

# The Government's Power and Privilege: A Case Study of Deportation and Trust

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## ABSTRACT

*This article investigates the case of Rachel Nabors, a United States citizen who was deported from the United Kingdom despite having met the visa requirements. It emphasizes the government's use of coercion and inducement to exercise power. It analyzes the impact of wealth and gender on immigration decisions, delving into the concepts of power, privilege, and trust in governance. The discussion also emphasizes the importance of public trust as the foundation of governmental authority and the implications of deportation policies on human rights and national security. In conclusion, the article promotes the implementation of equitable and transparent immigration enforcement in order to strike a balance between security and justice.*

## ABSTRAK

Artikel ini menyelidiki kasus Rachel Nabors, seorang warga negara Amerika Serikat yang dideportasi dari Inggris meskipun telah memenuhi persyaratan visa. Esai ini menekankan penggunaan paksaan dan bujukan oleh pemerintah untuk menjalankan kekuasaan. Diskusi ini menganalisis dampak kekayaan dan gender terhadap keputusan imigrasi, menggali konsep kekuasaan, hak istimewa, dan kepercayaan dalam pemerintahan. Diskusi ini juga menekankan pentingnya kepercayaan publik sebagai dasar otoritas pemerintah dan implikasi kebijakan deportasi terhadap hak asasi manusia dan keamanan nasional. Sebagai kesimpulan, artikel ini mendorong penerapan penegakan imigrasi yang adil dan transparan untuk mencapai keseimbangan antara keamanan dan keadilan.

## INTRODUCTION

This case starts when Rachel Nabors, a United States (US) citizen, was invited to be a speaker in Oxford by a German conference organiser. The conference organiser recognized Nabors' expertise in web animation and invited her to this conference that brings together web developers to introduce Alice in Wonderland on the Web Animations API. According to the gov.uk website, individuals attending conferences in the UK are typically required to obtain a Standard Visitor Visa. The website does not explicitly state that the conference organiser must be from the United Kingdom (UK). However, after arriving at London Heathrow Airport, Nabors was subjected to a lengthy interview by a border patrol officer. The officer questioned Nabors extensively about her payment from the conference and expressed concerns about the legitimacy of the conference organiser. Despite Nabors' attempts to explain her invitation, the officer ultimately decided to deport her. Nabors' deportation not only disrupted her participation in the conference but also had implications for her professional

reputation. Additionally, this incident may deter other international experts from accepting invitations to speak at UK conferences. In relation to this case, the article's opening section discusses the government's enormous power. It then describes how privilege relates to gender and wealth. Subsequently, it explores the basis of the government's power, which is trust from the citizens.

## RESULT AND DISCUSSION

In connection to this case, the one with power is the government. It is due to two reasons: (1) the government meets the definition of power; and (2) it exerts mainstream power through coercion and inducement. The concept of power, when considered in relation to intention, is characterised by its capacity to achieve desired outcomes (Lukes 2017). It encompasses the ability to generate intended effects (Russel 1938) or attain one's desired objectives (Goldman 1972). Furthermore, there are two types of power: mainstream and second-stream. Mainstream power refers to the ability of those in authority to make others do what they want, often through force or manipulation (Scott 2008). Principals have the ability to influence and compel individuals to engage in actions that they would not typically undertake, whereas agents may exhibit resistance towards endeavours aimed at positioning them in subordinate roles. In contrast, the second stream of power centres on the potential of the principal to take action and the presence of persuasive influence that employs the mechanisms of signification and legitimation. These powers can lead to domination. Domination can take the form of coercion, inducement, expertise, and command (Scott 2002). Coercion refers to the act of limiting available courses of action through the use of direct force or repression. For example, the leaders of an invading army of conquest threaten to use violence against a community to get them to do what they want. On the other hand, inducement occurs when the principal influences the agent's behaviour by modifying certain factors. For instance, bank managers employ strategies to encourage clients to engage in investment activities by modifying interest rates and adjusting the terms and circumstances associated with loans. Moreover, expertise refers to the acquisition of specialised knowledge that is recognized and accepted by other individuals as a valid foundation. On the other hand, command refers to a system in which the authority to issue orders is vested in individuals who possess internalised values, and these orders are accompanied by corresponding obligations for those in subordinate positions to comply. Here, the government's intention is to deport Nabors, and it successfully did so, fulfilling the definition of power. Moreover, Nabors has no alternative action other than going back to her country, indicating an act of force that leads to coercion. Also, the government altered the visa requirements by saying that the conference organiser should be from the UK, whereas on the government website there is no such requirement, displaying manipulation that leads to inducement. Therefore, it can be seen that the government is exercising its' mainstream power through coercion and inducement.

Nabors lacks power because, *inter alia*, she has neither gender nor wealth privilege. The presence of gender and financial privilege is frequently observed within immigration office walls. Scholarly research indicates that women frequently encounter various forms of structural

discrimination and legal rights violations and occupy comparatively weaker positions than men (Mackay 2019). On a global scale, women continue to possess only 75% of the legal rights that are granted to men (Angjelovska 2023). An overall score of 76.5 out of 100 reflects this, indicating a lack of complete legal equality. The authorities maintain a widespread belief in the inherent untrustworthiness of women, which serves as a fundamental basis for shaping border policies and practices (Marmo 2023). In 2020, the proportion of female migrants in the global international migrant population was just below half, specifically 135 million individuals, accounting for 48.1 percent of the total (Gender and Migration 2023). However, there has been a decrease in the percentage of female migrants from 49.4% in mid-year 2000 to 48.1% in mid-year 2020. In contrast, the proportion of male migrants has increased from 50.6% in mid-year 2000 to 51.9% in mid-year 2020. Moreover, the barriers to entry, which are rigorously enforced for the majority, become more lenient for individuals possessing significant financial resources (Schachar 2021). Governments actively strive to provide expedited pathways for individuals with substantial wealth. For instance, the US has implemented its own iteration of the golden visa program, which grants wealthy individuals a streamlined and accelerated route to obtaining a green card. This program has been criticised for prioritising wealth over other factors, leading to concerns about fairness and equity in the immigration system (Harris 2023). The American golden visa program has gained popularity in Europe, as a significant number of EU member states have adopted immigrant-investor pathways (European Commission 2019). These pathways provide expedited entrance visas, simplified access to golden visas or permanent residency, and accelerated access to citizenship through direct monetary contributions. In this case, Nabors might have received distrust from the authorities because of her gender and capital.

The basis of the government's power is trust among the citizens. One of the most critical pillars upon which the legitimacy and sustainability of political systems are constructed is public confidence in the government. Social cohesion is of utmost importance due to its direct influence on the capacity of the government to administer and the efficient operation of public institutions (OECD 2013). Additionally, confidence in the government increases voluntary adherence to public policies. When considering state capacity in a broad sense as the government's capability to achieve its stated policy objectives, it is logical to argue that compliance plays a crucial role (Dincecco 2017). In addition to its association with state legitimacy and governance processes, confidence in government plays a crucial role in economic domains, including the establishment of compliance regulations for taxes, investment processes, innovation, and trade, which are key drivers of economic growth (OECD 2019). In sum, the significance of this matter lies in its implications for policy-making, policy implementation, service delivery, regime stability, and democratic life (UNDP 2021). According to Chanley et al. (2000), a decrease in public confidence in the government subsequently results in diminished support for governmental initiatives aimed at resolving various domestic policy issues. Due to this fact, the government has constraints in their action, which is to act in line with the citizens' interests. To look good in the citizen's eye, one way is to keep the citizen's safety at hand by deporting

bad guys that try to enter the country. Deportation is a necessary measure to maintain national security and protect the interests of citizens, as well as justified in order to prevent potential threats and maintain social order (Gentili 2010). While this has merit, it is important to acknowledge that deportation practices can also lead to unintended consequences, such as the wrongful deportation of innocent individuals or the creation of a hostile environment towards immigrants. An illustrative case is the Windrush Scandal, wherein individuals of Caribbean origin who had been residing in Britain for a lengthy period were subjected to deportation as a result of insufficient documents to confirm their legal status. This unfortunate incident was a direct consequence of an immigration policy implemented in 2012, which fostered a hostile environment towards immigrants (Hewitt 2020).

## CONCLUSION

In conclusion, this article has examined the enormous power held by the government in relation to Rachel Nabors' case. It has explored the concept of power, including mainstream and second-stream power, and how the government exerts coercion and inducement. Additionally, the article has highlighted the privileges of gender and wealth within immigration offices. Furthermore, it has discussed the basis of the government's power, which is trust from citizens, and the implications of public confidence on policy-making and governance. While deportation can serve the purpose of enhancing national security, it is crucial to ensure fairness and balance human rights with the need for security. By providing fair deportation procedures, support for affected individuals, and a consideration of human rights, the government can maintain trust and legitimacy in its actions.

## REFERENCES

- Angjelovska, A. 2023. Undeniable Gender Bias in the Legal Professions - Legamart. Available at: <https://legamart.com/articles/gender-bias-in-the-legal-professions/#:~:text=In%2086%20countries%2C%20women%20face,which%20denotes%20complete%20legal%20parity>.
- Chanley, V.A., Rudolph, T.J. and Rahn, W.M. 2000. The Origins and Consequences of Public Trust in Government. *Public Opinion Quarterly* 64(3), pp. 239–256. Available at: <http://dx.doi.org/10.1086/317987>.
- Dincecco, M. 2017. *State Capacity and Economic Development*. Cambridge University Press. Available at: <https://www.cambridge.org/core/elements/abs/state-capacity-and-economic-development/650D0C46C22E8BB53D3F5A47F085DB78>.
- European Commission 2019. Investor Citizenship Schemes. Available at: [https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/eu-citizenship/eu-citizenship/investor-citizenship-schemes\\_en#:~:text=Report%20on%20Investor%20Citizenship%20and%20Residence%20Schemes%20in%20the%20EU,rights%20of%20the%20country%20concerned](https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/eu-citizenship/eu-citizenship/investor-citizenship-schemes_en#:~:text=Report%20on%20Investor%20Citizenship%20and%20Residence%20Schemes%20in%20the%20EU,rights%20of%20the%20country%20concerned). [Accessed: 19 November 2023].
- Gender and migration. 2023. Available at: [https://www.migrationdataportal.org/themes/gender-and-migration#:~:text=The%20share%20of%20female%20migrants%20has%20declined%20from%2049.4%20per,year%202020%20\(ibid.\)](https://www.migrationdataportal.org/themes/gender-and-migration#:~:text=The%20share%20of%20female%20migrants%20has%20declined%20from%2049.4%20per,year%202020%20(ibid.)).

- Gentili, G. 2010. European Court of Human Rights: An absolute ban on deportation of foreign citizens to countries where torture or ill-treatment is a genuine risk. *International Journal of Constitutional Law* 8(2), pp. 311–322. Available at: <http://dx.doi.org/10.1093/icon/moq001>.
- Goldman, A. 1972. Towards a Theory of Social Power, *Philosophical Studies*, 23: 221–68; reprinted in Lukes (ed.) 1986.
- Harris, C.T. 2023. The Golden Visa Controversy: Exploring the Criticisms and Consequences. Available at: <https://getgoldenvisa.com/industry-insights/golden-visa-controversy>.
- Hewitt, G. 2020. The Windrush Scandal. *Caribbean Quarterly* 66(1), pp. 108–128. Available at: <http://dx.doi.org/10.1080/00086495.2020.1722378>.
- Lukes, S. 2017. *Power*. 2nd ed. Bloomsbury Publishing. Available at: <https://voidnetwork.gr/wp-content/uploads/2016/09/Power-A-Radical-View-Steven-Lukes.pdf>.
- Mackay, A. 2019. *Border Management and Gender*. Switzerland: Geneva Centre for Security Sector Governance (DCAF). Available at: <https://www.osce.org/files/f/documents/c/4/447049.pdf>.
- Marmo, M. 2023. Unmasking State Harm: The Border as a Theatrical Space of Gendered Violence. *Violence Against Women* 29(8), pp. 1541–1561. Available at: <http://dx.doi.org/10.1177/10778012231162037>.
- OECD. 2019. Tax Morale: What Drives People and Businesses to Pay Tax?. OECD Publishing, Paris. Available at: <https://doi.org/10.1787/f3d8ea10-en>.
- OECD. 2013. Trust in government, in *Government at a Glance 2013*, OECD Publishing, Paris.
- Russell, B. 1938. *Power: A New Social Analysis*. London: Allen & Unwin.
- Scott, J. 2008. Modes of Power and the Re-Conceptualization of Elites. *The Sociological Review* 56(1\_suppl), pp. 25–43. Available at: <http://dx.doi.org/10.1111/j.1467-954x.2008.00760.x>.
- Shachar, A. 2021. Unequal access: wealth as barrier and accelerator to citizenship. *Citizenship Studies* 25(4), pp. 543–563. Available at: <http://dx.doi.org/10.1080/13621025.2021.1926076>.
- UNDP Oslo Governance Centre (OGC) 2021. *Trust In Public Institutions: A Conceptual Framework and Insights for Improved Governance Programming*. UNDP. Available at: [https://www.undp.org/sites/g/files/zskgke326/files/migration/oslo\\_governance\\_centre/Trust-in-Public-Institutions-Policy-Brief\\_FINAL.pdf](https://www.undp.org/sites/g/files/zskgke326/files/migration/oslo_governance_centre/Trust-in-Public-Institutions-Policy-Brief_FINAL.pdf).