THE PHYLLIS SCHLAFLY REPORT

ISIS Bride Is Not an American Citizen

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The case of the ISIS bride, Hoda Muthana, could result in a landmark ruling on what it means to be an American citizen and who has rights to that precious status. After spending five years in Syria with ISIS, the terrorist group also known as the Islamic State, Ms. Muthana wants to come back to the United States.

She was born in New Jersey to parents who had come here from Yemen under diplomatic immunity. Her father had worked for Yemen's mission to the United States.

Children born in the United States to diplomats from foreign countries are not American citizens, under a longstanding rule of law. Not even advocates of open borders dispute that.

Yet many people mistakenly assume that being born on U.S. soil is enough to become a citizen, which is simply not true. The case of the ISIS bride, who moved to Alabama and from there joined ISIS, confronts this legal issue in a high-profile case.



The same day Secretary Pompeo declared that "Ms. Hoda Muthana is not a U.S. citizen and will not be admitted into the United States. She does not have any legal basis, no valid U.S. passport, no right to a passport, nor any visa to travel to the United States."

Raised in the United States, Hoda was 19 when she told her parents she was going on a field trip as part of a college course she was taking. Instead she withdrew from college and used her tuition refund to buy a one-way ticket to Turkey, then somehow made her way to ISIS-held territory in Syria.

While in war-torn Syria she apparently met and married an ISIS fighter, and after he was killed, she married another ISIS fighter. During this period she posted a series of blood-curdling tweets, which have since been deleted by Twitter.

“Americans wake up!” Muthana tweeted in 2015 from ISIS-held territory in Syria. “Go on drive-bys and spill all of their blood, or rent a big truck and drive all over them. Kill them.”

She witnessed dead bodies lying about in Syrian streets where ISIS had murdered them. She observed heads severed by ISIS and planted on poles in order terrify opponents of ISIS.

When her second husband was killed, leaving her pregnant, Hoda married yet a third ISIS fighter. She left that husband and was captured by Kurdish forces, who placed her and her 18-month-old son in a massive refugee camp in northeast Syria with thousands of other widows and children.

Life is hard in the refugee camp, where women are punished if they step outside their tent without wearing a hijab or burqa. Not long after calling for death to Americans, Hoda has since decided that “I prefer America to anywhere else.”

To President Trump, Hoda’s recent remorse seems a little too convenient. “I have instructed Secretary of State Mike Pompeo, and he fully agrees, not to allow Hoda Muthana back into the Country!” Trump tweeted two weeks ago.

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The following day, a 32-page, 128-paragraph lawsuit against President Trump and Secretary Pompeo was filed by the Constitutional Law Center for Muslims in America. Yesterday, lawyers pressed their claim before U.S. District Judge Reggie Walton.

Her lawyers pointed out that Hoda had been issued a U.S. passport in 2014, without which she could not have traveled to Syria. But Judge Walton said that “just because she received a U.S. passport does not mean she is a U.S. citizen,” and he denied her request to expedite her case.

“The government informed Muthana more than three years ago that she is not a citizen and canceled her erroneously issued passport,” Pompeo’s lawyers told the court. “Muthana — who was at the time a member of ISIS — failed to act timely in response to that notification, [and] remained in a war zone through hostilities for a period of years.”

> *“She was born to parents who enjoyed diplomatic-agent-level immunity at that time of her birth, so she did not and could not acquire U.S. citizenship at birth,” Pompeo explained to the court.*

“The Man Without a Country” tells the story of a young American who, after renouncing his citizenship, is ordered to spend the rest of his life aboard ships at sea with no hope of ever setting foot on U.S. soil again. One of the most popular literary works of the nineteenth century, it was later adapted for a number of movies, radio and television dramas, and even an opera.

The ISIS bride is a modern version of the same story, except that she is not doomed to roam the seas with no place to go. Perhaps she could settle in her parents’ country of Yemen or remain in Syria, but she has no rights to citizenship in the United States.

John and Andy Schlafly are sons of Phyllis Schlafly (1924-2016) and lead the continuing Phyllis Schlafly Eagles organizations with writing and policy work.