

# Trump administration bars US-born woman from re-entering the country

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For the first time in recent history, the US government is effectively stripping the citizenship of someone born in the United States for alleged support for terrorism. The White House and State Department announced last week that 25-year-old Hoda Muthana, who went to Syria in 2014 and joined the Islamic State in Iraq and Syria (ISIS), would not be allowed to return to the US.

Muthana was a 20-year-old Alabama college student in 2014 when she traveled to Turkey on her American passport, then secretly entered Syria and married an ISIS fighter, who was killed in battle. She then married another ISIS fighter, who also died. Sometime afterwards her identity became known to the US government, which then revoked her passport.

President Trump declared in a Twitter post February 20 that he had directed the State Department “not to allow Hoda Muthana back into the country.” Secretary of State Mike Pompeo then issued a statement saying Muthana “is not a US citizen and will not be admitted into the United States.”

The State Department has seized on a legal technicality to manufacture a pretext for denying Muthana re-entry to the United States. Born in Hackensack, New Jersey, in 1994, Muthana is an American citizen by birthright. Her parents obtained a passport for her when she was a child, and she received another as a young adult.

But the Trump administration has cited the sole exception to birthright citizenship, affecting the children of foreign diplomats, as grounds for revoking her passport and refusing her re-entry to the country of her birth. Muthana’s father, Ahmed Ali Muthana, had been a Yemeni diplomat working at the United Nations, but he was fired from his position four months before she was born.

The United Nations has supplied documentation that the father was no longer working at the UN when Muthana was born. But the US government claims that Ahmed Ali

Muthana had diplomatic status until early in 1995, making his daughter a citizen of Yemen and not the United States.

The most vicious anti-immigrant figures in and around the Trump administration, such as Trump aide Stephen Miller and Kris Kobach, former Kansas secretary of state and head of Trump’s abortive panel on voter fraud, have publicly advocated the scrapping of birthright citizenship altogether, although this would require ignoring—or repealing—the Fourteenth Amendment to the US Constitution.

The Muthana case appears to be an effort to test out the attitude of the courts to the Fourteenth Amendment, and perhaps obtain a ruling that expands the scope of the “diplomatic exception” if not actually overturning the traditional interpretation of the amendment.

In practice, the Muthana family were treated as permanent resident aliens and not as diplomats. Both parents obtained green cards and later became naturalized citizens. They would have done the same for their daughter, but since she was born in the US, they assumed—as did the US State Department until early 2016—that Hoda was an American citizen.

Significantly, the first decision to revoke Hoda Muthana’s citizenship came under the Obama administration, with John Kerry as secretary of state. Trump and Pompeo have added nothing to the legal position of the US government, only additional public vitriol against the young woman.

Muthana now lives in a refugee camp in Syria with a young son. She is the only American-born woman in the camp. She gave an interview to a reporter for the *Guardian* newspaper in Britain, published February 17, in which she described herself as having been “brainwashed” and “worried about my son’s future.” Her son’s citizenship will be derivative of hers. If the courts rule that she is not a US citizen, he will become either a citizen of Syria or stateless.

In a note obtained by CNN, Muthana wrote, “During my years in Syria I would see and experience a way of life and the terrible effects of war which changed me. Seeing bloodshed up close changed me. Motherhood changed me. Seeing friends, children and the men I married dying changed me.

“Seeing how different a society could be compared to the beloved America I was born and raised into changed me. Being where I was and seeing the (people) around me scared me because I realized I didn’t want to be a part of this. My beliefs weren’t the same as theirs.”

Hassan Shibly, a lawyer for the Muthana family, said that Hoda understands that she may be prosecuted for making English-language propaganda for ISIS during her time in Syria, but she wants to return home anyway. She is asking only for due process, he said.

A Justice Department spokesman refused to rule out possible confinement of Muthana at the Guantanamo Bay prison camp if she comes into US custody. “The US government is considering various alternative disposition options for foreign terrorist fighters who cannot be repatriated,” he said.

The Muthana case parallels that of Shamim Begum, a British-born 19-year-old who went to Syria, married an ISIS fighter, had a son, and is now living in a Syrian refugee camp. The British home secretary, who is empowered by law to revoke British citizenship in such cases, announced February 19 that he was revoking Begum’s citizenship and would not allow her back into the country.

The Trump administration has been on both sides of the issue diplomatically. It has publicly demanded that European countries accept repatriation of their nationals who are prisoners of the US forces in Syria or their Kurdish allies. At the same time, Trump refuses to apply the same rule for American-born ISIS fighters or supporters, who are to be excluded from the US.



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