

Denization

1. Denization (or endenization) was the first means whereby an alien could acquire British nationality, and can be traced back to the 13th century. It was the forerunner of naturalisation but it also continued alongside, the main difference being that letters of denization were granted by the Crown whereas naturalisation was, and still is, the result of an Act of Parliament.
2. Persons who were British subjects by denization could not pass on the status to their heirs. Occasionally a claim to citizenship, based upon descent from a denized ancestor, makes an appearance in the Home Office. Although such a claim cannot be formally acknowledged, it has sometimes been possible, in the past, to grant the claimant administrative recognition.
3. The last person to acquire British nationality by denization was Sir Lawrence Alma Tadema, a Dutch painter whose work was admired by Queen Victoria. As an alien, he could not become a member of the Royal Academy, and he did not have the necessary qualifications for naturalisation. The Attorney General at that time (1873) was displeased that he should be allowed to bypass naturalisation and, from then on, the practice of granting letters of denization gradually fell into disuse.
4. The Naturalization Act 1870 contained a saving provision which stated "Nothing in this Act contained shall affect the grant of letters of denization by Her Majesty". A similar saving provision appeared in s.25 of the British Nationality and Status of Aliens Act 1914, which repealed the 1870 Act. Section 25 of the 1914 Act was itself repealed by the fourth Schedule of the British Nationality Act 1948. The latter made no provision for the continuance of the Monarch's prerogative powers. The British Nationality Act 1981 left the position unaltered and it would therefore seem to follow that the prerogative powers which existed before 1 January 1949 were extinguished on that date.