



Is the UK using citizenship to avoid its responsibilities?

PHOTO: REUTERS



When UK Home Secretary Sajid Javid announced the decision to prevent Shamima Begum from returning to the UK, many were thrilled—including Bangladeshis. The 19-year-old British citizen of Bangladeshi heritage had left London in 2015 to become an ISIS bride. Now, in a Syrian camp, Shamima's plea to return to the UK to give her infant son a better life has understandably been met with popular derision. However, it has also raised a worrying legal question: how can a British national be prevented from entering the UK?

The solution, according to Home Secretary Javid, is to remove her citizenship, thereby barring her from returning. (As an aside, her son, born before his mother lost citizenship, is a UK citizen and eligible to return.) Javid cannot render a British national stateless. However, he has argued that since

Shamima's mother has a Bangladeshi passport, this makes Shamima eligible for citizenship in Bangladesh—so the removal of her British nationality doesn't make her stateless.

Bangladesh, however, has maintained that she is not a Bangladeshi citizen. There is, indeed, a provision in our citizenship law that allows children born abroad to Bangladeshi citizens to inherit the nationality, but only if this birth is registered with a Bangladeshi authority. This was not done, and for all intents and purposes, the first time the government heard that Shamima is one of their subjects is when the UK Home Secretary "Britsplained" it to them.

So, yes, Shamima Begum is currently stateless. This means Sajid Javid's decision will not stand up in a court of law—largely because he has called so much media attention to it.

Regardless, the complex nature of this case, the removal of citizenship, and the public support that Javid's decision received, make this a case worth dissecting. We can look at it from four different overlapping angles: human rights, security, civic rights and state sovereignty.

The humanitarian angle is a non-starter. Yes, Shamima Begum was indoctrinated and lured away from home at the age of 15 by an older man, someone with the glamour of war and zealotry. Yes, statelessness means a life where she can claim the protection of no nation in a world of nations—there is a reason nationality is a fundamental human right and there are UN conventions against statelessness (signed by the UK). An adolescent crush has doomed her to exist outside the normal human order. Compassion runs dry, though. ISIS has launched attacks specifically targeting teenagers in the UK, to say nothing of the death and barbarity it has perpetrated in the Middle East. Former Yazidi captives have spoken out against the cruelty of ISIS brides like Shamima, who herself shows little remorse for her years with the so-called Caliphate. It is very rich of her to want to raise her son in a society she wished to dismantle. It is hard to feel sympathy for someone who admits that severed heads don't faze her.

I completely understand anyone who doesn't feel any charity towards her. I also understand anyone who thinks statelessness is the least she deserves for joining ISIS.

I understand, but there is something quite odd about this. Hundreds of ISIS fighters have quietly been returning to the UK for years. ISIS returnees are a major European headache, with Trump urging his European allies (as they still are, for now) to take back their citizens and try them domestically. If grown adults who were actual combatants can go back home and face the normal justice system... why can't Shamima? What is so inherently more dangerous about a teenaged single mother that she had to have her rights as a UK national compromised?

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