

## **Citizen:**

In ancient city-states of Greece only those few people were called citizens who directly took part in the administrative process of the country. In their system labourers and women were deprived of the rights of citizenship because there it was considered that they did not possess enough common sense to comprehend the difficult problems of the state.

After Greeks, in Roman society, people were divided into two classes of 'independent' and 'non independent' people. The condition of non-independent individuals was like slaves and the rest of independent people were again divided into two classes, of which one class had only the right to trade and marriage, and the other class, besides possessing these two rights, also had the right to vote, occupy office and to prosecute the others. Individuals belonging to this last group were known as citizens.

In the medieval period, citizenship was given to feudal lords and to those who belonged to privileged class, and, after industrial revolution, this right was bestowed upon the traders and capitalists. The development of education and spread of knowledge, intellectual renaissance and the socio-economic struggle bestowed right to franchise to all other common masses and thus provided even to them the status of citizenship in the society.

In the modern times, there are two kinds of people in a state. One, the natives (citizens), and two, people belonging to other have only the territorial affinity but they also have a personal and permanent relationship. Therefore, all the people generally and permanently living in a country, whether it is in cities, village or forests are called as citizens.

## **CITIZENSHIP:-**

A politically organized society of a definite territory is known as state. Every individual who permanently resides within the state territorial limit is given certain Civil, political and socio-economic rights by the state, and state expects certain duties from those who live in the state. Generally, those people living in a state and enjoying civil and political rights are the citizens of that state.

Literally, citizenship means 'resident of the city, which later on came to be known as 'resident of a state'.

According to Blackwell Encyclopedia of political institutions, "citizenship means a full and responsible membership of state".

According to Sew, "We define a citizen as one who owes allegiance to the state, has access to the civil and political rights and is inspired with a spirit of service to the community".

According to David Held, "Citizenship is a status which bestows upon individuals equal rights and duties, liberties and constraints, powers and responsibility".

## **"CONDITIONS FOR BEING A CITIZEN OR FOR ACQUIRING CITIZENSHIP"**

Five conditions are essential for making a citizen:

1. A man can not be a citizen unless he is member of state.

2. A man should owe allegiance to state; feel happy with its prosperity and unhappy at its degeneration.
3. A man is called a citizen only when he possesses civil and political rights in the state.
4. For being a citizen, a person along with his rights should cheerfully perform his duties towards the state and co-operate in the prosperity and development of the state.
5. If rights, liberties, power, restraints and responsibilities are bestowed upon all the people on basis of equality and without any discrimination, that group of people can be termed as citizens.

#### **HOW CAN ONE LOSE CITIZENSHIP OF HIS/HER COUNTRY?**

There are certain reasons which result in loss of citizenship. They are:

1. If a citizen resigns from his citizenship, by applying his resignation, for acquiring the citizenship of another country or any thing else.
2. If a female gets married with a foreigner, generally she loses the citizenship of her country. But in Japan, this rule applies on male.
3. If a citizen lives away from his country over a long period of time or absents himself for a certain period of time from his country, he loses the citizenship of his country. The period of absence varies from one country to another.
4. When a person gets citizenship of two nations, in such a situation he has to have citizenship of only one nation and for another it ends automatically.
5. When a person wants to get employment in another country, and, if he feels to seek permission from his government, and accepts the employment in a foreign country, then he loses citizenship of his own country automatically.
6. One who rebels against his own country, or deserts from armed forces or who commits heinous crime or revolts or commits treachery, he loses the citizenship of his state.
7. If a foreigner is a citizen of the country only because he has joined the armed forces or has joined public office, then he loses the citizenship of that state to which he originally belonged.

#### **INDIAN CITIZENSHIP:-**

Indian constitution has not clearly stated that how an alien can become the citizen of India and how the citizenship of India is lost. It only states which people will get Indian citizenship at the time of enforcement of constitution. In the beginning following principles followed in the case of Indian citizenship:

1. All citizens born in India and living in India on the eve of the enforcement of constitution, are citizens of India.
2. All children born in a foreign country but whose parents live in India are the citizens of India.
3. All such persons who owe allegiance to India and have been living in India for five years before the enforcement of the constitution can become citizens of India.
4. For immigrants from Pakistan, it is provided that all such immigrants coming to India before 1945, whose parents and grand parents or any one of them or the immigrant himself are born in undivided India, will be regarded as citizens of India.
5. All such Indians living in foreign lands, who themselves or either of their parents or grand parents are born in undivided India, and they desire to acquire Indian citizenship, will be regarded as Indian citizens, provided they get themselves registered with Indian embassy.

## **CITIZENSHIP ACQUISITION ACT, 1955:**

This act is in relation to acquiring Indian citizenship by an alien or foreigner. The following provisions have been made in this act:

1. The person, who is desirous of acquiring Indian citizenship, should not belong to such a country which does not provide citizenship to the people of India.
2. The person desirous of acquiring Indian citizenship should have lived in India at least for a year on the date of application or he should be in government service here.
3. He must have lived in India for a total of four year in seven years before above mentioned one year.
4. He should be man of good character.
5. He should know one of the languages mentioned in the eighth schedule of the constitution.
6. After acquiring citizenship he should either be desirous of living in India or be desirous of remaining in ay government service.
7. An alien or foreigner, who has acquired special qualification in any sphere of human development, philosophy, science, art, literature and world peace, may be granted citizenship without insisting on fulfilling the above mentioned conditions.

## **TYPES OF CITIZENS:**

The term 'Citizens' refers to that group of people who have some peculiar characteristics, bestowed upon with certain rights by the state and they remain loyal towards the state. They also perform certain duties. Citizens are of two types:

1. Natural Born Citizens
2. Naturalized Citizens

1. **Natural born Citizens:** Natural born citizens are those citizens who acquire citizenship due to birth and heredity. Most of the citizens of state are naturally born citizens.

### **Natural born citizenship is of three types:**

- i. **Just Sanguinis or Blood Relationship:-** According to this principle the child acquires the citizenship of his father's country. Place of birth is insignificant according to this principle. If French lives in England, and his wife delivers a child in England, then his child will be French in accordance with principle of just Sanguinis. This principle is applicable to France, Italy, Switzerland, Sweden and India. But as per this principle, it is difficult to determine citizenship of those children whose fathers are not known. Oppenheim says, "In such cases the child's citizenship should be determined on the basis of its mother's citizenship".
  - ii. **Tus Soli or place of birth:** - According to this principle, the child's citizenship is determined by the place of its birth. All children born within the territory of a particular state are considered as citizens of state. If some parents go abroad on a tour and the child is born in some country, it will acquire the rights of citizenship of that county and not that of his father's country.
  - iii. **Double Principle:-** This principle is a combination of both the above principles. Many countries follow both principles. Just sanguinis and Tus Soli. It is followed by United States and England. According to this principle, a child of English parents born abroad adopts the citizenship of England and a child of French parents born in England also acquires the citizenship of England.
2. **Naturalized Citizens:-** Some foreigners who come to a state for some purpose or reason and for a certain period, but do not return to their native country and state their business in that state and decide to live in that state in future are required to fulfill certain formalities, and after fulfilling them

and on expressing their desire through application for citizenship, and, if application is accepted then they become citizens of that state. Such acquired citizenship is known as naturalized citizen.

#### **NEGOTIATION OF NEW CLAIMS TO CITIZENSHIP:**

The following methods are adopted for the acquisition of citizenship:

1. If a woman marries an alien she loses the citizenship of her own country and acquires the citizenship of her husband's country. But in Japan the case is opposite. If a Japanese girl marries an alien she retains the citizenship of her own country and her husband also becomes a citizen of Japan.
2. In some countries, if a foreigner purchases some land in that country, he acquires the citizenship of that country, like in Peru & Mexico.
3. In some countries, if a foreigner is an employee under the government of that country, he acquires citizenship of that country. Like, United States of America.
4. If a foreigner resides in a country for a definite period and takes the oath of allegiance to that State, he can acquire citizenship of that country and period of duration of residence is different in different countries.
5. If a country conquers some part of another country or the people themselves cede a part of their own country to another, in both the cases, the people of that part will lose their own earlier citizenship and will acquire the citizenship of land of conqueror.
6. In case a citizen adopts some foreign child, the later acquires citizenship of that citizen's country.
7. Scholars have some facilities in acquiring citizenship of other countries in less time as compared to others.
8. In case of illegal children, different countries follow different principles ordinarily if both of the parents marry later on; this child gets the citizenship of its father's country. In some countries, if father is not traced, the child gets citizenship of its mother's country

#### **GLOBAL CITIZENSHIP:**

By Global citizenship we mean 'universal citizenship for the whole world'. There are different views about existence of Global citizenship. Both the views are expressed as under:

##### **1. GLOBAL CITIZENSHIP EXISTS:**

The thinkers who believe in the existence of global citizenship gave the following logics in their support.

- i. **United Nations Organization:** There is an international organization called as United Nations Organization. This organization has 192 members. It gives certain fundamental rights to its members and wishes to abide by some fundamental duties. This international citizenship is given to states who fulfill requirements like maintaining world peace, non- intervention in internal territory of other states etc. All these elements prove the existence of universal citizenship.
- ii. **World trade organization:-** Under UN, there is world trade organization, that brings nations of world ever one economic roof and almost all the nations are its members. All members play effective role in policy formation. The economic policy of the world is guided by this organization.

The trend of political, economic, social and cultural exchange among different nations is an attempt to make all the country men universal citizens leaving their separate identities.

## **2. GLOBAL CITIZENSHIP DOES NOT EXIST:**

Some of the political thinkers claim that there is nothing like world citizenship. The citizenship can be attributed to the state only and not to the world. They give following reasons in support of their view:

- i. **UNO does not provide citizenship:-** All the nations of the world are not members of this organization and getting membership of it is only a political truth rather than a conclusion based on universal truth. Secondly, the rights and duties ensured by it is nothing more than the decoration of the UN charter because it does not have its own force to implement them. The majority of the nations follow the rules prepared by it (UNO), but whenever there is conflict between the rules of this organization and those of any country, latter follows its own laws rather than the rules of the U.N
- ii. **WTO is only an economic organization:-** The sole aim of world trade organization is to implement one global economy policy so that world can progress on equal footing and there can be a friendly sense of development. But its leadership and guidance are under the influence of developed nations, and, policies of organization are one-sided. This system, thus, does not give global citizenship

Thus, Global citizenship has become futile in absence of the constitutional remedies. Therefore, citizenship at a time can be of state and not of the world. The sense of nationalism makes a citizen loyal to his country, but at the same, a man should be promoted to the status of a global citizen from the narrow limit of national citizenship in order to save man from the verge of death and protect humanity from the gulf of perils.