

Week 1 & 2

Topic: Citizenship

Citizenship

Citizenship can be defined as the relationship between an individual and its state or nation involving the individual's full political membership in the state as well as permanent allegiance to it.

Citizenship involves member of a nation based on laid down condition.

Citizenship is the status of a person recognized under the custom or law as being a legal member of a sovereign state or part of a nation.

A person may have multiple citizenships and a person who does not have citizenship of any state is said to be stateless. Nationality is often used as a synonym for citizenship in English – notably in international law – although the term is sometimes understood as denoting a person's membership of a nation (a large ethnic group). In some countries, e.g. the United States, the United Kingdom, nationality and citizenship can have different meanings (for more information, see Nationality versus citizenship).

Citizenship can be defined as the process by which a person becomes a legitimate member of a given state. The person possesses every right in the state and also performs his/her duties as a legitimate member of the state. Citizenship is a relationship between an individual and its state or nation involving the individual's full political membership in the state as well as permanent allegiance to it.

A citizen is a legal member of a particular country, who possesses full right to claim a state as his own. A citizen is a native or naturalized member of a state or nation who owes allegiance to its government and is entitled to its protection.

Types of Citizenship

- **Citizenship by birth:** this occurs when an individual is born into a particular domain.
- **Citizenship by registration:** This is the type of citizenship given to an individual who marries someone in a particular country.
- **Citizenship by Naturalization:** This occurs when an individual resides in a particular geographical area for a long period of time.

Each country has its own policies, regulations and criteria as to who is entitled to its citizenship. A person can be recognized or granted citizenship on a number of bases. Usually citizenship based on the place of birth is automatic, but in other cases an application may be required.

- Citizenship by birth (*jus sanguinis*). If one or both of a person's parents are citizens of a given state, then the person may have the right to be a citizen of that state as well. Formerly this might only have applied through the paternal line, but sex equality became common since the late twentieth century. Citizenship is granted based on ancestry or ethnicity and is related to the concept of a nation state common in China. Where *jus sanguinis* holds, a person born outside a country, one or both of whose parents are citizens of the country, is also a citizen. States normally limit the right to citizenship by descent to a certain number of generations born outside the state. This form of citizenship is not common in civil law.
- Born within a country (*jus soli*). Some people are automatically citizens of the state in which they are born. This form of citizenship originated in England where those who were born within the realm were subjects of the monarch (a concept pre-dating citizenship) and is common in common law. In many cases, both *jus soli* and *jus sanguinis* hold citizenship either by place or parentage (or both).
- Citizenship by marriage (*jus matrimonii*). Many countries fast-track naturalization based on the marriage of a person to a citizen. Countries which are destinations for such immigration often have regulations to try to detect sham marriages, where a citizen marries a non-citizen typically for payment, without them having the intention of living together.
- Naturalization. States normally grant citizenship to people who have entered the country legally and been granted permit to stay, or been granted political asylum, and also lived there for a specified period. In some countries, naturalization is subject to conditions which may include passing a test demonstrating reasonable knowledge of the language or way of life of the host country, good conduct (no serious criminal record) and moral character (such as drunkenness, or gambling), vowing allegiance to their new state or its ruler and renouncing their prior citizenship. Some states allow dual citizenship and do not require naturalized citizens to formally renounce any other citizenship.

Excluded categories. In the past there have been exclusions on entitlement to citizenship on grounds such as skin color, ethnicity, sex, and free status (not being a slave). Most of these exclusions no longer apply in most places. Modern examples include some Arab countries which rarely grant citizenship to non-Muslims, e.g. Qatar is known for granting citizenship to foreign athletes, but they all have to profess the Islamic faith in order to receive citizenship. The United States grants citizenship to those born as a result of reproductive technologies, and internationally adopted children born after February 27, 1983. Some exclusions still persist for internationally adopted children born before February 27, 1983 even though their parents meet citizenship criteria.

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Process of Becoming a Citizen in Country

- Good Character: The person must have appreciable disposition
- Residency: He must have stayed in that country for a specified period of time.
- Statutory age: An individual must attain a certain age designated by the country
- By marriage: If an individual gets married outside his/or her domain, such an individual can get the citizenship of that place.
- One's contribution to the country: The extent to which one contributes to the development of a nation facilitates his/her status as a citizen.
- Acceptance by local community: The community itself must be able to accept such a person. If otherwise citizenship cannot be acquired.
- One's readiness to stay in a country: The desire of an individual to stay in country plays an important role in the acquisition of citizenship of the country.

Differences between Place of Birth and Origin of Birth

The **place of birth (POB)** is the place where a person was born. This place is often used in legal documents, together with name and date of birth, to uniquely identify a person. As a general rule with respect to passports, the place of birth is determined to be country that currently has sovereignty over the actual place of birth regardless of when the birth actually occurred. The place of birth is not necessarily the place where the parents of the new baby live. If the baby is born in a hospital in another place, that place is the place of birth. In many countries, this also means that the government requires that the birth of the new baby is registered in the place of birth.

In other countries, such as Sweden since 1947, there is a concept of födelsehemort ("domicile of birth"), which means that the domicile of the baby's mother is the registered place of birth. The location of the maternity ward or other physical birthplace is considered unimportant.

Sometimes the place of birth automatically determines the nationality of the baby, a practice often referred to with the Latin phrase *jus soli* (it depends on the law of the country to give the nationality). More often, this may also depend on the nationality or nationalities of the parents (referred to as *jus sanguinis*).

There can be some confusion on the place of birth if the birth takes place in an unusual way: when babies are born in an airplane or at sea, difficulties can arise. The place of birth of such a person depends on the law of the countries involved, which include the nationality of the plane or ship, the nationality/nationalities of the parents and/or the position of the plane or ship (if the birth occurs in the territorial waters or airspace of a country).

Some applications may request the “Country of Birth” of the applicant. It is important to determine from the requester whether the information requested refers to the “Place of Birth” or “Nationality at Birth” of the applicant. For US citizens born abroad that under the US Constitution acquire US citizenship at the time of birth, the Nationality at Birth will be USA (American), while Place of Birth would be the country in which the actual birth takes place.

Place of birth is, as you can assume, place where you were born. But, in Swiss passports, there is your place of origin. Now, what could that be? Everyone knows their place of origin since it must be mentioned again and again on all the official forms. However, no one really knows its purpose.

Place of origin or Heimatoort is the place where your family originates from. There are several ways how you can get your place of origin. Naturally, a child born to Swiss parents will inherit their parents’ place of origin. Usually, children receive their father’s place of origin. But, they can also add their mother’s, or choose just the mother’s. A child born to a Swiss father and a non-Swiss mother will have the place of the origin of the Swiss parent.

The citizenships by marriages include the place of origin from the Swiss spouse. In the past, even Swiss women who married Swiss men needed to change their place of origin to their husbands’.

People who lived in Switzerland for at least one or two years are eligible for a municipal citizenship. In this case, the place of origin will be the village, town or city where the citizen has received their citizenship.

You can also get a new municipal citizenship if you move to another Swiss village, town or city. The only rule is that you have to live there for a year or two.

The place of origin doesn’t have any significance today, but Swiss citizens feel proud to have one. Some families can trace their roots back to 16th and 15th centuries. There were several attempts in parliament, in order to scrap the place of origin, however, they were all rejected. So the tradition lives on to cause confusion, however, the Swiss seem to like it.