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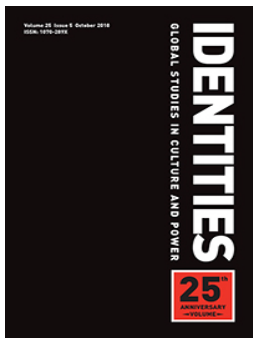
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# 'My passport is just my way out of here'. Mixed-immigration status families, immigration enforcement and the citizenship implications

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## ABSTRACT

In a context of sustained political attempts to reduce immigration and increase expulsions from the UK, mixed-immigration status relationships between citizens and precarious foreign nationals have arisen as key sites where the boundaries of national belonging are contested. These families are presented as inherently problematic: complicating the citizen/migrant binary and supposedly pitting family life against national immigration objectives. Drawing on the accounts of British female partners of 'deportable' men, the article examines the impact of immigration enforcement on the lives and senses of security and membership of the citizens close to the migrants targeted. It argues that the women discovered longstanding gendered and classed barriers to operationalising their citizenship privileges, which led to reconfigurations of their relationships with their government and understandings of the institution of citizenship. Their accounts illustrate how immigration controls produce and discipline citizens, as well as migrants, exposing the internal hierarchies and conditionalities of citizenship.



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**KEYWORDS** Citizenship; immigration; class; gender; deportation; family

## Introduction

"If you are a British citizen then falling in love with someone who is not British isn't allowed to happen basically." (PB4)

Mixed-immigration status families are emerging as one of the most problematised forms of intimacy in the UK and a key site for contestation over the boundaries of belonging. Such families challenge normative and racialised ideas about national identity, and the ability of states to control their populations and borders. They elicit scrutiny of both the citizen and migrant partners' membership of the country and may be construed as being in

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direct conflict with national objectives. This article draws on qualitative research conducted in 2015–16, in the run up to the UK's EU referendum, with couples consisting of 'deportable' migrant men and their British or EEA-national wives and girlfriends.<sup>1</sup> The focus here is on the British women and the indirect impact of a partner's immigration insecurity and enforcement, arguing that these citizens' experiences reflect increasingly restrictive immigration policies, coupled with a long gendered, classed and racialised history of mistrust of cross-border intimacy, moral regulation of families and hierarchisation of citizenship.

The article begins by considering the commonly-employed binary between migrants and citizens, and the UK's history of problematising relationships between citizen women and outsider men. After introducing the interviewees, the article discusses the impact of their partners' immigration battles on the women's own sense of stability and belonging in the UK. I argue that struggles accessing their citizen privileges coupled with their antagonistic experiences of the state undermined the British women's sense of belonging to the UK, illustrating the differentiated nature of citizenship. The following sections consider the women's changing relationship to the state, feelings of nationhood and understanding of citizenship, including considering their articulations of claims to rights. By recognising that immigration systems also profoundly affect citizens, we gain insight into the relational and differentiated nature of citizenship, as well as the role of immigration controls in constructing and disciplining both migrants and citizens.

## Theoretical and legislative context

In theory, migrants and citizens are mutually exclusive categories, with the rights and restrictions of one defining the other. The liability of foreigners to exceptional measures, such as forced destitution, detention and removal, (re) inscribes the insider/outside distinction by demonstrating the contingency of migrants, as well as the privileges of citizenship, such as protection from immigration control and excessive state interference, and the rights to enter and remain in the country (De Genova and Peutz 2010; Walters 2002). In practice, however, the distinctions are blurred and contested. 'Foreigners' may be 'almost-citizens', such as non-citizens with normative claims to belong through length of residence or connections to nationals (or pre-Brexit EEA nationals exercising freedom of movement). Conversely, British citizens are sometimes subject to UK immigration controls or forced (im)mobility, both through error and on exceptional grounds,<sup>2</sup> as well increasingly being subject to immigration checks, including in the workplace and interactions with state services. British citizenship is becoming less an irrevocable right than an insubstantial privilege conditional on self-reliance and good behaviour

(Gibney 2011, 4). Rarely-used denaturalisation powers have also been revamped, stripping citizenship from growing numbers of people, including British-born and single nationals.<sup>3</sup>

In parallel, the political austerity agenda has resulted in significantly rising poverty and destitution rates of Britons; undermining the promises of citizenship and demonstrating the role of wealth and welfare in maintaining its internal hierarchies. Overlapping membership and treatment of 'illegal immigrants' and denigrated citizens, such as the demonised 'benefit scrounger', reflects their common origin, which in the UK were the 'vagrants' and 'masterless men' of the 14<sup>th</sup> century. Their 'problematic' mobility was controlled through legislation; from the landless labourers compelled to be mobile for work, to the creation of the 'settled poor' whose access to poor relief required remaining in their parish (Anderson 2013). Contemporary 'failed' citizens are disciplined in ways similar to unwanted migrants: judged as unskilled, idle, dependent, uncivilised, irresponsible, threatening 'our' values and raising problem families. Indeed, moralising assessments of the form and quality of family life is as critical to claims for welfare as challenges to deportation.

Before the Aliens Act 1793, there was little distinction in the UK between foreigners and citizens. They have since grown into (supposedly) mutually-exclusive categories, although are regulated and hierarchised through similar techniques focused on mobility, criminalisation, labour and the family. As 'migrants' and 'citizens' separated as categories, policing them and the relationships between them became critical to defining the nation (Anthias and Yuval-Davis 1989; Bonjour and De Hart 2013; Charsley and Benson 2012). Colonial artefacts like household manuals and marriage bans, for example, illustrate a long history of British state attempts to regulate their proximity, particularly intimacy between white British women and colonised men.

Concerns that (certain) families challenge notions of the nation coloured the development of immigration controls in the 20<sup>th</sup> century. Immigration systems operate through gendered, racialised and classed rhetoric (Bonjour and Duyvendak 2018; Griffiths 2015, 2017a; Scheibelhofer 2012, and discrimination was evident – often explicitly so – in the UK's immigration system during the second half of the century (Smith 2014). Although family reunification was initially valued for aiding integration, the arrival of ethnic minority spouses led to growing political concern about flows of non-white entrants and 'chain migration' (Wray 2012). Family migration became seen as a 'loophole' through which a potentially endless number of unwanted outsiders could arrive. With men considered inherently economically-motivated and women led by emotion, there was concern that foreign husbands, especially racialised men from former colonies, were male labour migrants in disguise, which resulted in a series of policies designed to bar foreign husbands, especially those from the Indian sub-continent (Wray 2012).<sup>4</sup>

Just as with the 'migrant' category, and despite the notional equality of citizenship, membership to the nation is racialised, gendered, classed and cultured (Isin 1999; Shafr 1998; Stevenson 2001; Yuval-Davis 2011; Yuval-Davis and Werbner 1999). 'Good' citizens are construed as self-sufficient and living within their means, whilst second class 'abject', or 'failed', citizens, such as the poor or criminalised, are deemed to have questionable character and belonging (Sirriyeh 2015; Tyler 2013). The institution of British citizenship is founded upon 'state racism', with its roots in the colonial system<sup>5</sup> and construction of a nationality system *designed* to exclude and marginalise certain people (Paul 1997; Tyler 2010). The legacy of Empire remains evident in the multitude of legal forms of British belonging,<sup>6</sup> created to maintain an indivisible British subjecthood but resulting in a (racialised) system selectively managing the mobility of different groups (Hansen 2000). The development of a British national identity was not only challenged by the spreading independence of colonies, however, but also by women fighting for their own nationality rights (Baldwin 2001).

Women have historically been considered weak citizens, despite being framed as reproducers of the nation (Anthias and Yuval-Davis 1989), with the 'good citizen' liberal ideal being an industrious, self-controlled, hard-working property-owning male, excluding women as *naturally* unfit for citizenship as a result of their (supposed) dependency, irrationality and lack of control over their bodies and labour (Anderson 2013, 96; Brace 2004). The framing of women as lesser citizens is reflected in British immigration and nationality legislation, which historically has assumed women to be passive and emotional creatures who don't make decisions, are easily fooled, led by feelings and whose identity, nationality and loyalty derive from fathers and husbands (Wray 2012). Women in the UK could only reproduce the nation on behalf of their husbands (Klug 1989); they did not have independent national belonging and attachment to foreign partners cast further doubt over their allegiance. The Naturalisation Act 1844 denied women the right to confer their nationality to foreign spouses, even though foreign-born women marrying British men had automatic access to citizenship. From 1870, women lost their nationality and automatic right to enter the UK if they 'deliberately married an alien' or their British husband renounced his nationality (Carver 2016). It was not until 1948 that British women could retain their nationality independently of their husbands, and only since 1983 that they could transmit it to their children.

Contemporary immigration legislation continues to reflect these biases and it remains the case that Britons' ability to exercise their citizenship, such as marry and live with the person of their choice, is gendered, as well as classed and racialised. The 2012 family migration rule changes, for example, more than tripled the minimum income threshold for spousal visas, placing it well above the minimum wage. Nearly half the UK's population does not

earn enough to sponsor a foreign spouse, with wage disparities, employment rates and care duties meaning that certain groups, like women and ethnic minorities, are particularly affected (Sirreyeh 2015; The Migration Observatory 2014). Citizen women are still deemed to need protection from foreign tricksters (reflected in ‘sham marriage’ discourses (De Hart 2006; Wray 2006)), and the vast majority of those rejected and expelled from the country continues to be black and minority ethnicity men.<sup>7</sup>

## Interviewees

To explore the lived reality of these issues and the implications for British belonging, this article draws on qualitative research conducted in 2014–17 on the family lives of UK-based men at risk of enforced removal.<sup>8</sup> Semi-structured interviews were conducted with 30 mixed-immigration status couples, with additional research including policy and media analysis, observation of deportation appeals and immigration hearings, and interviews of practitioners working in the state, civil society, private and legal sectors, including inspectors of the immigration, prison and detention systems, a former senior manager of an Immigration Removal Centre, marriage registrars, immigration lawyers and NGO representatives. This article focuses on a subset of interviews conducted with eleven British women whose boyfriends or husbands faced possible forcible removal from the country, potentially permanently, as a result of their insecure presence. Names and identifying information have been changed.

The women were all born into British citizenship and were aged 20–40 years. They were predominantly Caucasian and Christian or atheist, with one Afro-Caribbean woman and one Muslim convert. The women differed significantly in terms of their socio-economic positions, prior knowledge of immigration matters and previous experience of state intrusion. Some were fulltime mothers, out of work, unable to work or only working part-time, others worked in health or education, or had office-based or retail jobs. There were homeowners and professionals, as well as women with entrenched disadvantage and precarious housing and income. Eight of the eleven had children with their non-citizen partner (half were planned), seven were married. Most felt isolated in fighting for their partners’ presence in the UK and bemoaned a lack of understanding from friends and family. They sought help by hiring lawyers, if they could afford it, and contacting their local MPs, who were often unsupportive. A handful set-up online petitions or sought local media interest, but these were often met with xenophobic and misogynistic trolling, as did attempts by the most underprivileged women to raise legal funds through online raffles and crowdsource funding. They did not lobby collectively, although a couple aligned themselves to groups lobbying on the related (but far less stigmatised) issue of the spousal visa minimum income threshold.

The women's partners all had uncertain futures, and precarious immigration statuses, in the UK, but occupied various legal positions. They included visa overstayers, asylum seekers, foreign national offenders, illegal entrants, long-term residents and non-citizens on temporary visas. They had been in the UK anywhere between a few months and a couple of decades, with three having been in the UK since they were teenagers. Four had previously been forcibly removed from the UK (two had since returned, one illegally), the others knew this might be their fate. Two had been in British prisons, three in immigration detention. They had diverse nationalities, originating from Africa, Asia, the Caribbean, the USA and Europe (e.g. Armenia, Albania). One couple met gaming online, four met overseas whilst the women were travelling or working, and the rest met in the UK, usually when the men were already precariously present. Most of the couples were mired in long legal battles with the Home Office and/or stuck in irregular or precarious limbo in the UK, with a few already separated by the immigration system or living together outside of the country.

### Repercussions and shaken security

The women and their children were evidently harmed by the immigration system, even though, as citizens, they were not subject to immigration controls. Their plans, dreams, education, employment, family planning, social mobility and physical, mental and economic wellbeing were affected by their partners' immigration status and the stress and costs of possible separation. The immigration struggles damaged relationships (between partners, but also parents and children), shaped decisions regarding marriage, cohabitation and conception, made people resort to medication and affected their personalities ('It's made me a very nervous person ... I'm completely different now. It's changed me' (PB21)). The women were made poorer, as they lost savings and became indebted by legal and application fees, costs of visits to partners in prison, immigration detention or overseas, and compensating for their partners' forced unemployment. Separation and financial pressures forced them into work (including working excessive hours/days, multiple jobs, sacrificing maternity leave), or out of employment, sometimes pushing them onto state support for the first time. Changed marital status affected their welfare benefits, even when their husbands could neither work nor access welfare in the UK, with some forced to rely on Crisis Loans, food banks or appealing on social media for baby milk ('I am selling up every single piece of thing that I own so that I can be with the man I love. I have lost everything'. (PB4)).

The women invariably described feeling powerless and immobile: stuck spatially, socially and temporally. They were unable to envisage, trust in or plan for a future ('We can't just do what we want. You can't live the life that



you want to live, you can't do anything'. (PB30)). Such uncertainty was particularly pronounced in relation to immigration detention or deportation ('I can't plan too far ahead, because what if he's deported?', 'When somebody passes away you can gradually let them go, but when somebody is still alive and you are stuck in limbo waiting for them to get a release date, or get sent home, or get sent back ...'). Living under extreme insecurity might continue for years, including after receiving a visa, which are often temporary or probationary. Coupled with frequently changing rules, the risks of losing one's status/citizenship and long-term emotional scars from living in immigration illegality, means that even indefinite leave to remain 'feels like it's temporary' to an interviewee whose husband was a long-term visa overstayer. Another woman successfully obtained a spousal visa for her husband, but as it initially only lasts 33 months, her income must remain high and she says that during that time, 'I will not rest and I will not relax. It doesn't feel permanent to me yet, it feels like he's just here on a really long trip', explaining they live 'each day as they come' because 'we just don't know when it's going to be taken away'. (PB21).

These feelings of insecurity and suspension, of being stuck living with profound powerlessness and uncertainty, for unknown, indefinite but often lengthy periods, are strikingly reminiscent of the experiences of irregular migrants, refused asylum seekers and immigration detainees (e.g. Griffiths 2014; Mountz 2011). The citizens spoke of feeling trapped as a 'prisoner of the situation', unable to 'move forwards', control their lives or predict even the short-term future ('How long are we going to wait for? What am I going to do with my life? I'll have to wait and see'. (PB30)). They grappled with similar experiences of liminality and insecurity over their place in space and time as their non-citizen partners. One woman, for example, complained that powerlessness over her husband's imminent but unpredictable departure from the UK means that they are trapped in the immediate present. Stuck in a 'limbo of not being able to plan anything at all', they live with their suitcases packed, 'always being ready to leave'.

Like this woman, many of the citizens were (usually very reluctantly) entertaining the possibility of leaving the UK because of their partner. British women no longer lose their nationality upon marrying a foreigner, but they may nonetheless be forced out of the country. Some were explicitly advised by the Home Office to consider relocating their family abroad, whilst others were planning 'voluntary exile' in order to keep their family together<sup>9</sup> or in disgust at the UK ('Why would I want to stay in this shitty, miserable country? If my Great British government don't want him to be here with me, then stuff them. I'm not going to be here, I'm going to leave'. (PB4)). Some were planning moves to countries that they considered violent or dangerous, including Jamaica and Afghanistan, some sold their possessions, lost accommodation and jobs, or were separated from friends and families

(including children from previous relationships) in the process. Having to leave the UK in order to live with their partner shook the women's ideas about their rights, security and expectations of citizenship. 'It's just so wrong on every level. To say that you can have your family somewhere else, I mean that's just ridiculous. Why should I have to go and live somewhere else? I'm entitled to live here, why should I have to go and move my family half way round the world in order to have a family together?' (PB27). Another complained, 'I'm a British Citizen, why do I need to get up? We've been married for five years, we've got two children together. That's just mad, I was born here!' (PB45)).

The women also reported feeling insecure and afraid as a result of the UK's increasingly hostile immigration climate, despite their personal exemption from immigration controls. Internalising fears intended for others, one citizen watches the TV program *Border Force* and warns that at any time 'they can walk in a shop and start checking everyone!' Another describes 'freaking out' when her husband receives official letters and another struggles with chronic anxiety knowing that 'they' could arrive for her husband at any time. A woman whose partner was detained for years panics when she sees immigration vans, fearing 'they're going to be there waiting to take him', and frets during his weekly report to the police ('I'm panicking, I'm like why hasn't he answered, what's going on, has he gone?'). Another woman fears that if she ever managed to bring to her partner to the UK, he would be 'at the mercy' of the authorities and she would be unable to 'protect' him: 'That frightens me more than never seeing him again ... I am so scared that he would get dragged away in the middle of the night, put in detention and die there'. One interviewee is so afraid of immigration checks and queries of their relationship, that she takes their marriage certificate when they travel and even within the UK, 'if I'm with my husband, we carry the passports at all times, because you can be stopped at any time ... I fear that they'll pull him in if I don't have it with me'. (PB21). Despite no one being required to carry identification in the UK, this *British-born* citizen now carries her passport with her, out of fear of *immigration* patrols. For all the women, their partners' immigration precarity undermined their own sense of security of belonging and privilege as citizens, demonstrating the relational nature of citizenship and centrality of family life to it.

## Relationship to the state

The women's relationship to the state was transformed by being trapped in lengthy and insecure liminality, by their antagonistic struggles with the Home Office and by being advised by officials to leave the UK. They felt betrayed at what was experienced as high levels of state-sponsored emotional and financial harm caused to themselves and their families ('It is like

your heart has been ripped out of your chest and thrown on the floor and stamped on by the British Government'. (PB4)). The women felt unimportant to politicians ('I don't see them ever doing anything [just] because I'm a British citizen. I don't really think I'm counted in any of this ... Why would they be interested in one small little person?' (PB30)). They felt let down and dismissed ('It feels like a rejection', 'It feels like betrayal basically'), with their rights as citizens not considered, and their lives, decisions and children not valued. At being told to move overseas if she and her children wished to live with their father, one interviewee queried 'why does my government feel like that, when I'm an asset to them?' (PB7).

Most of the citizens, particularly those hitherto shielded from state scrutiny and interference by class privilege, also struggled with the level of official intrusion and disbelief they experienced and many had accounts of judgement and humiliation by immigration actors. One British interviewee, for example, had been repeatedly and publically embarrassed by UK border guards, including having the paternity of her baby questioned ('that offended me. That's really offensive'). The first time was when her husband arrived on a hard-won spousal visa a few days after their baby was born (after a complicated labour that she had gone through alone because of delays processing his visa). Despite arriving legally and properly, he was interrogated for hours at the airport, with his wife left waiting in Arrivals anxiously breastfeeding their baby until he was finally let through at 1am, too angry to celebrate meeting his newborn. The second border humiliation was a few weeks later, upon returning from their first family holiday. UK border officials apparently questioned why she hadn't changed her surname upon marriage (she isn't obliged to) and requested proof of paternity and the baby's birth certificate. When she objected, 'the guy went into his pram, and went: "Don't look like him much"', noting that the baby's skin and eyes were lighter than his father's. She exclaims, 'I've never felt so offended, or to be made to feel like a criminal in my life! In my own country!' They continue to experience problems at the UK border and so she sacrifices part of her citizenship privileges, to go through the 'all other passports queue, and go together'.

Such treatment undermined the women's trust in the state ('I've lost all faith in my government, how they treat us. How can my government do this to me?' (PB4)), which was made worse by decision-making that appeared unfair, irrational and incoherent. Several described the immigration system as 'Kafkaesque' and contradictory. For example, although being unmarried was a disadvantage in operationalising citizenship privileges for one's foreign spouse, those that were married found that the authorities often cheapened, dismissed or even penalised their unions, including through accusations of 'sham' motives, undervaluing Islamic marriages and by handicapping those marrying on the wrong visa. The most socio-economically marginalised citizens

found it hard to marry at all, with local authorities threatening reduction of their accommodation and benefits if they married. These adversarial and incoherent state responses were made worse by the women's inability to see any purpose to excluding their partner ('I don't know what the point is. It's not going to help anybody, is it?'), highlighting the costs to the state of producing single-parent households and forcing citizens out of work. The strength and length of the authorities' fight felt insultingly disproportionate to their modest demands: 'It is not like I am asking to be crowned Queen of England. I am only asking to be allowed to get married and have my child's father around! That should be something that I can realistically expect'. (PB37).

For some, the experiences did not only shake their faith in the authorities, but actively pitted them against each other ('I've fought the English government. I've fought the Home Office'. (PB4)). For the women with pre-existing strained relations with the authorities as the result of previous interactions (e.g. around welfare access) or political ideology, it deepened their discontent ('I've always hated the British government, I just hate it more now' (PB8), 'Every single bit of pride that I had to be calling myself a British citizen has almost gone out of the window ... they have basically sucked every single bit of love for the UK out of me'. (PB4)). It even encouraged some to undermine the border controls being enacted in their name. One professional woman regretted cooperating with the authorities after their heavy-handed and publicly humiliating treatment of her husband, including handcuffing him in front of their child, concluding: 'we should never have sent him back, we should have just waited ten years with him undocumented'. Another interviewee spent time in Calais with her husband after he was removed and helped him smuggle himself back to the UK illegally.

The citizens' expectations and reactions to the Home Office were coloured by class, financial (in)security and prior experience of the state, particularly of the criminal justice and welfare systems. For the more privileged citizens, the immigration battles and associated intrusion, harm and humiliation were shocking and soured relationships with the state that had been previously positive. Even those who knew through work or volunteering that the Home Office could treat *migrants* very poorly, still expected that their personal involvement as 'good' citizens would guarantee good treatment and positive resolution in their own cases. One professional assumed that her identity as 'a white, middle-class doctor' would resolve the intractable immigration situation of her refused asylum-seeking husband, despite all she knew of the immigration system ('I'm not saying that's how it should be, or that I should expect preferential treatment [but] I did somehow think that was how it was going to be ... '). She admitted naively trusting that 'it will obviously be sorted out in about three weeks. It'll be fine. I can pay for the lawyer that we want, and I can write my letters, and I've shown my doctor's certificate, and they'll obviously just put it straight through'. Having

always ‘thought the state as a kind of organisation that was something that was generally there to be helpful and supportive and not something that I, personally, would ever have to be fighting with’, she reports a new sense of mistrust and abandonment borne from her direct experience and inability to operationalise or bestow her citizenship privileges.

## Citizenship and belonging

All the interviewees reported that their British citizenship felt less valuable as a result of their family’s experiences. They spoke of feeling prevented from ‘practicing my citizenship’ and newly rejected and estranged, no longer ‘proud’ of being British or willing to engage in rituals of nationhood (‘I wouldn’t sing the [national] anthem, pledge allegiance to the Queen, Britain, democracy and all its values. I’m in disgust with my government’ (PB8)). Some considered renouncing their nationality (‘[if] I had to give up my citizenship I probably would at this stage because I can’t see any advantage to even holding the citizenship if I can’t get any of the benefits’. (PB7), ‘I loved my country. But now I feel like changing it. If they don’t want him here, fine send him home [but] lose a British citizen’ (PB4)). Others felt completely alienated from it (‘I just don’t feel like one’ (PB45)), or claimed to have a narrowly ‘utilitarian attitude’ to citizenship, reducing it to ‘a very powerful passport’ that was valued for enabling escape from the UK (‘It’s not about feeling British, it’s just about making it easier to travel’. (PB27), ‘I love my passport for one thing: it allows me to leave to travel away from a country that doesn’t feel like home no more’. (PB4)).

Alongside a distaste or alienation from British citizenship, however, the interviewees also often presented a strong sense of national pride, frequently making a distinction between the British government and British people/land. These articulations of Britishness were often long and poetic, drawing on a combination of quaint nostalgia and supposedly-British values around multiculturalism, human rights and tolerance (sometimes presented ironically or as having been ‘lost’). Imagery included green hills, traffic lights, scones, rain and ‘the crazy British weather’, current and historical royalty, queuing, manners, religious diversity, and ‘our humour, our cups of tea and fish and chips’ (PB37). This patriotism was presented both to demonstrate the degree of the shift of their loyalty, and to legitimise their current disillusionment, with those expressing strongest antipathy to the UK also stressing their previously fierce loyalty (‘I was one of these crazy England fanatics [before], at every England football match. I would be out there in my England t-shirt and put my England flags all over my house’ (PB4)).

Reflecting their vulnerability to accusations of failure and disloyalty, the women strove to emphasise their membership, including by scape-goating others and distancing themselves from ‘failed’ citizens. They did so through the discourse of citizenship, claiming unambiguous membership through

birthright ('I was born here, I was bred here. I am 100%, fully British'), sometimes referring to ancestry ('I'm a British citizen whose ancestry stems back to the Celts!') or military connections ('I am British and my father has served in the Armed Services'). They appealed to ideals of work and paying tax to stress the worthiness of both themselves ('I'm a hardworking woman, I've worked since I was 15' (PB21)), and their partners ('He has paid tax to this damned country and yet they still do this' (PB4)).<sup>10</sup> Unemployed interviewees, at risk of slipping into the demonised 'benefit scrounger' figure, were at pains to justify their receipt of welfare and claim good standing ('I've never claimed a benefit until my son was born, because he is entitled, it's his money. But I've never claimed anything in my life' (PB21), 'This is economy is not functioning whatsoever. Why should someone like me be on benefits?' (PB37)).

Denigrated groups often try to strengthen their own position by dissociating themselves from each other (Anderson 2013, 6). Some interviewees positioned themselves against other ethnicities or migrant categories seen as being treated preferentially and/or abusing the system. The primary scapegoats, however, were 'failed' citizens and the emerging scapegoat: E.U. citizens. The former were occasionally 'criminals' but predominantly 'benefit scroungers' criticised as immoral, lazy and/or unfairly gaining immigration advantage through income threshold exemptions. The interviews, conducted in the year leading up to the UK's 2016 E.U. membership referendum, show striking and widespread resentment against E.U. citizens in the UK for being able to by-pass British immigration rules on sponsoring foreign spouses. Some, particularly poorer interviewees, hardest hit by the spousal visa minimum income threshold, were palpably angry at the apparent discrepancy ('Why [do] I, a British citizen, have to earn £18,600 a year whilst an E.U. member can just waltz into England and bring their spouse here basically for free? Where the fuck are my rights?' (PB4)), with a couple stating that they would vote to leave in the upcoming referendum.

### **Hierarchies of equality**

Equality may be central to the theory of citizenship, but in practice it is an ambiguous, contested and inconsistent status, with the ideal 'good citizen' – the rational, independent, loyal, sovereign individual – heavily classed, gendered and racialised (Anderson 2013; Yuval-Davis 2011). The women's attachment to a 'undesirable' precariously-present foreign man exposed these internal hierarchies and reconfigured and weakened their citizenship privileges. In addition to their love choices, they identified two primary grounds upon which their claim to full citizenship felt undermined: gender and money.<sup>11</sup> Some considered the dismissal of their family life to be misogynistic and xenophobic, with one interviewee suggesting that government decisionmakers 'think that English women, or western women, who get with foreign men are a bit desperate ... They think

you are stupid, that you are desperate or you are a failure in your own country and that is why you want a foreign partner', with older women judged as 'just a fool'. (PB37). Many felt infantilised and patronised, as though they were not rational, sovereign decision-makers ('[they're] treating us like we're children, like we don't know what's best for us' (PB27), 'They should be trusting me to make my own decisions. I am a British citizen'. (PB37)). There was an element of forcible protection through state paternalism, particularly around deporting male family figures and 'sham marriage' accusations. A protective role was evident amongst the two marriage registrars interviewed, who described intervening in possible marriages of convenience as being 'for her benefit', calling the brides 'very vulnerable', even 'really, really quite wretched', with examples given of 'girls' who were orphans, had learning difficulties or were 'very lowly paid'. They offered moving – even tragic – cases of 'vulnerable' women being 'used' and 'preyed upon' by foreigners for immigration gain, and were motivated by 'trying to save her'.<sup>12</sup>

The British immigration system explicitly favours richer over poorer migrants (Bowling 2013).<sup>13</sup> The new spousal visa income threshold and the experiences of those interviewed for this research show that it also favours wealthier citizens (which in turn is coloured by intersectional factors). The women's ability to navigate the immigration system for their partners depended upon their financial security (steady income, savings, childcare possibilities, job opportunities, wealthy family), not just for applications and legal advice, but also to be able to be flexible and take risks, such as temporary relocation. Money is not sufficient in itself, with even financially-comfortable interviewees struggling, but nonetheless they all felt 'it comes down to money', that 'money talks to the Home Office' and that 'cash, cold hard cash' was necessary. They talked of rights increasingly being derived from wealth rather than nationality, and gave examples of 'the rich and famous' receiving exemptions and preferential treatment ('if you can show you're wealthy enough than it doesn't seem to matter'). 'Why is my government doing this to me? Because I'm poor?' (PB4) asks one, whilst another declares that, 'they don't want to catch people like *them* in the net. They want to catch people like us'. (PB37)). One woman, noting that family ties in the UK are increasingly derided as raising the risk of overstaying rather than good grounds for a visa, sees the contemporary system as designed so 'you can literally only come as a spending customer ... a money spender'. She saw her reliance on welfare as bringing her into the state's sight and preventing her from performing her citizenship. After investing precious savings in arranging marriage, including spending hundreds officially translating documents, she cancelled lastminute after her local council rang to warn that a change in marital status would threaten her housing and benefits, even though her husband would not be in the UK or entitled to work or benefits. Prevented from strengthening her immigration hand through marriage, she blames her lack of financial independence, 'The only people who would get in my situation

are poor people, because if you have got money you can afford to get married and have your partner without the government noticing you'. (PB37).

The most marginalised, those already vulnerable to 'failed citizen' stigmatisation through unemployment, absent co-parents or receipt of benefits, were least able to operationalise their citizenship privileges and felt the most alienated from their citizenship. They pointed to a wider devaluing of citizen rights through austerity, noting rising poverty, inequality, precarious working and cuts to healthcare and welfare, but felt it was the additional factor of their relationship to a precarious migrant that relegated them to, what one interviewee described as, 'outside society'. Prevented from achieving what she called 'normal' goals, like marrying or living with her partner, this woman complained that she had not been warned she must 'forfeit' being British by having 'a foreign partner'. Already unable to exercise the substance of citizenship, she worries she'll lose it altogether one day. 'My citizenship is at stake. Big time' she tells me, fearing that decision-makers now consider her a problematic citizen: 'If I was to end up in a court of law, my citizenship would come into question. I feel like if I came in front of the law for any reason I would be at risk of them saying, "That is fair enough, but you are not entitled to this or that, these rights or those rights, because you've got a foreign partner"'. (PB37)). She even fears that her (white, British-born, single nationality) child's membership is threatened, claiming that Conservative politicians have said families involving a non-citizen 'shouldn't be classed as a British family!'. She worries that one day the public will think that 'the children of foreign parents aren't really British' and her child might be 'not welcome or something'. Another woman said that her husband's exclusion from the UK left their ten-year-old without 'any faith or trust in the government', and that 'he doesn't class himself as a British citizen'. These mothers worry about the future implications of their children's early civic disenfranchisement.

## Conclusion

Far from being absolute, the line separating migrants from citizens is fluid and contested. Although in theory immigration systems help demarcate such binaries, in practice immigration policies operate across the division, with even 'good' citizens at risk of having their insider status queried through intimate ties to an undesirable foreigner. Family migration, mixed-immigration status families and family-based challenges to deportation especially illuminate the intertwined nature of these categories and the 'failed citizen' and deportable migrant's shared vulnerability to queried belonging, character and worthiness. The research illustrates how exclusionary border controls cause financial, emotional and social harm to both precarious migrants and the citizens close to them, with mixed families living under chronic uncertainty and impermanence, and liable to being



split up or advised to leave the UK. The – seemingly pointless and disproportionate – state-sponsored harm to themselves and their families, and their inability to operationalise or pass on their citizenship privileges, undermined the women's sense of security and membership, denigrating their relationship to the state, national identity and understanding of citizenship. For these insiders, supposedly pitted against the 'British tax payer', immigration controls expose the myth of inclusive and privileged citizenship, and the importance of the family as a site of moral regulation.

The families live at a time of fundamental questioning of the UK's national identity and international relationships, as well as a policy context in which significant harm to both immigrants and 'failed' citizens is legitimised. Their experiences illuminate the internal hierarchies within citizen (and migrant) categories and the increasing precarity and conditionality of citizenship and access to rights (Sirreyeh 2015). They live with the legacy of British women's (and minority ethnic- and poorer- citizens') weaker claims to full allegiance and independent nationality, and the longstanding – racialised, classed and gendered – problematisation of their intimacy with foreign men. State paternalism of citizen women remains evident, with officials seeking to protect 'vulnerable girls' and 'older fools'. There are echoes of the suspicion that (racialised) husbands and fathers are economic migrants in disguise, and that citizen women are disloyal, naive or foolish by marrying outside the nation. Today's immigration system is less overtly misogynistic and xenophobic than it once was, but in practice British women in relationships with 'undesirable' foreign men are still alienated from their citizenship and made to choose between man and country. The most financially-marginalised citizens are most harmed and disaffected, feeling that the membership of themselves and their children is in question.

The roots of citizenship in liberalism and individualism disadvantaged the interviewees' claims of national allegiance and fitness for full inclusion on multiple grounds, including gender and class, with this worsening and being worsened by, their attachment to a deportable man. All the women recognised the centrality of financial security and independence on their ability to navigate the immigration system and operationalise citizenship privileges. Those that could, asserted their rights through claiming an identity as a 'born and bred' Briton and hardworking taxpayer: as skilled professionals or employers working multiple jobs and excessive hours, sacrificing maternity leave and delaying children to be self-reliant. Those 'failed' citizens, already struggling to live up to liberal ideals, were not only least able to secure their partners' security, but further marginalised through association with an undesirable foreign national. Living at the intersect of citizenship, immigration, family and welfare discourses, mixed-immigration status families illustrate the ongoing role of the family in constructing the nation and 'good' citizen and migrant, as well as the role of immigration policies in

creating and disciplining both foreign nationals and citizens. As one interviewee observed, the UK's immigration system is an 'attack on the poor as much as the foreign' (PB37).

## Notes

1. I use 'deportable' to refer to non-citizens with irregular, limited or precarious immigration status in the UK, placing them at risk of enforced removal. The women's British or EEA nationalities exempted them from immigration controls at the time of research, although the status of EU citizens has subsequently been thrown into question by Brexit.
2. E.g. extradition, citizen minors deported with non-citizen parents, re-entry bans of citizen terror suspects under the Counter-Terrorism and Security Act 2015.
3. Just 10 denaturalisations occurred in 1949–2000 (on grounds relating to character, national security, disloyalty and fraud) (Gibney 2011, 16). The figure is now roughly 20 a year and is being used in growing numbers in response to Britons joining ISIS in Syria: <https://www.whatdotheyknow.com/request/318785/response/827666/attach/3/CCWD%20FOI%2038734%20Final%20Response.pdf>.
4. e.g. the Primary Purpose Rule (1985–1997), which required foreign spouses to immigrate solely for relationship reasons and was aimed at differentiating between intra- and inter-ethnic marriages.
5. A legal definition of British nationality was only created in 1914 (British Nationality and Status of Aliens Act), in an attempt to unify the Empire (Baldwin 2001).
6. The British Nationality Act 1981 created four forms of subjecthood: Citizens of the UK and Colonies, Citizens of Independent Commonwealth Countries, Residual British subjects without citizenship, and Irish British.
7. Men make up 90% of those in immigration detention, or forcibly removed from the UK. Three quarters of immigration detainees are African or Asian (see Home Office Detention statistics 2016, Removals and Voluntary Departures statistics 2016).
8. For more on the research, see project website: [http://www.bris.ac.uk/policy/bristol/policy-briefings/\\_mixed\\_immigration\\_families/](http://www.bris.ac.uk/policy/bristol/policy-briefings/_mixed_immigration_families/).
9. In some cases the relocation was hoped to be temporary and within the EU, in order to access European legislation under the 'Surinder Singh' or Europe route.
10. They also stressed his 'good migrant' status through skills, education, languages and work, presented him as 'belonging' to the UK, and explained his forced unemployment and any criminal/immigration offending.
11. Other variables, particularly ethnicity, religion and criminal record, would almost certainly have arisen with different interviewees.
12. Greatest protectionism was reserved for supposedly 'duped' women, who were considered primarily British or Irish. Vulnerable but less sympathetic were those marrying for money, whom the registrars described as usually southern or eastern European women.
13. E.g. preferential visa categories and submission processes for the wealthy, extortionate application fees and the weakening of family and private life grounds for challenging deportation, in favour of the financially-informed concept of 'integration' (Griffiths 2017b).

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