The British state, citizenship rights and gendered folk devils: The case of Shamima Begum

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Abstract
The revoking of Shamima Begum's citizenship exemplifies much of the purposes of contemporary anti-Muslim racism and underlines its significant gendered element. Both state and media actors constructed the 15-year old as a problematic other, both to justify conditional citizenship ideologically, and to use her case to strengthen and add to the framework for making it legal. This comes in a context in which British Muslims and members of the British Windrush generation are being denied citizenship and the rights that go with it. We argue that Shamima Begum's construction as a gendered folk devil must be understood in the context of nation states shifting their purpose and legitimacy from 'civil rights' to 'national security' and strengthening two-tier citizenship rights to control residents of colour, increase the state's authoritarian purpose and, as part of an ongoing process, to transform the concept of 'national security' into legal reality, to further militarise the state and its borders against the 'migrant crisis' and, ultimately, to stifle dissent.

Keywords
Anti-Muslim racism, citizenship, folk devil, gender, human rights, migrants, national security, Shamima Begum, state racism

'I believed one of my inalienable rights was my citizenship. Windrush and Shamima B seem to say otherwise', Malory Blackman, author of Noughts & Crosses.

Introduction

In February 2019, the Conservative British Home Secretary at the time, Sajid Javid, revoked the citizenship of Shamima Begum, who had travelled to Syria in 2015, as a 15-year-old, with two school friends, to join Islamic State. The performative and highly visible violent spectacle of sovereignty, and her subsequent treatment by the British state

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and the media surrounding her case raises a significant question: who belongs to the nation? This is not just a question for the United Kingdom; Begum was roundly condemned as a remorseless 'jihadi bride', and this is the latest media trope and political football found across Europe and North America (Jiwani, 2021), and elsewhere, deployed in this case to justify the creation of 'second class citizenship' 'against the background of the colonial roots of British citizenship' (Webber, 2022: 76). A second set of questions follows immediately – what are the processes and purposes of states producing conditional citizenship for children or grandchildren of immigrants, and who benefits from a two-tier system of citizenship? What are the consequences of being able to keep some people out, and what impact does this conditionality have on the population of citizens who can be excluded on the basis of ethnicity and on civil liberties more generally? This article seeks to explore these questions.

Shamima Begum was born on 25 August 1999 in the United Kingdom. She is a British-born daughter of Bangladeshi parents, who were granted indefinite leave to remain in the United Kingdom (giving their children legal rights to British citizenship). At the age of 15, while still a minor under British law, she travelled first to Turkey on her British passport (where she was followed by the Metropolitan Police in what appears to have been a bungled attempt to 'rescue' her and her friends – one wonders why they did not simply stop the girls at border control, or at least inform their parents) and then on a bus to Syria, where she was married to a 22-year-old Dutch national IS recruit, Yago Reidijk, in a matter of days (while still under the age of consent in the United Kingdom) and soon after became pregnant. Shamima Begum's first two children died when she was still in Islamic State of Iraq and Syria (ISIS)-controlled territories. She fled as ISIS lost control of lands in Iraq and Syria and ended up in El Hawl refugee camp. On 19 February 2019, heavily pregnant with her third child and just days after very unsympathetic news items about her, the Secretary of State for the Home Office stripped Begum of her citizenship. Soon after, she gave birth to her third child, but the baby died on 7 March 2019 of pneumonia. He was less than 3 weeks old. This article explores how a teenage girl, a citizen of Britain, who some argue should have been protected by the state, came to be 'othered' so completely that revoking her citizenship and abandoning her was deemed acceptable. We explore how this case contributed to the British state's production of conditional citizenship both in law and in policy, the ideological formations that underpin it, and its wider implications.

The case of Shamima Begum exemplifies many of the purposes of contemporary anti-Muslim racism and underlines its significant gendered element. Both state and media actors constructed the 15-year-old as a 'folk devil' (Hall et al., 1978) – a problematic other – as part of a move both to justify conditional citizenship ideologically, and to use her case to strengthen and add to the framework for making it legal. This comes in a context in which British Muslims and members of the British Windrush generation are being denied citizenship and the rights that go with it. However, we consider the construction of Begum as a folk devil not in the original sense Hall et al. set out – that is, a response to 'imagined' or 'real' deep-seated 'fears' of the 'other' – rather, much of the discourse around Begum expresses not fear (despite the many references to 'national security'), but lofty condemnation and disgust, as we shall see. Begum's construction as a folk devil depends not on creating her as a threat, but on demeaning and dehumanising

her. There are important gendered dimensions to the construction of Begum, for while racist constructions of Muslim men are often couched in terms of 'fear' – and often gendered fear of what 'they' will do to 'our' women (see Farris, 2016; Razack, 2008), it would not be seemly for a 'great nation' to understand itself in 'fear' of 'foreign' women/ girls. Instead, the making of Begum as a folk devil is a form of gendered 'race thinking' (Arendt, 1951; Razack, 2008), which enables treatment of Muslims as if they are a different type of humanity, outside of a political community, who do not deserve the same legal rights as white European citizens. This article investigates the role of the media in circulating state-sponsored gendered 'race thinking' about Begum, whom media audiences are invited to condemn rather than fear, and who are invited to experience righteous indignation at her 'cheek' for thinking that full citizen rights belong to her. We argue that Shamima Begum's construction as a gendered folk devil must be understood in the context of nation states shifting their purpose and legitimacy from 'civil rights' to 'national security'; that is, strengthening two-tier citizenship rights to control residents of colour, increase the state's authoritarian purpose and, as part of an ongoing process, to transform the concept of 'national security' into legal reality to further militarise the state and its borders against the 'migrant crisis', and ultimately to stifle dissent.

Shamima Begum – creating a female Muslim 'folk devil': gendered 'race talk' in political and media discourse

We begin by examining the way that Shamima Begum was constructed in media and the close relationship between media constructions and political/state discourse. The depiction of Begum is situated in longer narratives of a racialised 'us' and 'them' and the legacies of empire, which, set in a new context, work to dehumanise her, which in turn justifies the removal of her rights and, ultimately, the endorsement of a two-tiered citizenship structure in law.

While a number of scholars point to the construction of Muslims as folk devils (Al-Natour, 2010; Werbner, 2015 [2014]), this is usually in relation to the demonisation of Muslim men who are constructed as dangerous, and a threat to national security and to women. Shamima Begum, on the contrary, in one of the highest profile cases, has been depicted under the collective label of 'jihadi bride' – a new kind of gendered and racialised folk devil, constructed not as an object of fear, but of disgust, to exemplify what is deemed to be 'wrong' with 'unassimilated' Muslim women.

Early press reports on Shamima Begum and her friends in 2015 are dominated by an image of the three girls, dressed as 'British teenagers' (i.e. in 'Western' clothes), leaving passport control, while the discursive frame was predominantly that of unthreatening, victimised (but sexualised) girls in need of rescue (Farnham, 2019). Yet, even in this early and seemingly sympathetic reporting, the girls were also connected to the fascination and othering discourses surrounding 'Jihadi Brides' in the largest circulating British tabloid newspapers, but also *The Guardian*, which claimed that women join IS because they are 'attracted to the idea of marrying a foreign fighter' (Khaleeli, 2014).

It is when Shamima Begum was found 4 years later in al-Hawl refugee camp in Syria that her transformation into a dehumanised monster occurred. There are important

differences between Shamima Begum and the racialised construction of the crime of 'mugging' in the 1970s, analysed in *Policing the Crisis*, but her case does seem to follow a parallel 'circle' (Hall et al., 1978: 52) of cooperation between various powerful agencies to produce this teenage girl's citizenship as a problem for 'national security' and for the 'British public' (membership of which she is denied figuratively and in actuality), with the explicit outcome of an increased authoritarian policy environment formed in the law courts. We can see in detail how this circle specifically operated in this case. In al-Hawl camp, *The Times* journalist, Anthony Lloyd, was approached by Begum to ask for help as a British citizen. Instead, Lloyd interviewed her in a very unsympathetic manner (in what *The Times* called a 'scoop') on 13 February 2019, which was followed by a later interview that day on Sky News. One of the striking components of the dehumanisation of Begum is the frequent absence, in the news coverage, of the fact that she was legally a child when she travelled to Syria and was under the age of consent when she became pregnant. There was no room for considering that she may have been a groomed child who needed protection. By the time of her discovery and interview, Begum was still a teenager living in dangerous conditions in a detention camp and was heavily pregnant with her third baby (giving birth soon after the interviews – this baby also later died). Given the circumstances, it is hardly surprising that she did not come off well in these interviews, at the hands of experienced journalists and media personnel with a particular set of news values to project. The interviews were subsequently splashed across the news media, many taking their lead from Lloyd's accusation that she showed 'no remorse'. The following day, *The Sun* front page carried the banner headline 'NO REGRET: 'Arrogant' ISIS bride Shamima Begum has a massive ego and shows no remorse for fleeing Britain, body language experts say'. The article describes her as 'unconvincing' and 'lacking in sincerity and truthfulness' (Rogers, 2019). It is interesting that although she is denied the status and protections of childhood, she is condemned in language associated with what are considered to be the worst traits of 'youth' – arrogance and dishonesty; a monstrous 'other' not to fear but to condemn.

Within the week, British Home Secretary Javid had used his powers to revoke her citizenship, on the grounds of 'national security'. The Home Office referred to these interviews and press reports as a stand in for 'public concerns' in order to push through changes in nationality rights. On the day that the Home Office published its press release on the decision to revoke Begum's citizenship (19 February 2019), its 'Home Office in the Media' blog drew attention to a number of media stories that added weight to the Home Secretary's decision – stories that reported his comments positively and which called on government to be tough. It is no accident that the blog omits reference to any news item (of which there were a few) that questioned the decision, choosing instead to cherry pick and order stories advantageously:

> Much of the coverage (*Sun*, *Express* and *Star* frontpages) focuses on comments the 19-year-old made about the Manchester Arena bomb attack which she said was 'justified'. Although she said it was 'wrong that innocent people got killed', the papers report that her comments provoked anger as she compared the atrocity to 'women and children' bombed in Daesh-held territory.

> *The Telegraph* questions whether the 650-year-old law of treason could be used against returning jihadists. The paper reports on comments the Home Secretary made that the ancient

law may be re-written to make it easier to prosecute returning jihadists. Sajid Javid said that the idea of updating the legislation to catch home-grown extremists is 'worth looking at carefully' amid concerns too many jihadists and their brides escape prosecution after returning to Britain. (Home Office News Team, 2019)

This is not a simple 'round up' of the news, but a carefully constructed piece of propaganda that uses the news media as the supporting framework for its construction of a reactionary 'common sense', which justifies the decision taken. First, it uses the tabloids to aid in the construction of Begum as a remorseless monster, designed to borrow on the outrage provoked in those papers. This is immediately followed by repeating the calls by the *Telegraph* to use treason laws to prosecute 'home-grown' terrorists, (which links Begum discursively) where the account is structured so that the Home Secretary is deemed to be responding directly and 'carefully' to public 'concerns' that 'jihadists and their brides' escape prosecution. This narrative relies on gendered racism behind the epithet 'jihadi bride' – it is a very specific form of monstering – the bride of terrorism. The Home Secretary had no intention of allowing Begum to step into a court of law in Britain when he stripped her of her citizenship, so the laws on treason are neither here nor there. Instead, the blog was constructed to provoke an emotional response of outrage and righteous indignation in the reader, to win consent for the actions of the Home Secretary, and it does so with the aplomb of any right-wing tabloid newspaper. This is a form of 'race talk', a concept developed by Hannah Arendt to explain the discursive formation of denial of rights by differentiating between two orders of humanity and the justification of the exclusion of one for the 'survival' of the other. Sherene Razack (2008) uses the concept of 'race talk' to understand the eviction of Muslims from western law and politics through the creation of special categories, and the perpetuation of myths which construct Muslims as a threat, as irreducibly 'other', as another order of humanity. 'Race talk' about Muslims gives rise to a state of exception where the rule of law and political community do not apply (Razack, 2008). Begum is condemned as a Jihadi bride monster, and the law is used to situate her outside of the rule of law.

Razack points out that in the western telling of the 'clash of civilisations', story the depiction of Muslim women differs from that of Muslim men – while Muslim men are depicted as 'dangerous', Muslim women are constructed as 'imperilled'. Depicting Muslim women as victims who needed 'saving' was an important justification in the lead up to the War on Terror. While historically, gendered anti-Muslim racism was part of the project of empire, exoticising the 'other' in contrast to 'modern women' in the service of colonial expansion (Abu-Lughod, 2002), after 9/11, US-led North Atlantic Treaty Organization (NATO) states and their media justified the invasion of Afghanistan on the basis of a gendered definition of modernity, that of liberating Afghani women from the brutalities of the Islamist regime (Stabile and Kumar, 2005). At the time, Muslim women were almost entirely constructed in the media as victims of Muslim men and Islam, (and organisations such as Revolutionary Association of the Women of Afghanistan (RAWA) were either ignored or given no sense of agency), although their plight had been absent from public discussions up until that moment (Sreberny, 2004). Since the withdrawal of the troops in 2021, questions have been asked about this 'emancipation project' and its justification of failed war. More recently, there has been an oscillation between

constructions of Muslim women as 'victims' of Islam on one hand, and as part of the 'domestic' terror threat on the other, with shifting concerns about dangerous Muslims 'out there' leading to decisions to put Muslim populations under surveillance 'at home', and as justification for increased securitisation. The shift in construction of Muslim woman from victim to threat was accompanied by dehumanising portrayals of otherness (Khiabany and Williamson, 2008).

We argue that this dehumanisation also relies on the 'culturalization of terror' (Khiabany and Williamson, 2012), which operates in three interlocking ways: (1) it frames 'terror' in terms of cultural differences, which deflects attention away from the broader political and socio-economic conditions of its production; foregrounding Islam as a 'culture' of terrorism, while evading questions of colonialism, imperialist invasions, inequality and injustice; (2) it homogenises diverse Muslim populations under the banner of a singular Islam, so differences in the histories, languages and ethnicities of Muslim populations are erased. A homogeneous version of Islam (as violent) replaces the diversity of languages or regions, or even different branches of Islam, as markers of identity and ethnicity, and reduces Muslim people to stereotypes of violence; (3) this process naturalises the terror that nation states inflict upon racialised minorities and Muslim populations, not just abroad, but also 'at home' as 'suspect communities' (Fekete, 2004) and provides the grounds for further authoritarian policy and securitisation legislation, in which the question of citizenship rights are now foregrounded due in large part, actually, to what European nation states regard as a crisis of migration.

However, in this wider context of 'race talk' and the culturalisation of terror, Home Office plans to strengthen its ability to revoke citizenship had not yet won full consent in the press or population. For instance, while most British tabloids echoed the Home Office position, the *Daily Mail*, which is well known for its right-wing politics, did not. The paper concurs that Begum is a 'Jihadi bride monster', but it also claims that she is 'OUR monster and must return home to face British justice' (Glover, 2019). Stephen Glover goes on to describe her as a 'traitor and possibly a psychopath', and he regrets more than once in the article that she is a British citizen. Nonetheless, he argues 'And yet I'm sorry to say that Mr Javid's treatment of this wretched woman is probably not lawful and it is certainly not right'. Glover does make a passing reference to the 'dangerous concept of two classes of British citizenship, which could be disquieting to hundreds of thousands of people born in this country as the children of immigrants', but his main concern, oft repeated in the piece, is that Begum should not be allowed to evade justice; he does not wish to see her crimes 'swept under a carpet' and demands that she be required to 'give an account of her appalling conduct'. Glover is operating in a right-wing 'law and order' framework, while the Home Office is operating in a state of exception framework, outlined by Arentd and Razack, of removing Muslims' rights to rights. It seems clear from this editorial that the Home Office had not yet fully won consent over the issue of contingent citizenship rights, nor its right to exclude Begum or others on the basis of national security. In several articles (including this one), the *Daily Mail* agrees with legal experts who argue that the Home Office ignored its own rules in this case, in particular, the 1981 Nationality Act that prohibits the revocation of citizenship if it will make someone stateless (Masters and Regilme, 2020). The Home Office claimed that Begum had Bangladeshi citizenship through heritage, but Bangladesh refuses to grant

Begum citizenship and will not allow her into the country. Begum has been thus left stateless even though she has only ever held British citizenship. We shall see below, the renewed efforts on the part of the government to establish its position ideologically and in practice. The production of public opinion is not a random process, in which media reflect 'what people think'. Instead, it is a social process in which the state (in Begum's case the Home Office), the courts and the media together play a role in defining a 'problem' and outlining its 'solution' (see Hall et al., 1978). As the authors of *Policing the Crisis* argue, as part of a process of manufacturing consent to new and more authoritarian forms of statecraft, these central institutions create a 'panic' around a figure who is constructed either as a threat, or as monstrous (or both), and ultimately constructed as outside of the 'national family' or 'homeland'. The complex human reality of social groups 'othered' in this way disappears under the weight of media invention. Begum was branded a 'Jihadi Bride' across the media, which was repeated in Home Office communications – a relatively recent media invention/monster found across the European press (Martini, 2018) that dovetails with wider (and much older) tropes of anti-Muslim racism. The Home Office and much of the media constructed Begum as a monster in order to repudiate her rights as a human and to use her as a pawn in a much larger securitisation project (Hage, 2003). In order to understand the wider implications of monstering Begum and stripping of her citizenship rights, it is crucial to examine the question of the denial of the 'right to have rights' for targeted communities in more detail.

Ethno-nationalism and the rights to have rights

Despite celebrations of 'globalisation' and the assumptions about its impact on fostering democracy and justice, we have witnessed the most devastating forms of exclusionary nationalist politics and policies introduced by a host of nation states, with Shamima Begum a recent, high profile UK example. The 'diasporic communities' (black and brown people) in the west are neither post-national nor transnational. Rather they are treated, as Minoo Moallem (2000) has suggested, as the 'excess of the nation–state' (p. 201), often encountering forms of racism in the host country and exclusion by 'their own state'. In this section, we examine the limits of recognition produced by a 'state of exception' and examine what this tells us about the logics of the security state, by situating its emergence historically and examining the formation of contemporary exclusions in law and policy.

'Citizenship', declared previous Conservative Home Secretaries Sajid Javid and Priti Patel on the back of Begum's case, is a 'privilege not a right' (Siddique, 2021). The purpose of telling this to citizens from migrant backgrounds is to not create fear of Begum, but instead to put fear into the hearts and minds of black and brown citizens and to bring the politics of 'shock and awe' home; that their citizenship may be subject to a state of exception. Agamben (2004) has argued that the state of exception is becoming a normal system of governance. A formal state of exception, argues Fekete (2018), 'does not have to be openly declared, but is a creeping and all embracing securitisation . . . (which) takes place behind the scene, making use of vague non-juridical notions like 'security reason' to ensure a fictitious notion of an ongoing chronological crisis" (p. 126). Through this process, the state develops a narrative that 'presents the state as a victim of the

destabilising actions of the people, enabling them to use its authoritarian reaction as merely a rational form of self-defence' (Fekete, 2018: 126). In this context, it is important to examine the plight of those who are denied the privilege of belonging to such an exclusive circle. How they are defined, identified and denied, and under what circumstances, are not novel questions or concerns. Throughout history many different categories of 'aliens' have been denied access to what have been labelled 'unalienable' rights in the constitutions of many democracies, including women, workers, blacks and so on.

Since the French Revolution of 1789, what has been dubbed as human rights are effectively nothing beyond what the state permits its citizens to have. It is the right to belong to a political society defined and guarded by the state to secure, above all, property rights (Marx, 1977a). It is interesting to note, as Marx (1977a) did, that the declaration of the French Revolution is called the Rights of Man [sic] and Citizens, where Man is identified through political association. The 'rights of man' (that is, human rights) are only possible when the rights of citizenship are recognised and guaranteed by the nation state. What happens to human rights when citizenship is no longer a right but a privilege?

The practical outcome of this contradiction between the social and political definition of rights and freedom is highlighted by Hannah Arendt, who argues that in modern societies those that are without states are also without rights. She writes:

> We became aware of the existence of a right to have rights (and that means to live in a framework where one is judged by one's actions and opinions) and a right to belong to some kind of organized community, only when millions of people emerged who had lost and could not regain these rights because of the new global political situation. The trouble is that this calamity arose not from any lack of civilization, backwardness, or mere tyranny, but, on the contrary, that it could not be repaired, because there was no longer any 'uncivilized' spot on earth, because whether we like it or not we have really started to live in One World. Only with a completely organized humanity could the loss of home and political status become identical with expulsion from humanity altogether (Arendt, 1951: pp. 296–297).

Therefore, the fusion of the rights of man with membership of a political society (citizenship) from the very beginning put up a barrier to freedom (exclusive clauses, class, race and gender). This intensified in the late 19th and into the 20th century at the height of European imperialism and the ethno-nationalist consolidation of capitalist nation states, when new exclusions were created to preserve the imagined racial integrity of the nation (such as new de-naturalisation laws, see Webber, 2022). European nation states were in the process of rejecting and expelling particular peoples and cultures, in order to subordinate any kind of particularity to the totality of the 'wholesome' nation. As we know, these processes reached new atrocious heights in 1930s Germany. It was this radical negation of difference and insistence on the image of the nation as a unified entity, alongside the gap between the abstract rights of man and citizens, with the horrendous reality of stateless refugees escaping in different corners of Europe after World War I (WWI), which prompted Arendt (1951) to comment on the perplexity of the rights of man with particular reference to refugees: 'Their plight is not that they are not equal before the law, but no law exists for them; not that they are oppressed, but that nobody wants to oppress

them' (p. 293). The creation of tiered citizenship in United Kingdom (and elsewhere in Europe) is establishing a new reconfigured racial system, along the older one, in which Muslims are the new Jews.

As many liberal constitutions emphasise, including the Constitution of the United States, all men are 'created equal, that they are endowed by their Creator with certain unalienable Rights', (US Declaration of Independence, 1776). But most are not, nor have ever been, equal as citizens. And thus, we have come full circle as the contradictions arising between the two conceptions of freedom (social and political) established through liberal revolutions and their constitutions, may have abolished the privileges of birth, but continue to make political (citizenship) rights into a privilege, gravely undermining the very idea of 'unalienable rights' of humans.

Today, Muslims are at the sharp end of this ethno-nationalism across the globe. In her devastating critique of the absurd 'doctrine of One Nation, One Language, One Religion, One Constitution' that is being imposed on India by the far right government of Modi, Arundhati Roy (2022) pays particular attention to not only the plight of seven million people in Kashmir, but also the two million people in Assam 'who long to belong to India' but 'have found their names missing from the National Register of Citizens, and risk being declared stateless' (p. 146). These are people without 'legacy papers'. Roy (2022) argues that the real purpose of an all-India NRC

> 'is to threaten, destabilize, and stigmatize the Indian Muslim community, particularly the poorest among them. It is meant to create a tiered citizenship, in which one set of citizens has no rights and lives at the mercy, or on the goodwill of another–a modern caste system, which will exist alongside the ancient one, in which Muslims are the new Dalits'.

Right-wing statecraft across the globe is grafting new forms of exclusion along ancient routes.

Begum and UK law: from civil rights to national security

The question of today's new exclusionary laws that follow old historical undulations must be put in the context of anti-Muslim racism. Western nation states and media in the latter half of the 20th century built the image of the Muslim-as-terrorist through 'terror-craft' (Kumar, 2020). It is important to recognise that 'terrorcraft' is a process rather than a given, and that images and legal definitions of terrorists are built over time. In the United Kingdom, recent re-workings of Muslims as a 'terror threat', are put into service for a range of political purposes; there has been an important shift in focus from the 'war on terror' to the question of national identity, in which there has been a struggle between government and various arms of the legal system over whether 'national security' or 'civil rights' take precedence in UK law. Begum's monstering by media and political actors, followed by the denial of her rights as a citizen (and hence her rights as a human) through the revocation of her citizenship are part of a process of centring 'national security' as the main responsibility of the state, rather than the often attested defence of the rights of citizens. Removing the right to have rights for suspect communities is an essential element in this process. Again, this is not just a British 'problem'. From the treatment

of inmates in Guantanamo Bay, denied basic legal rights, to the establishment of a set of nebulous criteria for citizenship in case law across Europe on the issue of 'returning Jihadis', this shift worries those in the legal profession, who point to the problems of removing 'unalienable rights' for target populations, weakening civil liberties more generally, and the winnowing out of the space for dissent (Masters and Regilme, 2020).

Therefore, the crafting of states in the shape of securitisation is a long-term project rather than a forgone conclusion; it is a process that must be worked on. The case of Shamima Begum was part of the project of subordinating civil rights to national security. We saw above how consent for the revocation of Begum's citizenship was built through an alliance of state and media actors and this happened at each stage of her case, for the British state, and even right-wing media, do not speak with a single voice or only act as mouthpieces for the Conservative governments, to whom many are allied. Commentators, with varying social interests and audiences base their legitimacy on the way they consider serious social questions such as citizenship rights. We saw that Javid had not, at the time of revoking Begum's citizenship, fully won consent for his action in the media. Neither was this the case in relation to the UK legal system. Indeed, in relation to the courts, there emerged different interpretation of the law and in April 2019, Begum was granted legal aid to challenge the revocation of her citizenship. In May, she applied for leave to enter the United Kingdom to take her case to court, which was refused. Shamima Begum's legal representative submitted a notice of appeal to the Special Immigration Appeals Commission (SIAC) and requested the right to return to the United Kingdom to take part in an appeal process. This appeal was rejected by the British government in June 2019. However, in July 2020, the Court of Appeal ruled that Begum should be allowed to enter the United Kingdom because in her absence, she could not receive a fair trial. The ruling stipulated that the right to a fair trial outweighed the requirements of national security. The Home Secretary appealed to the Supreme Court in November 2020; and in February 2021 it overturned the Appeal Court ruling and backed the government, finding that the Appeal Court had been in error to decide that the right to a fair trial surpassed national security questions. Begum submitted another appeal (to SIAC) with reference to article 8 of the European Convention on Human Rights, which was refused. SIAC (2023) held that 'that the decision would not render Ms Begum stateless, because she had dual Bangladeshi nationality' (she did not), 'the decision would not violate the Secretary of State's policy by exposing her to a risk of death or of inhumane or degrading treatment' and that the 'overarching interests of fairness did not require the Secretary of State to grant Ms Begum an entry clearance to come to this country in order to prosecute her appeal'.

The mission to prioritise 'security' over rights is not new, nor is it restricted to the United Kingdom. As Masters and Regilme (2020) argue, '[p]ractising citizenship revocation under the guise of national security was comprehensively pioneered by the United States following 9/11 through changes in legislation, and Britain quickly followed suit' (p. 342). The United States introduced a raft of legislation after 9/11 that encroached on citizenship rights in the name of security including the 2001 Patriot Act, the 2002 Homeland Security Act, the 2003 SAFER Act (which specifically allows for the revocation of a US citizen overseas), the 2014 Terrorist Expatriate Act and the 2015 Enemy Expatriate Act. In the United Kingdom, alongside the '200+ pieces of anti-terrorists legislations targeting Islamist terrorism' (Webber, 2022: 85), the Home Office first

introduced powers to strip British nationals of their citizenship in 2005. The use of these powers increased dramatically while Theresa May was Home Secretary and were broadened in 2014. But the Supreme Court ruling against Begum has significantly strengthened the position of 'national security' and further weakened the importance of citizenship rights, by providing case law from the highest court in the United Kingdom that citizenship rights are not inalienable for those who come from migrant backgrounds. Supreme Court President Lord Reed's ruling (repeated in the news media and on the Home Office blog) that '[t]he right to a fair hearing does not trump all other considerations, such as the safety of the public' gives weight to the Home Office pronouncement that 'British citizenship is a privilege, not a right'. This is how the denial of the right to have rights is built into the legal system. Such judgements, as Marx (1977b) had pointed out in Eighteenth Brumaire of Louis Bonaparte are the legal scaffolding on which authoritarian statehood is built. It sends a warning to British nationals born in the United Kingdom whose parents or grandparents are immigrants, that their citizenship rights are contingent and thus all of their rights are precarious; it acts as a deterrent to ethnic minority citizens to stand up for their rights or to engage in any political activity that is not deemed appropriate in the context of increasingly authoritarian laws. And in doing so, the British state is using the very 'values' and the 'rule of law' to deny rights, which it claims to be upholding and defending. Meanwhile, Shamima Begum continues to be prohibited from putting her appeal to a British court of law. Again, right-wing media intervened to continue a discourse of dehumanisation to legitimise this change in case law. Following the first rejection of her appeal to return to the United Kingdom, the British tabloid press crowed with glee at the decision. *The Telegraph* writes, 'Sorry my heartless little jihadi bride, but you made your bed and now you can lie in it' (Pearson, 2019). Later, in an interview on *Good Morning Britain*, Shamima Begum appeared in western-style clothing and vocalised remorse. The response in the *Sun* quoted complaints about the interview as part of a ruse, and claimed to be reflecting public opinion (Gallagher, 2021). The interview itself reinforced the 'lack of remorse' narrative that characterised reporting on the case and accused her of 'deliberately' dressing like a westerner. She (and by association all Muslims) is pitted against 'the British public' when columnist Ulrika Johnsson huffs, 'I'm not buying it' (Grealish, 2021).

These condemnations of Begum stem from and contribute to longer formations of 'race talk', which underpin the denial of rights to British-born Muslims and which contribute to the sanctioning of an increasingly authoritarian state. The implication is that Begum cannot be British by dint of her religion and ethnicity, and that any of her claims are suspect and that even her Western dress is part of a cynical masquerade in which she is trying to hide her 'true' (jihadi bride) self in order to take advantage of 'our great nation'. The media treatment of Begum is thus part of the construction of Muslims as irreducibly 'other', found across the political and media spectrum. The scale of the 'othering' of British Muslims cannot be underestimated. In 2021, having analysed 48,000 articles online and 55,000 broadcast segments, the Centre for Media Monitoring at the Muslim Council for Britain released a report that found that 60% of online articles between 2018 and 2020 portray Muslims in a negative light (Hanif, 2021).

The revocation of Begum's citizenship and the Supreme Court ruling are also inextricably connected to 'concerns' about migration and contributed to creating an atmosphere ripe for new authoritarian anti-immigration legislation, as we shall see below.

The lack of rights to have rights and the politics of migration

The colonial legacies of exclusionary politics of the British state, as Frances Webber points out, have a long history. In one incident in 1968, 200,000 British passport holding residents of Kenya who had opted to retain their UK & Colonies citizenship, instead of becoming Kenyan citizens, were prevented from entering the United Kingdom on racial grounds. According to Webber (2022) 'within days, the British government pushed through an act which decreed that only those citizens whose ancestors were from UK, rather than a colony, had entry rights to the UK' (p. 82). The Windrush scandal of 2018 is another well-documented example of racialisation of citizenship, in which many who had arrived in Britain from 1948 onwards lost their citizenship without knowing, while various governments' policies have narrowed and limited access to citizenship. Such a hierarchy of rights, of inclusion and exclusion, is profoundly racialised. Such a conception of belonging defines the nation on increasingly ethno-nationalist grounds, and it offers only one way of imagining a national community. There is little doubt that exclusionary policies and the revocation of citizenship are practices targeting Muslims and they are also aimed at migrants (and the two are often collapsed in the national imagination).

An important contemporary purpose of racialising nation states and disentangling citizen rights from human rights (that is, denying human rights) is part of a project of Fortress Europe. The relationship between British citizenship rights and migration policy is evident in the Nationality and Borders Bill, which British Home Secretary, Priti Patel, (2019–2022) steered through government to become law in 2022. The Act removes the need for the government to notify a person whose citizenship has been revoked. It also gives the government further draconian powers to apply revocation retrospectively. Instructively, other changes criminalise anyone who seeks to save lives at sea and would give Border Force staff immunity from prosecution if people die in 'pushback' operations in the English Channel. The Act thus clarifies one of the central purposes of creating a two-tier citizenship regime (alongside the others) – the legal means of barring migration on the basis of asylum and furthering the opportunity to revoke citizenship of any migrant, refugee, asylum seeker or their children on the basis of the nebulous concept of 'national security'. The reason for this is that the British state, which has removed safe routes for asylum seekers to enter the United Kingdom, is attempting to prevent any entry by those ravaged by Western invasion to the United Kingdom, claim asylum. This is not a uniquely British 'concern'. Governments across Europe are engaged in militarising borders in response to a perceived 'migration crisis'. European Union (EU) member states have, when taken together, built 1000 kilometres of walls and razor wire fences in response to what they dubbed the 'refugee crisis' of 2015/2016, when about one million refugees from the Middle East, Sub-Saharan Africa and Central Asia entered Europe. EU officials are now concerned about Afghans fleeing the Taliban following the UN

withdrawal of troops, the United Nations High Commissioner for Refugees estimating the figure at 500,000 (UNHRC, 2023). Contrary to claims by EU and British officials, it is not wealthy western countries that have hosted over 70 percent of the world's refugees and other people in need of international protection: Türkiye hosted nearly 3.6 million refugees, the largest population worldwide, followed by Iran with 3.4 million and Colombia with 2.5 million (UNHRC, 2023). As war and the climate crisis unfolds, the numbers of refugees trying to enter Fortress Britain or Fortress Europe will only increase. Meanwhile EU officials are discussing spending one billion Euros to induce Afghanistan's neighbours to act as gatekeepers against Afghan refugees and asylum seekers (Pop and Foy, 2021). In early September 2021, the interior ministers of all 27 EU member states agreed to 'act jointly to prevent the recurrence of the uncontrolled large-scale, illegal migration movements of the past', while French president Emmanual Macron insisted that Europe should 'anticipate and protect itself from a wave of migrants from Afghanistan' (Willsher, 2021). In Britain, the Conservative government has paid Rwanda £140 million to relocate asylum seekers there. Displaced humanity, precisely because they are displaced, find that they have no human rights to protect them from displacement.

Conclusion

Stripping Begum of her citizenship, the assaults on asylum seekers and migrants, and developing legislation are motivated by a concern to display Britain as a strong nation-state. But this strength is exercised towards those from 'below' rather than 'above'. As Aijaz Ahmad (1995) points out, 'imperialist capital itself, wants a weak nation-state in relation to capital and a strong one in relation to labour' (p. 12). The contradiction of this demonstration of 'sovereignty' is visible in selling and dismantling national assets such as National Health Service. Frances Webber (2022) aptly reminds us that 'racialised citizenship rights do not exist in a vacuum, but in conjunction with a racialised "hostile environment", anti-refugee and migrant policies, and discriminatory policing practices. Taken together, they result in black and brown British citizens having to prove their entitlement to be in the country, to obtain housing, health care, employment, education, a bank account, the right to marry, and so on' (p. 84).

The 'migrant body' of Begum, and her three dead children, also need to be understood and assessed in relation to the dead bodies of migrants in Mediterranean, British Channel and elsewhere. We must highlight, as Marx and Arendt did, what it means to be stateless when human rights are couched in the rights of the citizen not the rights of the human. The formation of nations is a colonial process; those that do not fit in the 'imagination' and those who are not part of a defined homogeneous population are marginalised, suppressed and excluded. All states are keen to determine ways – perhaps a singular way – of imagining a community. Pigeonholing citizens into the binary of patriots (or 'law abiding') and terrorist sympathisers, limiting civil and democratic rights and the subordination of everything and everyone to the perceived ideals of the 'free world', 'the Republic' or 'Western civilisation' are all part of 'the inversion of accountability' (Webber, 2016). One significant outcome of this transformation has not only been a form of statism without the state, at least in terms of welfare, but also an increased emphasis

on the main historical function of the state, that is disciplining its subjects. Such a shift, as Jessop (2007) has argued, ' . . . could be explained in terms of the logic of capital (requiring more state intervention) and/or the logic of class struggle (requiring more state repression and legitimation measures)' (p. 238). More repressive measures are needed in order for the state to maintain and control an impoverished citizenship. It is exactly this re-configuration of state power that should be the focus of attention, including the basis on which these newly reconfigured states claim legitimacy. The state has not only imposed monitoring obligations on education, welfare and health professionals, but also has promoted the act of citizens spying and informing on each other as the very definition of good citizenship and patriotism. Having designated a number of regimes (including many in the Middle East) as 'rogue states' threatening the very fabric of the progressive, tolerant and free world, imperial states themselves have 'gone rogue' and have actively become failed states in relation to the welfare of their own population. The 'hostile environment' does not only target black and brown bodies; it is the means for the state to assert its authority through authoritarian practices and repressive measures, elevating it to a God-like status, which can control not only the life and death of unwanted refugees, but also of its citizens.

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Data availability statement

Data sharing not applicable to this article as no datasets were generated or analysed during this study.

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