

A response to Aradau on citizenship in the UK

I take no issue with the majority of Claudia Aradau's powerful 'Become a permanent migrant to the UK!' (*RP* 194). I think, however, that she is wrong to see the UK citizenship test as representing a point of discontinuity within the 'procedure of continuous control' which is the disciplinary power of the British state.

It is worth perhaps looking at the history of 'British citizenship' – what it means, how it has been acquired – to grasp where the citizenship test fits in. Nationality law is rooted in the development of the allegiances of feudal society – from the people to the lords and from the lords to the monarch – such that those born within the territories of the Crown became Crown 'subjects'. The Naturalization Act 1844 allowed foreigners to become British nationals through grant of the secretary of state, and from 1847 a person naturalized in the UK obtained 'imperial naturalization'. Thus, not surprisingly, the development and constant redefinition of the concept of 'citizenship' is inseparable from the exercise of disciplinary power over empire and the anti-colonial resistance to this.

Territories that broke away from the British Empire established their own citizenship laws which intertwined with those of the UK. The British Nationality Act 1948 created a citizenship of the United Kingdom and Colonies for those from the UK or from colonies not yet independent. All Commonwealth citizens were classed as 'British subjects' with 'right of abode' in the UK, even if they lost CUKC status with post-colonial independence. Citizenship laws came explicitly to control the movement of cheap labour from the former colonies, becoming ever more restrictive, from the 1962 Commonwealth Immigrants Act onwards. As Europe provided access to new pools of cheap labour, so the impediments to both entry and citizenship for those outside the EEA increased.

Thus, 'citizenship' as concept and as form cannot be viewed separately from the process of disciplinary power which extends over the management of both the end of empire and the movement of labour. The citizenship test does not exist outside the system of immigration enforcement encompassing port-of-entry officers, detention and removal centres, immigration tribunals, judicial review, biometric registration and reporting centres. As Aradau observes, it

is possible to deprive a naturalized citizen of British citizenship even if it renders them stateless. Thus the citizenship test is very much part of the process of determining who is 'fit' to be granted right of abode. Since 1 April 2003, section 4 of the Nationality and Immigration Act could deprive British citizens of citizenship if the secretary of state is satisfied of acts seriously prejudicial to the vital interests of the UK or a British Overseas Territory, or of they acquired citizenship status by registration or naturalization using fraud, false representations or concealing material facts. If the deprivation decision is certified by the secretary of state, appeal to the Special Immigration Appeals Commission can be heard with the appellant excluded. Alongside all this has come constant review of the state's willingness to fund the right to appeal.

Yet the practical deprivation of citizenship is nothing new. The Prevention of Terrorism Act 1974 gave the secretary of state power to control the movement of people between Ireland and Great Britain, and to remove people already living in Great Britain to either Northern Ireland or the Republic of Ireland. It established the National Joint Unit to police ports and airports and to operate a system of compulsory examination, detention and exclusion that in effect created a form of second-class citizenship for the Irish nationalist community, with the secretary of state having the power to consign individuals to a form of internal exile. Then as now, the grounds for exclusion remained secret.

All of this goes to show that both the right of abode and the right of exit are ultimately gifts of the state. Part of the process of disciplinary power is, as Paddy Hillyard has observed, the establishment of 'suspect communities' – Irish nationalists, Islamic militants, football supporters, asylum seekers, striking miners – as targets to be policed. An effective response will involve the formation of commonalities of resistance to this. A guarantee of a continued 'uncertainty of the future', as Aradau puts it, would be retreating to a politics of simple difference which allows the disciplinary machine to pick its fights when it chooses.

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