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All about British Citizenship

Abstract. The significance of citizenship in any legal system is of paramount and copious importance. This article discusses notion, the concept of citizenship and issues of citizenship around the UK legislation. Features of citizenship in the UK are appropriately disclosed. Particular attention is paid to the demands of taking British citizenship, to the privileges and consequences. The conclusion is that it is worth considering before getting new citizenship or acquiring foreign nationality.

Key words: nationality, citizenship, allegiance, migration, British citizenship, naturalization, immigrants, belonging, ceremony, status.

Introduction

The legal status of a person – it is a status approved by the state and society - is part of the social status of the legal status of the person. The legal status of individual is the part of the status of society. Comparing with the legal status of legal entities, the legal status of the individual is determined for the legal status of people and citizens. The legal status of a person' basis consists of his rights, freedoms, interests and obligations. The legal status of the person is depicted in the Constitution of the Republic of Kazakhstan and based on the new concept of the human rights. Human rights and freedoms on the basis of a common legal standards is enshrined in international legal instruments as well [1].

Methods

One of the main elements of the legal status or the condition of the individual – is his/her citizenship. Citizenship is an only prerequisite of civil, constitutional-legal equality. It signifies the constitutional and legal, in most cases a stable connection of individual with certain country. All citizens are the members of the political community determining the conditions of social solidarity on the basis of equality. Including goodness of democratic citizenship, citizenship institute constitutes the sustainable development of the equal obligations and its positive influences provision [2].

Many people do not understand the distinction between nationality and citizenship. To illustrate,

there is no difference between nationality and citizenship in UK. According to Kazakhstani legislation, nationality and citizenship are not the same concept. The difference between nationality and citizenship: If the conception of nation depicts international law, the characteristic of citizenship refers to domestic law [3]. To be a citizen means that you are the member of a particular political community or equivalent to being relevant to the certain community. Citizenship is not a body of knowledge [4].

Currently, some scientists' consideration who do research on citizenship such as the concept «citizenship is the right to have right» is not relevant. Even, there are those who disagree with the abovementioned conclusion. According to the well-known English scholar, on the other hand citizens should provide joint benefit to their countries. For example, each country and state demands their citizens devotion, commitment, do not want people to be detrimental to the authority at all [5].

Main body

As English professor Held [3] mentioned, citizenship, as a whole, is an involvement of all people living in the community. In the context of immigration and naturalization, it raises important questions related to membership and belonging. Citizenship is often associated with the three main values: they are belonging, rights and participation. Firstly, citizenship blended belonging with national community. National identity or national

belonging formed common civilian consciousness and loyalty to their fellow citizens and to their country. Secondly, not being the status of humankind before the law has led to the consideration of certain rights as an equal. At the same time, the citizens demanded the regulatory function, including the provision of social and economic rights as part of their decision-making, organizational structures, ensuring equal access to political rights within the framework of the state. Finally, the construction of the civil and political participation as a full and equal member of the power of law and the liability is embraced [6].

Each country has requirements and specifications regarding to the citizenship. We want to consider the issues of British citizenship, its advantages and disadvantages. How difficult is to gain the citizenship of the largest developed country in the world? This is one of the most controversial issues of the modern legal system. Because in the current context of globalization, the world is circulating in the migration process. Therefore, the acceptance of certain citizenship, dual citizenship issues, termination of citizenship is the concern of every citizen in every legal system. In general, we will try to disclose the nuances of the British citizenship, priorities and reveal the problematic aspects.

United Kingdom has long imperial history, it is a multi-ethnic, multi-lingual and multi-religious society. It comprehends England, Scotland, Wales and Northern Ireland. Therefore, the question of citizenship in this country is of great importance. In the past, as well as arising from the globalization of modern life and the complexity, some issues of national identity were unresolved. In the UK, tensions between the British and other nations (especially Scottish), developments of the European Union and the acceptance of European citizenship, assimilation of immigrants (especially Muslim) people's well-being and social rights of citizens, stress [7] – all these occasions affect lively discussion about British nationality and citizenship.

Changes and amendments to the British (English) citizenship law were introduced in 1981, and it became the existing British law. British Nationality Act has nine chapters, fifty two sections. According to this law, the British citizenship is available on the following grounds:

1. The right of the soil *jus soli*: a British citizen or resident in the United Kingdom;
2. The right of blood *jus sanguinis*: if one of the parents is a citizen of the United Kingdom by origin (for example, birth, adoption, registration or naturalization);

3. Naturalisation, the will of his own volition of citizenship that appears to allow the legal process;
4. Registration;
5. Adoption. [8].

According to statistics, from January 2010 until June 2014, there were 899 045 applications; from January 2005 to June 2014, there were 1 781 201 applications; from January 2000 until June 2014, there were 2 177 440 applications that have been received regarding to gaining citizenship. Mostly applications were from contenders of the states such as India, Pakistan, Nigeria, Philippines, South Africa and China. People among these nations of these countries have a great demand for British citizenship. The number of applicants is being increased each year. In some cases, a letter of notification about the refusal to consider the application is sent to applicants. The main reason for the refusal is the inconsistency with the requirements and excess of the permitted days. In addition, the head office which accepts citizenship (Home Office) not responding in a timely manner, poor knowledge of the English language and life in the UK as well has a negative impact on the acquisition of citizenship [9].

For the majority of the people of the United Kingdom, the concept of citizenship often within one country, one state is accepted as a term referring to the belonging. Any citizen who is interested in acquisition of British citizenship must pass the test. UK has a citizenship test that is open and accessible to civilians, and that adheres to the policy regime. UK is the only country in Europe that has open test. [10]. Other countries, such as Austria, Denmark, Estonia, Germany, Latvia, Lithuania as well as the country's civil policy was one of the modes that do not disclose citizenship test. However, on the contrary, it is difficult to access to test versions of the same test, the samples is not distributed among the population in countries that has open citizenship test policy in the mode of politics. In most cases interviews because of the controversial nature may cause difficulties [11]. The citizenship test is used more in the battle for potential use as a weapon to reduce migration than friendly improve unity in society. Wealthy and educated people can afford £ 50 (pounds sterling) which provide a valuable opportunity to pass this test [11].

In spite of great difficulties in obtaining British citizenship, in particular, live, test, and conquest of the system and difficult access are affordable for the elite. Not born in this country, the people who joined the civil and political participation citizenship, are open to many directions belonging and

require innovative thinking about national identity. This is potentially due to signs of statehood and citizenship hinders the formation of ideas [12]

Citizenship changes in legislation and public policy in the UK has been widely discussed over the past 30 years. One of the results of these discussions designed to accept the new British citizenship to the citizens of the UK, developed only since 2004, an official civil procedure introduced. English people were celebrated as a holiday designed to achieve admission to citizenship [12]. Countries with national identity around migration is the final step in the way of civil procedure [13].

British citizenship has both advantages and disadvantages. Notable advantage firstly, with a British passport, any person in the country can live and work, have social and tax benefits, the right to participate in the electoral process in the UK. As well as all countries in the European Union without the right to work and live in many countries of the world, including the developed countries such as the United States, New Zealand, Canada, Australia and other countries can visit without a visa [14]. Civilized people have own advantages; but on the contrary there is no civilization, people are subjected to a full and comprehensive care [3].

The well-known English scientist said, there may be the benefits of citizenship, but full membership, «to become a British citizen» requires much more than this. This coverage of the recognition process after him, moral and good intentions based on the judgment of others. British citizen must be able to prove that you are worthy of British citizenship audience [12]. Well, it is easy to be convinced that the process is not quite that.

British citizenship, further deeper, and is unable to nobody. Simply «rights and obligations» phrase might mean in terms of everyday life should be noted that there is a kind of depth and texture [15].

Since the birth of the civilians less and less every day, and this is a political vote as well as helping to limit access to scarce resources. According to Seyla Benhabib [16], if you want to save the type of birth civil state, where the state is not only a moral obligation, but also a legal obligation to take, for example, benefits for the birth, such as the collection of taxes.

The UK government representing the number of active citizenship landed migration rather than government to create mechanisms to regulate the number of people in the city intends to take with discipline and control technology. At the moment, the UK is characterized by its continuous mess cases, connected with the problems of the citizenship. The emergence of such political initiatives of active citizenship leads to a failure to accept the invitation [17], rather than strengthen the unity and development is likely to lead to an increase in diversity.

Bee and Patchi mentioned to adhere to the Thatcher government and the main neoliberal policies, that is, an active civil training institute dedicated to the promotion of the principles and values rather than the development of community based social divisions, based on common actions to improve strongly criticized [18]. Because it is an optimal contribution to the development of proof of citizenship.

As a result, the transfer of civilians, or so to speak, because it was the mobilization of the vehicle in the nineteenth and twentieth-century Western Europe has coincided with the process of democratization and state-building. She has always been a tool for controlling elites and capital, as well as the power of the people and government mechanisms and is a tool for a thorough examination of the results [5].

Conclusion

Citizenship, social dignity and membership can be considered as a measure of an individual. Citizens seek to appreciate and respect, to have careful attitude and development of appropriate legal system element. Professor Bosnyak noted that citizenship, democratic and equitable aspirations portrayed as the most important element in achieving a high level [19]. Civil and contextual boundaries carried out to achieve membership which is problematic because «certain places as a response to a real struggle and conflict» appear [20]. We should not forget to take into account, prior to making the citizenship, rights of the majority of its fruits, which draw attention to the advantages than shortcomings.

References

- 1 Constitution of Republic of Kazakhstan, from 30 August, 1995. – Almaty: Baspa, 2014.
- 2 Zharbolova A.Zh. «Constitutional law of RK» seminars on the subject of additional training materials. Textbook. – Kazakh University, 2015. – p.64

- 3 Bellamy R. *Citizenship. A Very Short Introduction*. – OUP, 2008. – p.19
- 4 Bryan S.Turner, *Citizenship Studies: A General Theory*// *Citizenship Studies*. – 1997. – 1 (1). – p. 5
- 5 Kuisma M. *Rights or Privileges? The Challenge of Globalization to the Values of Citizenship* // *Citizenship Studies*. – 2008. – 12 (6). – p. 625
- 6 Bellamy R. *Evaluating Union Citizenship: Belonging, Rights and Participation within the EU* // *Citizenship Studies*. – 2008. – 12 (6). – p. 599
- 7 Polat R. K. & Pratchett L., *Citizenship in the Age of the Internet: a Comparative Analysis of Britain and Turkey* // *Citizenship Studies*. – 2014. – 18 (1). – p. 68
- 8 *British Nationality Act 1981*. http://www.legislation.gov.uk/ukpga/1981/61/pdfs/ukpga_19810061_en.pdf
- 9 *British Citizenship* http://www.lawfirmuk.net/archive_news.html?id=390
- 10 Smith N., Lister R., Middleton S.& Cox L., *Young People as Real Citizens: Towards an Inclusionary Understanding of Citizenship* // *Journal of Youth Studies*. – 2005. – 8 (4). – p. 430
- 11 Ines Michalowski, *Required to Assimilate? The Content of Citizenship Tests in Five Countries* // *Citizenship Studies*. – 2011. – 15 (6–7). – p. 749
- 12 Byrne B. *A Local Welcome? Narrations of Citizenship and Nation in UK Citizenship Ceremonies* // *Citizenship Studies*. – 2012. – 16. – p. 541
- 13 Ulrich K. Preuss, *Migration – A Challenge to Modern Citizenship* // *Constellations*. – 1998. – 4 (3). – p.308
- 14 *British Citizenship and Passport*. <http://www.legalcentre.org/Grazhdanstvo-Citizenship.html>
- 15 Tyler I., *Designed to Fail: A Biopolitics of British Citizenship* // *Citizenship Studies*. – 2010. – 14 (1). – p. 71
- 16 Benhabib S. *Birtright Citizenship, Immigration, and Global Poverty* // *University of Toronto Law Journal*. – 2013. – 63 (3). – p. 500
- 17 Flint J., *Return of the Governors: Citizenship and the New Governance of Neighbourhood Disorder in the UK* // *Citizenship Studies*. – 2002. – 6 (3). – p. 256
- 18 Bee C., Pachi D., *Active Citizenship in the UK: Assessing Institutional Political Strategies and Mechanisms of Civic Engagement* // *Journal of Civil Society*. – 2014. – 10 (1). – p. 106.
- 19 Simon T. *Citizenship as a Weapon* // *Citizenship Studies*. – 2013. – 17 (3–4). – p. 505
- 20 Kofman E. *Citizenship, Migration and the Reassertion of National Identity* // *Citizenship Studies*. – 2005. – 9 (5). – p. 463