



The phenomenon of multiple nationality and its implications under Cameroonian law

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Abstract

In the light of globalisation and economic trends of every nationality law, economic integration and increase in migration with the idea of citizenship continue to decrease when considering the ease on the international travel to that of decades previous, the prospect of individuals possessing multiples citizenship simultaneously has become increasingly. With the advent of globalisation, the notion or possibility of citizens possessing global citizenship has been in the rise. To this effect, modern statistics has demonstrated that the undeniable presence of individuals who may call two countries home has become a controversial issue of high debate on the nationality scene. This, in turn, has led to the increase interest in the possibility of citizens to hold dual nationality and, where a country's policy currently prohibits such dual citizenship, a perfect and encouraging factor to make the concept of nationality law a reality in the global scene. As a result of this, the general world trend is towards a more open citizenship regime in which increasing numbers of countries allow their citizens to possess the nationality of another country and even going to the extent of possessing naturalization as far as this will contribute positively to the economy of the country of origin of this citizen. The situation of double citizenship is look is a different perspective under the Cameroon nationality law. Notably, Cameroonian nationality law is exclusive, as they consider that the acquisition of a foreign citizenship is an automatic reason for loss of Cameroonian Nationality and this phenomenon has created lots of implication on the Cameroonian society from the economic, social, political and even cultural denominations.

Keywords: phenomenon-multiple-nationality-implications-Cameroonian-law

Introduction

The terms citizenship and nationality are different in a technical legal sense. While essentially the same concept reflect two different legal frameworks. Both terms identify the legal status of an individual in the light of his or her state membership. However, the term citizenship is confined mostly to domestic legal forums, and the term nationality to the international law forum. As Weis states,

Conceptually and linguistically, the terms emphasize two different aspects of the same notion "Nationality" stresses the international, "citizenship" the national, municipal aspect^[1].

To this extent, they are generalizing concepts. While citizenship describes the technical legal relationship between the individual and the polity, it is more than a merely descriptive category. It is a normative project whereby social membership becomes increasingly comprehensive and open ended^[2]. At the beginning of the twenty-first century, however, there has been considerable debate about the continued viability and future directions of this project. Citizenship represents cohesion in a world increasingly characterized by fragmentation. As such, citizenship is drawn upon both in critique of contemporary individualism and in some altered form as a possible counterpoint to it. This stands in contrast to an earlier, confident, even triumphalism discourse of citizenship as emancipation. Though often talked about as a singular concept, the term citizenship is used to describe a number of discrete but related phenomena surrounding the relationship

between the individual and the polity^[3]. In this section, we are concentrating upon citizenship in two senses. The first is citizenship as a legal status^[4] the question as to whom the state recognizes as a citizen and so the formal basis for the rights and responsibilities of the individual in the state. The second is a broader view of citizenship as the collection of rights, duties, and opportunities for participation which define the extent of socio-political membership^[5] within a community. It is broader than legal status because it looks beyond it to the material circumstances of life within the polity, notably questions of social membership and substantive equality^[6].

The legal rank of citizens in democratic societies is often intended to represent the progressive project of a broader conception of membership of the community. This is rarely achieved^[7], however, as formal equality rarely embodies

³ Rubenstein K, *Citizenship in Australia, unscrambling its Meaning* (1995) 20 Melbourne University Law Review 503 and Bosniak L, *Citizenship Denationalized* (2000) 7 Indiana Journal of Global Legal Studies 447 at 456.

⁴ Roberto Alejandro refers to this as 'Citizenship as universality and as a legal construction' in Alejandro R, *Hermeneutics, Citizenship, and the Public Sphere*, State University of New York Press, New York, 1993 at 14.

⁵ Alejandro, *ibid*, refers to this as citizenship as communality and participation at 21.

⁶ A third view of citizenship which will not be of direct concern in this paper is citizenship as 'desirable – activity'. That is, looking at what we want citizens to be like; the 'civic virtues' concept of citizenship. See Kymlicka W and Norman W, 'Return of the Citizen: A Survey of Recent Work on Citizenship Theory' (1994) 104 *Ethics* 352; Alejandro also refers to other models, such as citizenship as amelioration of class conflicts, Alejandro, above n 16 at 26; citizenship as self-sufficiency at 28; and finally, his thesis, of citizenship as a hermeneutic endeavour at 33 ff.

⁷ Bosnian refers to this in *Citizenship Denationalized*, above n 14 at 464, when she discussed Charles Black and Kenneth Karst's legal work on citizenship representing full and equal membership'.

¹ Weis P, *Nationality and Statelessness in International Law*, Stevens, London, 1956 at P. 5.

² Turner B, *Citizenship and Capitalism*, Unwin Hyman, London, 1985 at 134.

the need for substantial equality in social terms. Feminist and critical scholarship particularly, has highlighted the failure of gender and race-neutral conceptions such as citizenship to take account of the differences of individuals within communities^[8]. Citizenship as neither gender, class, nor race neutral, but affected by different groups' positions within nation states has been evident throughout the ages, and continues to be so.

History, however, also relates a progression whereby our understanding of equality and membership has been challenged and expanded over time^[9]. There is, then, an inherent tension in the development of citizenship. The citizenship project is about the expansion of equality among citizens. Nevertheless, as equality is based upon membership, citizenship status forms the basis of an exclusive politics and identity. At once anathema to the fulfilment of the citizenship project, they have also been essential to it as the sense of solidarity required for the development of modern citizenship is provided by the nation state^[10].

Globalization tears further at the tension within citizenship between membership and equality. Globalization emphasizes different identities of membership as the norm, according less reason to utilize a singular notion of citizenship, or a single legal status linking directly to the nation state, as a central concept in domestic and international law. Instead of identifying our rights and responsibilities by virtue of legal citizenship, our political, legal, and social rights and obligations could be determined through a myriad of alternative, non-nation state frameworks^[11]. In this context, then, citizenship is only generalized in establishing citizenship as a status upon which legal rights and responsibilities are often linked. These include political rights of voting and representation in democratic systems, legal rights of mobility and travel, and social rights such as welfare. Often, in the broader, non-legal sense of membership of community, which include expressions of membership or citizenship that are not only provided to formal citizens such as paying taxation and other social rights and duties^[12], and issues concerning one's self identification the identity of citizenship.

The definition of citizenship in a domestic sense is linked to nationality and international law. International law affirms that it is for each state to determine who its nationals are.¹³

⁸ Young I. M., *Justice and the Politics of Difference*, Princeton University Press, Princeton; and Thornton M, *Historicizing Citizenship: Remembering Broken Promises* (1996) 20 Melbourne University Law Review 1072.

⁹ A most influential account of this process is found in Marshall's collection: Marshall TH, *Citizenship and Social Class*, Cambridge University Press, Cambridge, 1950.

¹⁰ Anna Yeatman discusses this tension in international law and human rights contexts in Yeatman A, *Who is the Subject of Human Rights?* in Meredyth D and Minson J (eds), *Citizenship and Cultural Policy: Statecraft, Markets and Community*, Sage, London, 2001.

¹¹ For an excellent discussion of this in a domestic context, Legomsky S, 'Why Citizenship' (1994) 35 *Virginia Journal of International Law* 279 review was deemed necessary.

¹² For a discussion of social citizenship in the US context, Demleitner NV, *The Fallacy of Social Citizenship, or The Threat of Exclusion*' (1997) 12 *Georgetown Immigration Globalization and Citizenship and Nationality* 7 *Law Journal* 35 and Linda Bosniak's earlier work: Bosniak L, *Exclusion and Membership: The Dual Identity of the Undocumented Worker under United States Law* (1988) *Wisconsin Law Review* 955 and 'Membership, Equality and the Difference that Alienage Makes' (1994) *New York University Law Review* 1047.

¹³ Article 1, 1930 Hague Convention on Certain Questions Relating to the Conflict of Nationality Laws (in force 1937) hereinafter referred to as the 'Hague Convention'.

Domestic laws about who is and who is not a citizen vary significantly, and laws relating to citizenship in each of the different states are also different^[14]. As a result, many people hold more than one nationality by fulfilling the formal requirements for citizenship in more than one domestic legal framework. Nationality is important in international law in a variety of contexts, including^[15].

1. Entitlement to diplomatic protection;
2. State responsibility to another state for failing in its duty to prevent certain wrongful acts committed by one of its nationals extra-territorially;
3. State receipt of its own nationals. Paragraph 4 of article 12 of the International Covenant on Civil and Political Rights of 1966 provides 'No-one shall be arbitrarily deprived of the right to enter his own country';
4. Nationality is said to import allegiance, and one of the principal incidents of allegiance is the duty to perform military service for the state to which allegiance is owed;
5. A state has a general right, in the absence of a specific treaty binding it to do so, to refuse to extradite its own nationals to another state requesting surrender.
6. Enemy status in time of war may be determined by the nationality of the person concerned; and
7. States may frequently exercise criminal or other jurisdiction on the basis of nationality.

As the preliminary report on Women's Equality and Nationality in International Law explains, 'nationality secures rights for the individual by linking her to the state and forging a link between individual and state; nationality makes one's state interference with the national of another a violation of the other state's sovereignty^[16]. There are also treaties and conventions that impact on nationality^[17]. Some of these issues of dual nationality, and nationality in case law will be examined further

1.0 Definition of Citizenship under Cameroon Law

As inscribed by both laws, Cameroon citizenship is defined by Law No.68-DF-3 as solely nationality. The 1968

¹⁴ This means the discussion on citizenship within the domestic sphere will be limited in this chapter to discussions of a general nature, rather than specific consequences for a range of different legislative regimes.

¹⁵ This listing has been conveniently compiled in Shearer IA, *Starke's International Law*, 11th edition, Butterworth's, London, 1994 at 309.

¹⁶ Committee on Feminism and International Law, *Women's Equality and Nationality in International Law*, Preliminary Report, Taipei, May 1998 at 6.

¹⁷ These are quite extensive, but those specifically dealing with nationality include: 1906 Convention on the Status of Naturalized Citizens (Rio de Janeiro); 1930 Hague Convention on Certain Questions relating to the Conflict of Nationality Laws; Protocol relating to Military Obligations in Certain Cases of Double Nationality; Special Protocol relating to Statelessness; 1933 Montevideo Convention on Nationality and Montevideo Convention on Nationality of Women; 1954 Convention relating to the Status of Stateless Persons; Convention on Nationality between members of the Arab League; 1957 Convention on the Nationality of Married Women; 1963 European Convention on Reduction of Cases of Multiple Nationality and Military Obligations in Cases of Multiple Nationality; 1973 Convention for the Reduction of the Number of Cases of Statelessness; 1977 Protocol to the European Convention on Reduction of Cases of Multiple Nationality and Military Obligations in Cases of Multiple Nationality and Additional Protocol to the European Convention on Reduction of Cases of Multiple Nationality and Military Obligations in Cases of Multiple Nationality as cited in Bar-Yaacov N, *Dual Nationality*, Stevens, London, 1961 and Weis P, *Nationality and Statelessness in International Law*, 2nd ed, Hyperion, Westport CT, 1979. See also 1997 European Convention on Nationality.

nationality law does not define the term citizenship, but for the sake of this article, it will be regarded as nationality.

1.1. The Acquisition of Citizenship under Cameroonian Law

There are principal methods of obtaining Cameroonian nationality: birth, marriage, and naturalization. Of these three, the oldest is birth which follow a jus sanguine a descent-based definition of nationality. For obtaining the nationality by birth, the Cameroonian law examines those children born in marriage^[18] and those out of marriage^[19].

1.1.1. Nationality by Birth

This is nationality attached to everyone born in these States of unknown parents. If during his minority, his affiliation is established with regard to a foreign parent and if in accordance with the national law of this foreign parent, he has the nationality of the latter, he shall be deemed to have been a national of the mentioned States. A person or foreigner acquires such a nationality in any of the member states though his father or mother is not national of the said States^[20].

Such a child will be considered as legitimate if he and his father or mother were born in a member State in the region. Once the person can prove that either of his parents were born in the territory of either member state, such a person automatically acquires a nationality of the said Member State and is treated equally as a citizen of any of the States without discrimination. An illegitimate child born of foreign parents, if both he and the parent to whom his affiliation is first established were born in the territory of the said region can also acquire it. This therefore explains the fact that any migrant or foreigner who by birth is illegitimate can only acquire a nationality or status of his or her parents. If the parents' nationality are in connection with the person who intend to stay in a given State, and these parents have a relationship or connection with the said country, it is only when this is done that such person requesting a status can be considered to acquire one and thus granted access to the territory. The acquisition of nationality extends automatically to any person unable to claim any other nationality of origin if that person was born in territories of any of the States.

The most straightforward method of obtaining a nationality by birth is when the child is born by both parents, both of whom are Cameroonian nationals^[21]. Similarly a child born legitimately to at least one parent of Cameroonian nationality is also eligible to claim Cameroonian nationality^[22]. For a child born illegitimately, Cameroon nationality is obtain if the parent to whom the connection is first established is a Cameroonian national, or, in the case that the first established parents has no or unknown nationality if the second-established parent has Cameroon nationality^[23]. A legitimate child if born in Cameroon is also eligible for Cameroon nationality with at least one of the child's parent, though of foreign nationals, was also born in Cameroon,

¹⁸ Referred here as legitimate children

¹⁹ Referred here as illegitimate children

²⁰ This type of nationality exist where a new born child found in the member state of the region will be presumed to have been born in the said country and automatically acquires the nationality of the said state with all the rights and treatment as a citizen of the said state.

²¹ Law No-1968-LF-3, section 6

²² Law No-1968-LF-3, Section 7a

²³ Law No-1968-LF-3, Section 7b

while an illegitimate child can also claim Cameroon nationality only if the first-established, foreign nationals were born in Cameroon^[24].

1.1.2. Nationality by Marriage

This type of nationality can be obtained when a foreign woman marries a national of any of the States. The individual may expressly request to acquire a nationality of the State at the time of celebration of the marriage^[25].

So on the occasion of marriage, a woman whose national law permits her to retain her nationality of origin may declare at the time of celebration of the marriage and in the form prescribed by law, signs before the judge or president of the Civil Court at the chief town of the sub-division in which the declarant resides^[26], that she declines the Nationality of the residing state. This therefore implies that the court or the law in the country in which the foreigner intends to get married gives her the possibility to retain the nationality of her country of origin or acquire that of the state in which she is getting married. It is normal that a woman once married, automatically retains the name of her husband and any child born in the course of this marriage obtains the nationality of the father^[27]. A woman may decide to retain her nationality at birth or may in turn become a national of the country in which the marriage is celebrated.

1.1.3. Nationality by Naturalization

Cameroon nationality may be acquired by foreign citizens who have met the minimum residency requirements within Cameroon^[28] are judged to meet character and health standards and whose main interest are based in Cameroon^[29]. This acquisition is provided by government decree and as such is ultimately subject to government approval. The naturalization process may be simplified for foreign nationals that have married a Cameroon national woman, were born in Cameroon, have rendered exceptional services to Cameroon or whose naturalization would be highly advantageous for the state. Similarly, children born in Cameroon by foreign parents or adopted by Cameroon parents may adopt Cameroon nationality at majority if residency requirements are met.

1.2. Loss and Forfeiture of Cameroonian of Nationality

Limitations on the freedom of Cameroon to determine their nationals are most notably recognized in the international literature and jurisprudence on the loss and deprivation of nationality. There are three main ways someone can loss or forfeit a Cameroonian nationality: acquisition of a foreign nationality, voluntary renunciation and by government decree.

²⁴ Law No-1968-LF-3, Section 9

²⁵ This is similar to the Cameroonian Law on Nationality, (Law No 68/LF/3 of 11th June, 1968 otherwise known as the Nationality Code) which is in its Section 17 provide that a person can acquire the Cameroonian Nationality through marriage and such nationality may be expressly demanded by the foreign woman at the time the marriage is being celebrated.

²⁶ Ibid, Section 36.

²⁷ In the law regarding domicile, a legitimate child domicile is that of the father, an illegitimate that of the mother and a founding the domicile of the country in which he or she was found.

²⁸ Usually for a consecutive period of five years

²⁹ Law No-1968-LF-3, Section 25

1.2.1. The Acquisition of a Foreign Nationality

An individual residing in Cameroon who willingly acquires the citizenship of another state automatically loses the Cameroon nationality^[30]. This implicitly implies that any Cameroon immigrant who becomes a naturalized citizen of a foreign state automatically loses its Cameroonian nationality. Also, children of parents of different nationalities are asked to choose a given nationality upon age of majority. The law in Cameroon forbids an individual to retain more than one nationality.

1.2.2. Voluntary Renunciation of Nationality

Cameroon nationality law also gives the possibility to individual residing in Cameroon to renounce his or her nationality. A good example is the situation where a Cameroon national gets married to a foreign national, such a person can renounce his or her Cameroon citizenship in order to acquire the foreign one upon marriage^[31].

1.2.3. Government Decree

A Cameroonian may lose his or her Cameroonian nationality if he or she continues to work in an international organisation or foreign body despite an order by the Cameroonian government to resign it^[32]. For those Cameroonian nationals who have gained the said nationality through marriage or naturalisation within the previous 10 years, the government may revoke their nationality by decree if the individual in question has committed a criminal act against the security of the state^[33].

1.3. Discriminating Aspect of Cameroon Nationality Law

The use of the word legitimate and illegitimate is not only old-fashioned but also offensive to the dignity of children. Whether a child is born of married or unmarried parents should have no consequences in determining the nationality issue. Children have no choice in determining which home they are born into, and as innocent creatures of mankind, should not be labelled and categorised differently, with separate rights and privileges.

Also, because of the emphasis on which parental connection is established first in the case of illegitimate children, the nationality law clearly discriminates against children born to Cameroonian Fathers and foreign mothers. In cases in which the father and the mother may be estranged, the connection of a child to its mother is almost certain to take place prior to the connection of the father.

The nationality law can be seen as discriminatory to bi-national children in general. This is because when one of the parents are Cameroonian, the law forces them to choose between the nationality of their father or of their mother, even in the case the child is born legitimately born and is found in Cameroon.

The ability of government to waive naturalisation requirements for individuals who have done great service to the state or would notably benefit the state naturally encourages a misappropriate favour to be placed upon individual friendly with the regime in power. Similarly, the government power to veto naturalisation or revoke naturalised nationalities based upon rather broad criteria provides opportunity for unscrupulous regime to selectively

target individual who displeases the existing administration.

1.4. The concept of Dual Nationality

Dual nationality, also referred to as multiple nationalities, is the legal status held by a person simultaneously in two or more States. It can be acquired at birth in connection with naturalization of immigrants in their country of residence or with the reacquisition of nationality of expatriates or ethnic minorities in their homeland. Dual citizenship is sometimes incorrectly used synonymously with dual or multiple nationalities. However, while nationality refers to the membership and subjection to State law and power, citizenship refers to the notion of collective self-determination, the freedoms, and rights guaranteed by membership in a political community.

Thus the term multiple nationalities refers only to the legal status in several States and does not specify the rights and obligations a person holds vis-à-vis the state of second or third nationality where the person does not currently reside^[34]. Some States distinguish between citizenship that can only be held by residents and nationality that may also be held by expatriates but without granting any political rights. For foreigners or those in Diaspora, dual citizenship has several meanings. The original passport is a symbol of membership of another State than that of residence. This is why a demand for renunciation of the other citizenship in relation with naturalization poses a real obstacle especially for first generation migrants. A second or third citizenship is also an important asset in the quest for free mobility and access to jobs, education, and social security benefits. If the citizenship in the country of residence is revoked, for instance, due to a criminal offence, then the dual passport holder can be deported.

1.4.1. The Complications of Restricting Dual Nationality

The negative implications of restricting Cameroonian nationals from acquiring and retaining foreign nationality extend to a broad and deep set of predicaments which take form across a spectrum of scales stretching from personal, family trauma to macroeconomic trends of the country as a whole. This phenomenon of dual nationality has caused Cameroonian wgi immigrant to foreign country, but you do not want to lose the native nationality, are limited by their inability to adopt a second nationality. Also, Cameroonian immigrants to foreign countries who embrace the benefit of taking their adopted homes nationality are reticent in their ability to return to Cameroon with the skill and prosperity they have accumulated while abroad due to the loss of their original Cameroonian nationality.

Many ramifications have affected the evolution and span up the operation of the principle of Dual Nationality in Cameroon. These complications varied from the legal, economic, political and even social.

1.4.1.1. Legal Complications of Dual Nationality

The legal complications of prohibiting dual nationality in Cameroon are amongst the most explicit consequences and the most primary act in which most Cameroonian considered it as most severe but also more nebulous detriment. This can be seen from the various problems that can be faced when applying the principle. For instance,

³⁰Law No-1968-LF-3, Section 31(a)

³¹Law No-1968-LF-3, Section 32 and 36

³²Law No-1968-LF-3, Section 31(b)

³³Law No-1968-LF-3, Section 34

³⁴Bauböck *et al.* *The Concept of Dual Nationality under International Law* 6th Edition, 2006, P.34.

limitations on Cameroonian immigrants who choose not to become naturalised citizens of their destination country will be addressed with regards to the effect those restriction have on hindering economic and educational success in the destination country. Similarly, the legal complications that forfeiting Cameroonian nationality has on voting and domestic property holding has acted as a dilemma to many Cameroonian who intend acquiring dual nationality. When the country discovered that a Cameroonian is in possession of dual nationality, such a person loss all participatory political rights stipulated in our legal texts as everyone having that right to vote being a fundamental and citizenship obligations ^[35].

1.4.1. Economic Ramifications

In today's increasingly interconnected world economic environment, each country's citizens must operate within an international market place that is characterised by a high tightened level of trade, manufacturing and service sectors that span countries and continents at a time, and large-migration, both to developed countries and developing ones. Giving this progression, the ability of one citizen is to integrate directly into the global economy; including their ability to follow the demand of skills to whichever geographical locations offers them the most robust opportunity.

The importance of increasing globalisation and the economically motivated migration that helps underpin it, in a common argument for allowing dual nationality. For example, this theme plays a primary in the major Australian Parliamentary assessment of permitting native Australians to acquire a second nationality ^[36]. Such a situation of Dual Nationality has to be encouraged in Cameroon for the purpose of economic trend. Prohibiting Dual nationality is exactly the pinnacle of causing detriment to the economic sector.

1.4.1.1. The situation Remittances

The Cameroon economy does not fulfil its responsibility to provide employment, especially to the young, recently graduated individuals, or for elevating the standard of living for the population as a whole. In order to remedy such a situation, many native Cameroonians have turned to immigration to the more developed economies as a means to elevate their standard of living and their basics means of livelihood. This benefit that individual acquire from immigration constitute a significant monetary flow back to the immigrant's family. Accumulated over the large numbers of immigrants mentioned above, these remittances can provide valuable source of foreign currency for the home country's economy. Given the significant benefits that remittances can provide in improving the lives of a nation's poor and in stimulating macroeconomic growth, it thus seems especially relevant for developing nations to encourage and facilitate the immigration and foreign employment for such remittances.

Considering the difficulty of obtaining immigration to developed nation, retaining such residency stands a high priority. Perhaps more importantly, obtaining naturalised citizenship in a destination country can enable or speed the ability to support immigration of family member to share in the enhanced of economic opportunities. Cameroonian in order to gain access to employment in the developed well have to take pragmatic, severe and even unavoidable steps in order to forfeit their original Cameroonian nationality. The fact that Cameroonian residing abroad have take all it takes to send money to their loves ones back home only in the detriment of forfeiting their original nationality. This is really a painful element to Cameroonians living in the developed countries that have to change their nationality of origin in order to have some financial gains so as to help their families back at home, and once they do this, they forfeit their Cameroonian nationality.

1.4.1.2. Skilled Labour and the Brain Drain

In considering the development impact of a given economy and country, it is important to assess the impact such an economy or State will benefits from skilled labour brought by its nationals from another country of advanced technological how far. Since the early the early 2000s, the mobility of highly skilled Cameroonian has been in the increase, reflecting globalization trends, rising global demand for skills, selective admission policies in developed countries, and the phenomenal growth in Information Communication Technology.

These skilled Cameroonians has abandoned the developed economy losing much better opportunities like higher wages, better facilities and more opportunities for advancement in order to contributes in their economy what they belief will be of great beneficiary and the economic advancement of their economy, but many are being restricted on the basis of double nationality.

Also, Brain drain is a real concern, for it can have dire consequences for sustainable development in developing countries, especially the least developed. The departure of skilled migrants reduces a country's capacity for long-term economic growth. Local firms that invest in training people will find it hard to recover their investments if these trained workers leave regularly as it tends to have cumulative effects, the emigration of highly trained people may make it very difficult to create the critical mass of expertise necessary for product development and for adapting imported production technologies to local conditions. Moreover, the emigration of highly skilled workers trained at public institutions means a loss of return to the society on its investment in higher education, as well as a loss of potential fiscal revenue. Highly educated citizens may also help to improve governance, encourage education of children and help train or guide other workers, all of which may be reduced as a result of high-skilled emigration ^[37].

This aspect of brain drain has been very rampant in the western world, were we see nationals from the developing economies leaving to study abroad in Europe stay back there and huge salaries offered to them as compare to those offered back home. Many Cameroonians citizens are great pharmacists, engineer, technicians, accountants, researchers, and even Doctors in the western economies. Most of them

³⁵The preamble of law no 96/06 of 18th January 1996 stipulating or making provisions of some fundamental human rights in which the right to vote is an inalienable one when it comes to the political situation of the country, which gives every Cameroonian citizens that right to choose the leaders of their country.

³⁶Adrienne Millbank, "Dual Citizenship in Australia", presented on behalf of the Social Policy Group, Current Issues Brief 5 2000-01, (November 2000)

³⁷ Global Commission on International Migration (2005), *Migration in an Interconnected World: New Directions for Action*, Geneva: Switzerland.

due to believe that Africa and their home country lack the potentials, equipments and even the pay package is low in order to encourage them in order for them to perform the same services in the country. Most of these Cameroonians living abroad and acquiring double nationality do takes into consideration the facets of the country in the course of rendering their services, but most of the time are not given the opportunities in demonstrating their talent and brain know how since the law of the land do not permits them in demonstrating this talents all in the name of double nationality. This phenomenon of restricting Cameroonian on the concept of dual citizenship has been used by other advanced economies as an advantage in developing their economies through the exploitation of these trained and innovative Cameroonian abroad. This concept of brain draining has both its positive and negative impact on the encouragement and promotion of country's economy. As far as the negative aspect is concerned, brain drain can lead to development and potentials in a country. We do understand that after a country must have exploited the services of a foreigner, the only remedy or aftermath here is to send you back home and this person will be of no importance to its home country. This is mostly the situation of Africans working in influential economies in the world, and when their services are no longer needed, we see them running back home and fighting jobs with their common nationals. The State of Cameroon has to visit its Nationality Laws and those of foreigners' entry, staying and leaving the country. They have to redress this issue of employment of foreigners in domestic enterprises and the exercising of gigantic projects in the various countries.

1.4.1.2. The Problem of reinvestment

Cameroonian citizens to developed nations who wish to keep their native nationality are placed at a strategic disadvantage in their destination nations' economies. This disadvantage can translate directly to hinder ability to succeed professionally, meaning that Cameroonian immigrants are likely to have not just reduced incomes, but less of the advanced expertise and capital accumulation that they could then bring back to Cameroon. Also, and potentially more severe, Cameroonian citizens who assume the nationality of their destination country face significantly increased difficulties in reinvesting their foreign economic gains into the Cameroonian economy. Though foreign property ownership is technically recognised in Cameroon, the dysfunctional judiciary and administration which handle property matters make such investment precarious.

1.4.2. Societal Ramifications

Beyond the legal and economic ramifications that prohibit Cameroon dual nationality, the nationality law also carries frequent consequences for the functioning of the Cameroonian society. Mandating singular possession of Cameroonian nationality can limit the ability of native Cameroonians to obtain world-class education, or for those who do it, can discourage their return, resulting in a brain drain that deprived Cameroon society of essentials professionals. Children born of parents from different nationalities must choose an allegiance through one parent over that of another. Similarly, the need for Cameroonian citizens to choose between their native Cameroon and the potential prosperity of their destination country can create misperceptions of having forsaken their homeland and

generate a division of isolation despite deep and continue feelings of loyalty.

1.4.2.1. Advanced Education

While Cameroon certainly does maintain institutions of higher learning, there is little argument that can be made for the quality of Cameroon's universities being equivalent to the world-class elite institutions. As a simple demonstration of this, note that no Cameroonian universities are among the top 500 in the Shanghai rankings for top world universities [38]. Thus, for talented Cameroon students aspiring to the highest peaks of academic excellence, the prospect of citizenship becomes a necessity. As with the limitations born of foreign citizenship discussed with regard to occupation, being a foreign national carries additional restriction for pursuing higher education in nations with elite institutions.

Yet the necessity of forfeiting their native nationality may deter Cameroonian immigrants from seeking their destination country's nationality, and so force them to pursue education at a distinct disadvantage-potentially driving them to lower calibre universities or wholly deterring them from pursuing additional higher education. Therefore, many native Cameroonian pursuing higher education abroad may view the advantages of becoming naturalised citizens of their country of destination as significant enough to warrant the sacrifice of their native Cameroonian nationality. Similarly, the loss of their native nationality creates a serious obstacle to Cameroon following the completion of their education. In the United States, there is the possibility for immigrants with advanced education to be given preference of obtaining permanent residency [39]. Instead, the policy of single-nationality currently required by Cameroonian nationality law directly discourages such return. Beside the economic constraints of the Cameroon nationality law, the law can also prove seriously detrimental to the strength of civil society in the homeland by depriving the society of the doctors, lawyers, scientists, and engineers needed to stimulate growth and improve living conditions. Cameroon too offers a vivid demonstration of this, with 19% of Cameroon trained nurses and up to 45% of Cameroon-trained physicians immigrated to other nations [40].

The aspect of brain drained has an effect of prohibiting dual nationality, the current Cameroonian nationality law also generates a more personal problem in the society especially when it comes to children born from bi-national marriages. Such a problem occurs when children are born from parents of bi-national, when it comes it aspect of denunciation of the marriage, there is a great bi-national dilemma of the children to acquire a single nationality.

1.4.2.2. The Attitude of Forsaking Homeland

Even though the *raison d'être* why Cameroonian citizens forfeits their native nationality in favour of those of their countries of destination is economical and educational, the

³⁸Centre for World-Class Universities, Shanghai Jiao Tong University, Academic Ranking of World Universities (2013)

³⁹Randall Monger & Nancy Rytina, "U.S. Legal Permanent Residents: 2008", Annual Flow Report, March 2009 http://www.dhs.gov/xlibrary/assets/statistics/publications/lpr_fr_2008.. accessed on July 2015

⁴⁰DilipRatha&ZhimeiXu, "Migration and Remittances Fact book," Migration and Remittances Team, Development Prospects Group, World Bank. Assessed in May 2014

impact of such forfeiture on their relationship with the native land can be significant. Such situation of forfeiture has created some sought of emotional rift between the nationals and their families since it has exacerbated the inherent physical separation. The fact that there is the Cameroon nationality law that gives the possibility of a Cameroon to forfeit his nationality of origin if he acquires a foreign nationality can provoked a sense of emotional and intellectual isolation from their homeland. With that restriction of the legal rights, and no longer able to vote in the country of their birth, Cameroonian nationals may resign themselves to the imposed isolation of their homeland. That sense of mental and emotional that the Cameroon nationality law poses to disconnect someone from homeland, thus makes the livelihood of returning home far lower and this can create a great impact to which such immigrants can continue to have with their families back home, and this may affect the degree of remittances send home.

1.4.3 Political Hitches

The fact that economic ramifications and social complications on dual nationality may be heavy on the immigrants, the pro and cons of dual nationality in the political extent can be heavier. Once a Cameroonian has naturalised in the country of destination, such a person loss all participatory political privileges, most especially and specifically, the right to vote. For a society in which political apathy runs rampant and the validity of elections is routinely questionable, such a sacrifice may appear minor to anyone contemplating naturalisation. It becomes more complicated when the immigrants discovered that denouncing Cameroonian nationality and maintaining that of destination will be more economical and advantageous to him, he or she will have no option of denouncing its Cameroonian nationality. The question here will be can Cameroonian desire to retain his political rights when there is the possibility of naturalisation in the country of destination? This aspect of the nationality law has cause lots of controversies when it comes to the democratic participation of the activities of the country. As a result, some Cameroonian expatriates would not be able to influence items with potentially far greater immediate impact to their lives, such as the tax rates, local administration, transportation plans, education policies and a host of other matters settled by, or at least subject to, the ballot box of their destination country. This aspect of loss of political rights is contrasted to the relative responsiveness presents in the Cameroonian democratic process; this marks a grave sacrifice for immigrants who desire to retain their native nationality^[41].

Another political implication from this concept of dual nationality can stem from the fact that the prohibition of dual nationality can make an individual to forfeit its Cameroonian nationality due to the advantages that can associated with naturalisation. This impact can be felt greatly on the macroscopic level of the society; it can help to deprive the Cameroonian society of some vital demographic elements necessary to support a robust

democracy. This can be ascertain from the point that most Cameroonian immigrants who become naturalised citizens in their destination country are likely to be disproportionately well-educated. These well-educated professionals are often considered to be among the strongest counterpoints to malfeasance by the government elite and their diminished presence may enable increased corruption and infringements on human rights and the democratic process. One can say that the scales of corruption, bureaucratic inefficiency and opacity, and human rights violations present in Cameroon, could be argued that the policy of prohibiting dual-citizenships contribute to such ills.

Conclusion

The Cameroonian nationality law that prohibits dual citizenship can be considered as a detrimental force that negatively affects both the immigrants from Cameroon and those remaining at home. In the most simply form, the removal of this detrimental force can help to eliminate the negative implications arising from it. It is important to note that removing this obstacle of mandatory single nationality will have some potential and positive impact to the contribution that this may bring. For some of the dilemmas, the prohibition of dual nationality stands as the single of a serious problem, thus revocation of that prohibition can help in solving such a problem. Encouraging dual nationality will also act as catalyst for bi-national children, who will no longer face that painful decision of choosing one parent's nationality over the other. Similarly, Cameroonian immigrating to developed countries will not have to forgo their voting rights in Cameroon in order to obtain those rights in their destination country. Allowing dual nationality will remove an active warning to reintegration and repatriation that makes the problem of brain drain more severe. The reason here is that, prohibiting dual nationality is one of many causes leading to the complicated effects of brain drain. In a nutshell, removing the prohibition of dual nationality will not transform Cameroon into a successful economic nation, but it will improve its ability to become an emerging economy. Thus, considering the numerous benefits dual nationality brings to the population of the country, the Cameroon government should quickly embarked on a path towards the encouragement of dual nationality without delay.

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