously mentioned research problem, the research tries to answer the following questions, which are as follows:

- 1) What is the definition of nationality and what are its pillars?
- 2) How free is the state to regulate citizenship?
- 3) What is the position of international conventions on nationality?
- 4) What is the position of Arab legislation on nationality?
- 5) What are the non-traditional ways of acquiring citizenship and why are they important?
- 6) What is the position of Jordanian law on granting nationality by exceptional means and are there any practical cases in which decisions have been issued?

Research Methodology

The researcher relied on the descriptive analytical approach, which depends on the deduction, analysis and detail of legal texts in the legislation related to the subject of research, and the descriptive approach to take note of the details and description of the current situation of the subject of research, and the research followed the comparative approach to show the differences between the legislation of the Arab countries and the legislation of the comparative countries under study.

Research Plan

The first topic: the concept of nationality and the position of international conventions and treaties on granting it.

The first requirement: the concept of nationality and the extent of the state's freedom to regulate nationality.

The second requirement: the position of international conventions, treaties and legislation on the granting of nationality.

The second topic: non-traditional methods of granting nationality in Arab countries compared to foreign countries and the position of legislation and the judiciary thereof.

The first requirement: the concept of non-traditional ways of nationality and the models of countries in granting it.

Subchapter I: The concept of granting nationality by non-traditional means.

Subchapter II: Models of granting nationality by non-traditional means .

The second requirement: the position of Jordanian legislation on granting Jordanian nationality.

Boot

Nationality is the basic and legal link that attaches the individual to a particular country and through it individuals are distributed in the international community, as the Universal Declaration of Human Rights stipulates in Article (51) that "everyone has the right to have a nationality", so no person may be deprived of his nationality arbitrarily nor of the right to change or renounce it, and this right has been established within the basic rights such as the right to life, the right to equality before the law and the right to freedom, and this right has been affirmed. In many other international conventions.

The first topic: the concept of nationality and the position of international conventions and treaties on granting it.

Based on the above, the concept of nationality and the authority of the state to grant it in accordance with international conventions and treaties will be addressed in two requirements: the first deals with determining the concept of nationality and the extent of the state's authority in organizing it, and the second requirement deals with the position of international conventions and treaties on granting it.

The first requirement: the concept of nationality and the extent of the state's freedom to organize it.

Jurisprudence deals with the concept of nationality and provides multiple definitions, despite the difference in the wording and wording of the definition, but there is an agreed meaning that nationality is a legal, political and spiritual bond between the individual and the state that entails a set of mutual rights and obligations, "There is no doubt that the state is the one that regulates the conditions for imposing, granting, losing and recovering it by law that achieves its interests, and there is a side of jurisprudence that emphasizes the legal aspect, it was defined by the French professor Battiful as "the individual's legal affiliation to the people constituting the state" while he defined it

Another aspect of jurisprudence is that it is "the instrument on the basis of which the legal distribution of individuals among other states is carried out, and it is the means that determines the people's pillar in the state."

The International Court of Justice defined it in 1955 as "a legal relationship based on an original bond and on genuine solidarity in coexistence , interests and feelings".

Therefore, the trend that depends on the legal aspect considers nationality an idea related to private law without the public and not a political bond between the individual and the state, while the trend that goes to give priority to the political aspect considers that nationality is an idea related to public law, and the reason for this dispute is due to the legal nature of nationality.

Although the Jordanian legislator did not address the definition of nationality and only regulated the provisions of nationality, leaving the definition to jurisprudence, but we see that nationality is not only a legal or political document, but it is deeper than that, as it expresses multiple dimensions with legal, political, social and spiritual aspects between the individual and the state that entail mutual rights and obligations.. It is a legal relationship because the law regulates the provisions of its inception and the means of acquisition and loss and shows the effects of it, and it is a political relationship because its political organization is based on the political loyalty of the individual towards his state to which he belongs, and it is a social relationship as it gives the individual a sense of belonging to the group and living with them, and spiritual because it is not a material relationship that requires the presence of the individual inside or outside the state, Rather, it is a moral relationship between the individual and the state based on loyalty and sacrifice of the individual towards his state and providing what he can give to it.

For the purposes of determining the legal nature of nationality and the extent of the state's freedom to regulate it, jurisprudence is divided into two groups.

The first opinion: sees nationality is a contractual legal bond between the individual and the state, under which the state is obligated to grant this individual some of the rights and the role of the individual is obligated to carry out the burdens and costs for the benefit of his state, and this opinion appeared in France by a jurist called "Weiss" who believes that the legal ties of nationality do not arise unless the will of both the state and the individual agrees, and the opinion of "Weiss" can be analyzed on the basis that the will of the state is deduced from a general expression that constitutes a kind of positive directed to each individual. It meets the conditions necessary for the acquisition of its nationality, which urges with regard to nationality (1) or through a special expression addressed to a specific person, which is what happens with regard to emergency nationality (naturalization), as for the will of the individual, it can be deduced in two ways; Or tries to change it, this is tacit acceptance of it, and the owners of this view believe that the will of the individual may be not required, as we can consider it assumed, as is the case in the original nationality once birth, so we conclude from the above for this opinion that nationality is a contractual bond that arises through the explicit or implicit expression of their will, and this bond or relationship results in a set of rights and obligations on the parties to confront the other party, where the state is obligated to provide the individual with protection Security, care and safety internally and internationally and grant him political, civil and constitutional rights, and the individual must abide by his duties and give the state his full sense of gratitude, respect, loyalty, submission to its laws and authority, and payment of the costs and burdens imposed on it by the state.

As for the **second** opinion, contrary to the first opinion, it believes that nationality is an organizational tool in

the hands of the state through which the element of the population within it is framed and distinguish who are its citizens and who are foreigners residing within its borders, and thus it can regulate the legal status of that and know about who must abide by the duties entrusted to it constitutionally and also be able to know who is charged with the duties, costs and burdens imposed by law such as paying taxes and performing military service, for example, and based on this opinion, the state is unique in developing a mechanism. The organization of these ties where the State itself states the reasons for granting them nationality, whether by the original method (nationality by birth) or by the emergency method (naturalization), as well as the reasons for their disappearance according to their own economic, political and social conditions.(2)

In comparison between the two previous opinions and in the field of weighting between them, the researcher believes that the second opinion is the predominant opinion, which considers nationality is an organizational association and not a contractual association, because of the logic and integrity of the arguments based on this opinion and the difficulty and even impossibility of the idea of a contractual relationship between the individual and the state, and on the other hand legally there is no contract in which the will of one party is executed and the will of the other party prevails absolute sovereignty except in compliance contracts, which the party does not have the right to discuss terms and conditions. The nationality that is established for the first time when a new state arises is also an original nationality because it shows the nationality of the assets that make up the people's corner in the state called the nationality of incorporation, and often decides on temporary provisions.

It is clear from the legal nature of the concept of nationality that it is based on three pillars:

A The first pillar: the state: a person of public international law who enjoys a wider authority than international persons as a basic pillar of nationality, and the state is competent to grant and regulate nationality, and no higher authority or body may grant nationality, such as the United Nations, for example, which is considered higher than the state, and does not apply to the description of the state, as well as the case for the European Union countries, each country within the Union has its own nationality as it has its own legal and international personality, Despite the existence of continuous attempts to unify the nationality of the European Union countries, and so is the case with the federal states that regulate the authority of one state such as the United States of America, so that these states within the federal jurisdiction cannot grant citizenship, but rather grant one nationality to all states within the Union, which is the citizenship of the United States of America, which applies to all states, as well as it is not required that the state be fully sovereign or recognized by other countries in order to exercise its authority to grant special citizenship, In the sense that the state may be deficient in sovereignty or under protection, trusteeship or mandate, it may issue its own nationality as long as it retains its international personality, as in Iraq, which was under the British Mandate and issued the first Nationality Law No. (42) of 1924, as well as Syria when it was subject to the French mandate and issued the first law in 1925, but if the state lost its legal personality completely, as is the case for colonial countries or that have joined other countries Its members do not establish their nationality of their own, but belong to the countries that colonized their territories or their state that has completely lost its sovereignty.

B The second pillar: the individual: after the human being was freed from slavery and became possessed of his legal personality, which entails the enjoyment of his rights and bear the obligations that fall on him, and one of the most important of these rights is to have a political affiliation to a particular state that guarantees

his protection towards individuals and states, and this right has become one of the basic human rights and confirmed by Article (15) of the Universal Declaration of Human Rights of 1948(3). If this right is enjoyed by the natural person, this right (holding nationality) for the legal person was the subject of disagreement between jurisprudence in two directions – the first denied the right of the legal person to hold nationality(4) because it lacks some of the characteristics of this right such as political loyalty and spiritual affiliation and that the legal person does not fall within the population census of the State, and the second recognizes the legal person the right to hold nationality like a natural person, which is the most correct opinion and taken by international bodies but approved. The same applies to the nationality of things, so the concept of nationality applies not only to the natural person, who is considered one of the pillars of nationality, but includes the legal person such as companies, associations and things such as ships and planes, and some jurisprudence added satellites(5)

C The third pillar: a political legal relationship: There is no doubt that the legal relationship is the bond that is between the individual and the state and is governed by a legal rule, so when we say that nationality is a legal bond in the sense that the law is the one that regulates the provisions of imposing nationality, granting, losing and recovering it and the consequent effects, and these effects may be individual or collective.

Of course, this legal relationship entails mutual rights and obligations between both the individual and the state, so the individual who enjoys nationality obtains the national status and others have a foreign character, and the state grants privileges to those who hold the national status, and therefore the relationship becomes legal and political between them in order to enjoy its nationality, since nationality performs a dual purpose, because it shows the amount of rights and obligations between the two elements of the

relationship, as well as it shows the applicable law in matters of personal status, The individual has an important role in this relationship or the legal and political bond that binds him to his state because the independence and continuity of the state depends mainly on the people who make up it, as the individual is part of it and has a role in the formation and survival of the state.

The second requirement: the position of international treaties and legislation on the granting of nationality.

For example, Article (5) of the Jordanian Constitution states that the Constitution is determined by law ⁽¹⁾, but there are some restrictions that the State must abide by when developing legislation and provisions of nationality, otherwise it is subject to international legal accountability, and this is confirmed by Article I of the Hague Convention (6). (1930).m), where it stipulates: (Each State is competent to determine in its laws the persons who enjoy its nationality, and other States recognize such laws to the extent that they do not conflict with international conventions or international custom and the principles of public international law generally recognized in matters of nationality), where it decided the competence of each State to determine its individuals who will enjoy its nationality, also other States must recognize and respect this limitation in the event that they do not conflict with State conventions, international custom or principles. This principle was confirmed in the judgment of the International Court of Justice in the famous Nottebohm case on the sixth of April (1955)(7).

The legal basis for granting nationality on an international scale can be clarified and clarified through two directions(8); The first is represented by Anglo-Saxon jurisprudence, which argues that the basis of nationality is mutual benefit between its parties, because the individual has by virtue of nationality rights and protection for him inside and outside the state, and the state has by virtue of its nationality the right to exercise its jurisdiction and sovereignty over those who hold its nationality at home and abroad, which guarantees it material and legal control over its citizens.

The second represents Latin jurisprudence, which goes to establish nationality on a spiritual basis, describing it as a spiritual bond based on political loyalty and spiritual affiliation between the individual and the state.

The fact of the matter is that nationality, as some jurisprudence argues, is based on two foundations, the first is material (utilitarian) and the second is moral (spiritual) that cannot be separated, because one of them is based on the other, which was confirmed by the International Court of Justice in the Nottebohm case in 1955, as a general rule of international law applicable to all states, which is summarized in being a real and effective link between the individual and the state in order for that state to grant its nationality to individuals.

The Universal Declaration of Human Rights stipulates in Article (15) that "nationality is the right of every person living on a particular territory", so since the beginning of the century there have been international and regional efforts regulating the rules of nationality to reduce the phenomenon of lack and plurality of nationality because of the harm it has to the interest of the state and the interest of the individual at the same time, and the idea has grown little by little and is

welcomed by countries because of the interest of them and individuals together, so many conventions and treaties that regulate the subject of Nationality, despite the criticism directed at it that these treaties can exceed the sovereignty and entity of the state and its authority, it is considered the only one that has the right to dispose of its internal and external affairs, including the right to determine how to acquire nationality and the reasons for its loss in ways that achieve its interest, but international conventions or treaties prevail over all the internal laws of states and their entry into any state is not considered a limitation of its sovereignty as long as the state has acceded to the treaty with its consent, and it may review it before signing and discussing it, It may ratify it or refrain from ratifying it, and the treaty can be defined as agreeing to the will of two or more persons of international law to produce certain legal effects in accordance with the rules of international law, as defined by the first paragraph of Article (2) of the Vienna Convention The treaty is defined as; an international agreement concluded between states in written form and regulated by international law, whether contained in one or two or more documents and whatever its special designation, as defined in Article (5).) of the same convention that the term convention shall also apply to any treaty that is an instrument establishing an international organization and to any treaty adopted within the scope of an international organization, without prejudice to any rules of the organization(9) It becomes a force of law, and this is decided by a constitution, law or member country, and about the commitment to international custom and the principles of public international law, its reason comes from the state's accession to the United Nations and this imposes on it the international community from the rules of general customs.

The second topic: exceptional ways of granting nationality in Arab countries compared to foreign countries.

The original nationality is granted and is acquired by the individual and established by virtue of the law from his birth, and the pillars of its proof are completed by birth without the need for any other procedure, such as the approval of the competent authority or the submission of an application, and the will of the individual is not considered, so some may call it the imposed nationality if the individual has no choice about it, but his right to it arises from the law immediately and enjoys it with his power when the individual meets the conditions without depending on the consent of the state, the state is the one who undertakes to provide the right of the original nationality of the person Since his birth, either by basing it on the fact of birth on its territory, which is called (the right of the territory), or if he was born of parents, one or both of whom hold the nationality of this state "national", regardless of the place of birth of the individual, which is called (the right of blood)(10) and the right of blood is the right in which the newborn takes the nationality of his father, who holds it at the moment of his birth, and the basis of the right of blood does not mean the transfer of the nationality of the holder between the origins and branches by inheritance as was prevailing In ancient societies, as it is a right descended from the father in general and from the mother in particular or secondary, and this is what most States adopt, some believe that the lineage that is reliable in acquiring nationality is the lineage of the father, which is based on the fact that the blood bond that binds the individual to his fathers is the strongest bond between all ties, through which loyalty to the State is confirmed.(11)

As for granting nationality based on the criterion of the region, it is the right of the newborn to acquire the nationality of any country in whose territory he is born, regardless of the nationality of his father or parents and

the origin of which he descended, and the construction of nationality on the basis of the right of the territory is based on the spiritual influence of the region on the child, and there are pros and cons to acquiring nationality against the territory, such as that the acquisition of nationality through the territory prevents the occurrence of some cases of nationality, especially for those born of unknown or stateless parents or from a father Unknown, unknown nationality or stateless, and the nationality of the State in which they are born is imposed on them on the basis of the right of the territory and thus the principle that stipulates that every person must enjoy a nationality from birth, and the right of the territory also finds a solution and puts a solution to the increase in the number of foreigners in the State and the formation of a source of danger to its entity and safety by including the children born to them to its territory to its nationality, because the presence of the foreigner for a long time in the State while retaining the nationality of his State of origin is not free It is dangerous to the security, stability and safety of the state, and the birth in the state does not occur by chance in all cases, but can be the result of the parents' residence in the countries for a certain period that may sometimes reach the age of majority and in this way in the interest of the newborn and the state together, so that the first enjoys the nationality that he was born and raised on the territory of its state and lived among its group and then to enjoy his political rights generated from the nationality link, and on the other hand in favor of the state to grant the foreigner who was born within its territory its nationality in order to be able to force him and impose on him the general duties that will arise from him after he acquires its nationality(12-13)

States shall establish legal rules to regulate the life of society, individuals and property residing within their territory, and these legal rules shall be applied to them, and from here they will begin to clarify the rights enjoyed by citizens and the duties imposed on them and oblige them to them, and at the same time also

legal rules are developed in which the rights of foreigners, whether by their entry, exit, residence and deportation from the territory of the State, as well as the duties imposed on them in exchange for the enjoyment of those rights (14) · this is from On the other hand, the State has a very broad but not absolute authority to determine the rights of foreigners residing or who will reside in its territory because it sets objective legal rules in advance of its great sovereignty that it possesses over its territory, and this freedom or sovereignty may not exceed or penetrate the borders established by international law for foreigners, without which their lives in the territory cannot be stable, and all States must abide by some rules And the laws that have now become a custom among the international when you put any special rules on the status of foreigners within its territory, and (15) we have dealt with the normal ways of granting nationality based on the blood bond and the region, which are the original or usual ways to acquire or grant nationality, but what you mean in this research exceptional ways to acquire nationality or unusual ways to acquire it is the way in which the individual obtains nationality through privileges he has obtained through which he can benefit the state From giving the holder citizenship, such as medicine, industry, energy, agriculture, geology, space, aviation, artificial intelligence and the Internet of Things, and these methods were found in the legislation of foreign texts and laws, and some Arab countries have recently begun to add similar legal texts,

The first requirement: forms for granting citizenship by exceptional means

There are only 4 European countries that allow **citizenship by investment**: Malta, Bulgaria, Montenegro and Cyprus (pending). There are some foreign countries that give priority to the right of blood for many reasons, such as ancient Greece and Rome, they rely on the basis of the right of blood to determine the pastoral character based on the idea of inheritance, as civil rights were not granted in both countries to the

people who were born in them to foreigners in their territory, and in the Roman Empire civil rights were not enjoyed by anyone other than the Roman pastoral, and one of the most important conditions for enjoying Greek pastoral was the condition of freedom and the head of a family, that is, the individual must be Romanian by hereditary The foreigner did not have the right to own property, marry and acquire pastoralism, and the treatment differentiated even between the foreigners themselves as the closest foreigners to Rome were those Latin who were associated with Rome by alliance, where they were granted some of the rights, such as the right to marry and the right to deal in application of the law of peoples⁽¹⁶⁾). and still the era of feudalism and the establishment of modern States in Western Europe nationality legislation went to the introduction of the basis of the right of blood as of the regularity of the French Civil Code and then Germany, Austria, Hungary, Sweden, Switzerland and Romania Norway and Japan, and you without neglecting the right of the territory definitively, and in the nineteenth century settled the right of the territory to impose nationality also the continent of South and Central America, so countries took the basis of the right of the territory alone to impose nationality such as Argentina, Bolivia, Brazil, Guatemala, Cuba, Nicara, Panama and Chile, and other countries took their laws by the right of blood to impose nationality with the recognition of a specific area of the right of the territory such as the United States of America, England and Turkey, and there are countries that took their laws the right of the territory to impose nationality originally with recognition In a limited field of the right of blood, such as Belgium, France, Spain, Italy and Poland, nationalities can be granted by investment with a certain amount of money or can be granted through residence for a certain period of time, and the ease of obtaining nationalities varies according to the duration of residence, obtaining citizenship without the right of blood or territory is either the result of marriage or the product of investment, or the results of immigration,

but there is another way that is the easiest and not all countries allow it to be taken(17).

Nationality has an importance and role at the local and international levels, whether in relation to the individual or the state, for the local field nationality is the only way so far to separate between the national and the foreign and differentiate between them, and this distinction is of great importance in the acquisition, exercise and enthusiasm of rights as well, and nationality in most Arab countries is granted on the basis of blood and region, as mentioned above, due to the increase in the needs of individuals and the abundance of opportunities and demand for knowledge, work and experience, and ease of movement Some individuals are leaving their country of origin or Muscat Their head to obtain this type of opportunities, and in recent times some Arab countries began to develop and search for new and innovative ways to expand their social scope, because of the presence of privileges, competencies and experiences in these people, so they put forward legislative texts regarding granting citizenship to inventors, scientists, talented and creative people such as singers, painters and specialists such as doctors, engineers and investors as an exceptional way to grant citizenship, this method benefits the individual by ensuring his freedom and his political and civil life, accustoming to the state that these people are both They were creators, specialists or investors who will be citizens, that is, loyal to this state, and from here creates within the state a significant society, whether at the internal or external level of the state, so the benefit of granting citizenship in this way belongs to the individual and the state, and the first Arab countries that began to introduce legislation on exceptional ways to grant citizenship are the Arab Gulf countries, the first of which is the United Arab Emirates, and then the Kingdom of Saudi Arabia.

The United Arab Emirates was one of the initiators in issuing the executive regulations of the Federal Law on Nationality and Passports, which authorized UAE

nationality for certain categories of foreigners and their family members (wife and children), based on a number of controls and conditions.(18)

- 1) Investor: Must own a property in the UAE.
- 2) Doctor: He must be a specialist in a unique scientific field or scientific fields of interest to the state, and that he has contributions to conducting studies and research of scientific value in his field of specialization, and his practical experience is not less than (10 years), in addition to obtaining membership in a prestigious organization in its field of specialization.
- 3) Scientist: To be an active researcher in his field of expertise at a university, research center or in the private sector, and not less than (10 years) practical experience in the same field, and to have contributions in the scientific field such as winning a prestigious scientific award, or securing significant funding for his research during the previous (10 years), and obtaining a letter of recommendation from recognized scientific institutions in the country.
- 4) Inventor: Obtaining one or more patents approved by the Ministry of Economy or any recognized international body that represents an added value to the country's economy, and a letter of recommendation from the Ministry of Economy.
- 5) In the category of talents, intellectuals and artists, to be a pioneer in priority areas of the State such as culture, art and talents, and to have one or more international awards in his field of specialization, and a letter of recommendation from the competent government agencies in these fields in the country.

Other controls have also been placed on the acquirer of nationality to abide by before receiving citizenship,

which are as follows: (19).Take an oath of allegiance to the State.

- 1) Pledge to abide by the laws in force in the country.
- 2) Inform the competent department in the event that he acquires another nationality or loses any nationality he holds.

The decision also stipulated that it is permissible to withdraw nationality when the acquirer loses one or more of the conditions for granting citizenship, or breaches his obligation, and according to the decision, UAE nationality can be obtained through the nomination of personalities qualified for nationality, through the offices of rulers and crown princes, and the executive councils of the local Emirates, and the Council of Ministers based on the nominations of the concerned federal authorities, the researcher believes that the United Arab Emirates is one of the most important conditions for acquiring citizenship in exceptional ways is the presence of the person on its territory, whether by obtaining a property or obtaining He has high experience in his field and a certificate of competence accredited in his specialization and attracting achievers and minds .

As for granting citizenship by exceptional methods in Jordanian law, the legislator has adopted this in the Investment Law, where it is stipulated that granting Jordanian nationality to investors for the purposes of creating an attractive environment for foreign investment under the following conditions:

- 1) Jordanian nationality is granted to the investor when he deposits a deposit of one million dollars with the Central Bank of Jordan without interest, for a period of three years, and does not withdraw from it during this period, and buys treasury bonds worth one million dollars for a period of six years, at an interest determined by the Central Bank of Jordan, provided that he is inside the territory of

the Kingdom for a period of not less than one month before signing the final recommendation to grant him Jordanian citizenship.

- 2) Jordanian nationality is also granted to the investor when investing through the purchase of shares and/or shares in Jordanian companies for an amount of not less than one and a half million dollars, provided that the shares are not disposed of for a period of not less than three years, provided that the Companies Control Department and/or the Jordan Securities Commission place a seizure sign on them.
- 3) The investor is granted a temporary Jordanian passport for a period of three years, when establishing and registering an investment project or projects in any of the productive economic sectors, with a total paid-up capital of not less than one million dollars within the boundaries of the Capital Governorate, provided that (20) real job opportunities are provided for Jordanians, and not less than 750 thousand dollars outside the borders of the capital, provided that (10)) real job opportunities for Jordanians, when the project actually starts operating, according to the statements of the Social Security Corporation. In this case, the investor is given a period of four months to complete the required number of Jordanian employees after actual employment, and then he is granted Jordanian nationality after ensuring that he complies with these conditions for a period of three years.

Results:

- 1- A person's right of nationality is established by traditional means of territorial blood association.
- 2- The legal methods of granting citizenship by non-traditional methods vary and vary from one country to another.

- 3- Countries grant citizenship mostly for the purposes of attracting talents, competencies and investors to contribute to achieving achievements and advancing the level of development.
- 4- Countries set some terms and conditions for the purposes of granting citizenship by non-traditional means.
- 5- The Jordanian legislator set the right to grant citizenship to investors and excluded those with competencies and talents

Recommendations

- 1- The researcher recommends that international legislation and conventions adopt the principle of granting nationality in a non-traditional manner .
- 2- The research recommends strengthening the will of states and encouraging administrative and political leaders to grant citizenship to those who love talents and competencies.
- 3- The research recommends easing the conditions and restrictions imposed on granting citizenship in an unconventional way in order to attract innovators, scientists and exceptional talents.
- 4- The research recommends amending the Jordanian Nationality Law No. (6) of 1954 by setting clear legal provisions in regulating nationality by non-traditional means.
- 5- The research recommends the Jordanian legislator to unify all legal provisions related to the granting and regulation of nationality in the nationality law only.

References

1. Sadiq, Hisham Ali. (1977). Nationality, Domicile, and Status of Foreigners. Knowledge Foundation.
2. Narrator, Jaber Ibrahim. (2000). Title of the Work (if available). Page Number.
3. Universal Declaration of Human Rights, Article 15.
4. Abd al-Rasul Abd al-Ridha al-Asadi. (Include the year if available). Title of the Work. Page Number.

5. Riad, Dr. Fouad Abdel Moneim. (1993). Principles of Nationality in Comparative Egyptian Law (2nd ed.). Dar Al-Nahda Al-Arabiya.
6. Jordanian Constitution of 1952 and its amendments for the year 2011, Article 5.
7. Narrator, Jaber Ibrahim. (1984). Title of the Work (if available). Page Number.
8. Abd al-Rasul Abd al-Ridha al-Asadi. (Include the year if available). Title of the Work. Page Number.
9. Alwan, Muhammad Yusuf. (2007). Public International Law: Introduction and Sources. Wael Printing and Publishing House.
10. Daoudi, Ghalib Ali. (2011). Private International Law - Nationality. Dar Al-Thaqafa for Publishing and Distribution.
11. Al-Rawi, Jaber Ibrahim. (Include the year if available). Title of the Work. Page Number.
12. Irsheid, Siham. (2022). Exceptional Methods of Acquiring Nationality in Jordanian Legislation: A Comparative Study (Master's Thesis). Al-Ahliyya Amman University. Please ensure that you follow the specific formatting and capitalization rules of APA style for each reference entry
13. Daoudi, Ghaleb Ali. (Include the year if available). Title of the Work. Page Number.
14. Some scholars of private international law call the term "enjoyment of rights" instead of "status of foreigners," including Dr. Jaber Gad Abdel Rahman in the Arab Private International Law Writer, (1968), 2, 275. Also, Dr. Ezz El-Din in his book Private International Law, (1968), 8, 592. Others call it the "case of foreigners," including Dr. Hamed Zaki in his book Egyptian Private International Law, (1936), 623. Some call it the "Center for Foreigners," including Dr. Muhammad Kamal in his book The Origins of International Law, (1957), 221, as well as Dr. Fouad Abdel Moneim Riad in his brief book on private international law, (1971), 23.
15. See Siham Irsheid, previous reference, p. 56 ff.
16. Berki, O., Ayiter, K. (1963). Rome Law Dersteri. Second Foundation. Ankara. Koschaker, P. (1961). Modern Private Law Girirs As Rome Law Ana Hatlari. Translated and commented by Dr. Judret Ayiter. Istanbul, 51. Al-Banna, J. (1949). Lessons in Roman Law. First Edition. Baghdad. Villier, M. (1964). Roman Law. Translated and commented by Dr. Hashim Al-Hafez. Al-Irshad Press,

Baghdad, 63-67. Ecumenical, S. (1968). Roman Law. First Edition. Shafiq Press, Baghdad, 54.

17. See Siham Irsheid, previous reference, p. 67.
18. UAE Government Official Portal. (Accessed 2022, December 25, 7:00 AM). [Include the URL] <https://u.ae/#/>
19. Federal Law No. 17 for the year (1972) concerning nationality and passports.