

## Chapter One: Introduction: Providing a Framework for Understanding Statelessness

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*'Formerly man had only a body and soul. Now he needs a passport as well, for without it he will not be treated as a human being'.*

*Stefan Zweig in The World of Yesterday, recalling the words of a Russian émigré*

### 1. Introduction

This quotation from author Stefan Zweig is possibly his most famous, often cited when talking about statelessness (e.g. see Pouilly, 2007, p.19). However, it is most usefully seen in the context of the directly preceding text. Before recalling the words above, Zweig reflects on how at one time he was an Austrian citizen, never questioning that he should be treated by officials and law-enforcers alike as a gentleman and as 'a citizen in good standing' (Zweig, 1964, p.413). Back then, Zweig recounts, he had reflected on the beauty in statelessness, in not being beholden to any country. He recalls that he only really understood the folly in this on the day he experienced the visceral reality of statelessness for himself. It was on the day that he found himself no longer an Austrian citizen, petitioning to an English official for papers (Zweig, 1964, p.413). From that moment on, he was treated with suspicion, 'because all countries were suspicious of the sort of people of which I had suddenly become one, of the outlaws, of the men without a country' (Zweig, 1964, p.413). From one day to the next, Zweig was transformed from someone with a strong relationship with a member of the community of States to someone with no such relationship. In that transition, Zweig was confronted with a complete realignment of his position in the world – of the assumptions about his eligibility for rights and for legal personhood. It was at that moment, Zweig recounts, that he was reminded of these words which had been told to him some years before.

For those of us with a functioning and protective citizenship, it is hard to imagine quite how important this is for our lives, and indeed it is even uncomfortable to do so. Perhaps this is one reason why statelessness has been so under-studied, under-acknowledged and allowed to continue. Yet in order to fully understand statelessness it is important to consider what it means for stateless persons, how they became stateless and how they experience their statelessness. It is also important to examine how statelessness is created, how it persists and why it brings with it the deprivations it does. While much of the recent literature, both scholarly and practitioner-focused, has built upon the assumption that citizenship-acquisition

is the principal appropriate remedy for the problems associated with statelessness, this book takes the debate to a deeper level. It focuses on understanding statelessness as it exists today, looking at how we arrived at the situation in which we currently find ourselves and how to move forward in such a way that most relieves existing vulnerabilities and takes into account the rational autonomy and individuality of stateless persons.

The purpose of this introductory chapter is to locate the contents of this book within wider discourses on statelessness and noncitizenship, to explain the contributions of each of the chapters to the study of statelessness from this perspective and to draw on these contributions to offer a call-to-action agenda for future research which can continue the project of building questions of statelessness into the theorisation of rights and justice and in turn, the question of justice into policy approaches associated with statelessness.

## **2. Statelessness: some problems and shortcomings**

A person can be considered ‘stateless’ if he or she is a noncitizen everywhere. While this sounds relatively simple, in fact statelessness is complex and multi-faceted, and this book shows that the appropriate response to statelessness is not as uncontentious as it may sometimes appear. Part of the reason for this is that statelessness arises for many different reasons in different contexts and at different times. For example, members of some groups found themselves stateless when the construction of the modern state system after the World Wars failed to accommodate them, such as members of the Roma community in Europe or Kurds in the Middle East. Others are stateless as a result of the aftermath of empire and decolonisation, such as the Palestinians and the Tamils of Sri Lanka. Still others fall into statelessness because of a mismatch in citizenship laws, or because of international events such as State collapse or changes in law. We are now also seeing an increasing acceptance of laws which permit the removal of individuals’ citizenship through denationalisation, potentially rendering them stateless (Gibney, 2013).

It is generally agreed that for the most part statelessness brings with it privations and vulnerabilities that are deeply problematic, arising from the exclusion of stateless persons from the formal apparatus of States. Yet at the same time, and often neglected in debates around statelessness, it is more than merely a status of victimhood. As contributions in this book demonstrate, stateless persons should not be seen as passive victims of circumstance; rather, their diverse and complex ways of engaging with States and asserting claims need to

be recognised. Stateless persons often navigate new forms of individual-State relationships, and examining the strategies of stateless persons in these relationships draws attention to the diversity of forms of relationships that exist, and the diversity of levels of membership that shape our political reality (see Passarelli, this volume). A further complexity in the study of statelessness is that statelessness intersects with other sources of exclusion, such as xenophobia (see Kingston, this volume) which may act as a driving force of racialised policies towards some citizens (see Blake, this volume). For others, statelessness is an inevitable consequence of claiming memberships in the face of colonisation (see Bloom, this volume).

Statelessness poses a considerable challenge for dominant understandings of State-based liberal justice. It is deeply problematic that a significant and growing proportion of the world's population live in a situation of disenfranchisement constructed by the liberal State system that was supposed to ensure universal rights and shared development (see Cole, this volume). This deep and troubling challenge may account for the paucity of discussions of statelessness in the political theoretical literature, but failing to talk about a problem as fundamental as this will not make it any less pressing. This book emerges out of a worry in the minds of the authors that the continuation of statelessness not only represents a troubling exclusion from rights and development for the individuals concerned but also, if not properly addressed, undermines the project of liberal political theory itself.

Theoretical disciplines in the social sciences concerned with rights and justice have been slow to address the implications of statelessness for rights, human development and the nature of States and individual-State relationships. This includes analysing statelessness not only in the abstract, but in light of its varied causes and consequences in different geographical regions. Crucially, it also requires a critical approach to the common discourses around statelessness. This book approaches the question from the broad methodological approach of political theory, but a political theory which engages with a range of social sciences and humanities disciplines in order to understand the realities of statelessness today.

### **3. The state of statelessness research: a lack of basic information**

Research on statelessness is in need of development across a wide range of disciplines. While there has been more sustained focus on the issue within the fields of Law and History, and also by Anthropologists and Ethnographers on the experiences of persons within stateless

groups, there is much scope for development and cross-disciplinary work. There is a lack of basic information about the global situation of statelessness, with data notoriously sparse. The United Nations High Commissioner for Refugees (UNHCR), within whose mandate stateless persons fall, keeps the most thorough global data, providing figures on reported numbers of stateless persons in 77 countries around the world, though even data for these countries is unlikely to catch everyone affected in the countries concerned (UNHCR, 2014).

The appendix to this chapter provides a breakdown of the most recent UNHCR data, based on the *UNHCR 2014 Yearbook*. This table shows that while in some countries the number of stateless persons is enormous, weighing in at several hundreds of thousands of individuals, in others only one or two people are reported stateless. Further, this data does not include information about some of those groups experiencing the most pressing issues of statelessness, such as the Rohingya, Palestinians or Kurds, responsibility for whose statelessness is extremely contentious and difficult to address. In 2014, the Institute for Statelessness and Inclusion (ISI) report, *The World's Stateless*, offered the conservative estimate that 'there are more than five million Palestinians worldwide who are stateless or whose nationality status is currently ambiguous' (ISI, 2014, p.132) and while UNHCR extrapolates from its data for 77 countries that there are probably at least 10 million stateless persons globally (UNHCR, 2014b), others argue that the number is probably significantly higher (ISI, 2014). In a context in which there is so little basic knowledge available about the global realities of statelessness, it is little wonder that there remains such a paucity of theoretical literature, and while statelessness remains under-discussed, the pressure for better reporting and analysis will also remain weak. Frustratingly, we know that stateless persons exist, but the various and complex forms statelessness can take evade our current ways of accounting for it, and theorising about it.

All, however, is not so bleak. In 2014, UNHCR launched its ten year #ibelong campaign to end statelessness by 2024, and several initiatives aimed at improving statelessness data have been developed, including the ISI *World Statelessness Report* (ISI, 2014) and the forthcoming Academics Stand Against Poverty (ASAP) Report on Statelessness and Development. Each of these tries in different ways to develop a better overview of statelessness and to mainstream consideration of how statelessness impacts upon human rights and development respectively. The Sustainable Development Goals include the ambition to provide legal identity for all by 2030 (Goal 16.9). However, it is not clear how this approach of foregrounding legal identity will impact on those whose statelessness takes complex forms (see Bloom, 2015). And so there is much work still to do to ensure that stateless persons are taken into account in international, regional, national and even local discussions, that the

concerns of stateless persons are taken seriously and that the challenges posed by the condition of statelessness in the contemporary world is addressed thoughtfully. In this book, then, the intention is not only to provide a re-examination of the theoretical approaches to statelessness, but to offer analyses of contexts of statelessness which are insufficiently understood in the literature and which challenge orthodoxy in the debates surrounding statelessness.

#### **4. The state of statelessness research: three waves of theory**

It is possible to trace out three key moments in contemporary international thinking in the field of statelessness: (1) after the end of the Second World War, (2) at the beginning of the twenty-first century, and (3) most recently surrounding the 2014 launch of the #iBelong campaign, coinciding with the First Global Forum on Statelessness.

In the aftermath of the Second World War, concern about statelessness was most famously enunciated by Hannah Arendt, herself both a political theorist and a stateless person. Indeed, Arendt's work is often taken as the 'canon' for contemporary theorisations of statelessness. However, as is problematised in this book (see Blitz, this volume), it is useful to take a wider view of the analysis of statelessness and dehumanisation from literature of the time, and to re-examine the relevance of Arendt to contemporary debates about statelessness. We need to look beyond Arendt's 'right to have rights'. In the twenty years or so after the end of the Second World War, the discourse around statelessness seems to have in it a shade of surprise. That is, the approach to statelessness at that time can seem to be one in which statelessness is seen as an exceptional aspect of a unique moment in history, and something that can be fixed. This thinking is evidenced in the works of Paul Weiss (a Harvard academic and lawyer) and Gerrit Jan van Heuven Goedhart (the first High Commissioner for Refugees) who were involved in the drafting of the Statelessness Conventions (van Heuven Goedhart, 1955; Weis, 1961; Weis, 1962; for discussion see also Goodwin-Gill, 2011).

In the late 2000s, a new discourse around statelessness was beginning to emerge, coinciding with, but distinct from, developments in theorisations of migration. For migration scholars, 2008 is probably best known for Joseph Carens' symposium and special issue of *Ethics and International Affairs* considering the rights of irregular migrants, and this was also a key time for renewed engagement with statelessness. Within a widening discourse challenging the assumed scope of liberal theory's *demos*, Matthew Gibney's 2008 book, *Who Should Be*

*Included? Noncitizens, Conflict and the Constitution of the Citizenry* set up the problem, as did important papers from around the same time (see Frelick and Lynch, 2005; Goris et al., 2009). Perhaps the most important sustained theoretical work specifically on statelessness that emerged towards the end of that time is Kelly Staples' 2012 book, *Retheorising Statelessness*, which can be seen as the first book-length sustained attempt to re-locate statelessness within the contemporary global framework. Meanwhile others were drawing attention to the wider problems associated directly with the non-membership of stateless persons (e.g. Sawyer and Blitz, 2011; Blitz and Lynch, 2012), and to localised meanings of statelessness on the ground following crises including the break-up of the Soviet Union and of Yugoslavia (e.g. Blitz and Otero-Iglesias, 2011). Added to this, processes of denationalisation were becoming the subject of sustained theoretical consideration as a specific and increasingly prominent form of statelessness (Gibney, 2013; Hidalgo, 2014).

This book captures a third wave of work in this area and it includes contributions from those involved with the UNHCR #iBelong campaign, as well as ardent critics of that campaign. Most of the contributors were involved in the First Global Forum on Statelessness. In the years directly preceding and following this forum, a number of emerging works reflect a new approach to statelessness which treats statelessness as a mainstream issue to be confronted by the international community in a sustained way. Aggarwal's *Statelessness and the 'Right to Have Rights'* (2014) is a particularly illustrative example of this burgeoning movement. It is becoming increasingly recognised in the international community that it is necessary to stop, take note and take action to address the endemic problems associated with statelessness today.

## **5. Links with existing political theory**

While few political theorists have engaged directly with statelessness, there is a broad and growing analysis of membership, identity and citizenship within the discipline. Work examining exclusions arising from migration in particular provide a useful basis for thinking about statelessness from the perspective of political theory. In this field, theorists have been principally concerned with drawing attention to the problematic failure of writers in the areas of ethics and justice to take into account the questions raised by migration. For example, they have considered the ethics of controlling migration, which can be viewed as excluding persons from access to basic rights on arbitrary grounds (Carens, 1987; 2013; Risse, 2008; Verlinden, 2010) and the contradictions of the liberal state in permitting such exclusion (Bosniak, 2008; Cole, 2000; Rubio-Marin, 2000). These concerns have been taken up by

cosmopolitan theorists who have sought the extension of citizenship and justice beyond state boundaries to better account for the rights of migrants, particularly in the context of vast and dramatic global inequalities in wealth and resources (Baubock, 2007; Cabrera, 2010; Caney, 2006; Pogge, 2010).

Indeed, this volume itself sits within this tradition. It follows on the heels of another volume, *Theorising Noncitizenship*, a Special Issue of *Citizenship Studies* (Tonkiss and Bloom, 2015) which can be seen in many ways as the precursor for this book. This special issue seeks to re-examine the structures that allow such forms of disenfranchisement and dehumanisation to occur. Building upon this, the current volume applies this approach to the question of statelessness. It draws on the real-world experience of statelessness to deconstruct assumptions and consider the ways which the liberal state system contributes to the exclusion of stateless persons from considerations of rights and justice.

## **6. Structure of the book**

The three parts of this book carry the reader through three broad stages of our collective thinking in this area. First, we present the theoretical, legal and political concept of statelessness through the work of leading critical thinkers in this area. Then, we offer a critique of the existing framework through the in-depth and theoretically-based presentation of some particularly challenging contexts of statelessness. The final section of the book provides chapters that offer some suggested ways forward from the situation in which we currently find ourselves, based on the foregoing analyses. Each chapter offers an original and challenging approach to thinking about statelessness, contributing in different ways to the development of a better theoretical approach that can better support more just policy development. Collectively, the chapters are designed to define statelessness, to explore how it is lived in the real world and to examine the consequences of this for how we think about rights and justice. The book is divided accordingly into three sections which each focus on one of these dimensions; although all of the chapters do, to a greater or lesser extent, explore issues across all three. In recognition that the problem of statelessness cuts across multiple disciplines, the collected chapters are also deliberately interdisciplinary in nature, bringing together a diverse range of legal, sociological, applied and theoretical perspectives to contribute to the theorisation of statelessness from as broad a knowledge base as possible.

### ***Part 1: Defining Statelessness***

The chapters in this section contribute primarily to the definition of statelessness as a concept, a task more challenging than it may first appear given the ways in which statelessness cuts across sociological, political and legal terrain. It is traditional to open thinking about statelessness by considering the world of Hannah Arendt, but in the opening chapter of this book Brad Blitz does not take a typical approach to Arendt's treatment of statelessness. While acknowledging that Arendt's work has been central to the definition of statelessness and appropriate responses to the challenges it presents, Blitz's chapter offers a critical reading of work by Arendt and her contemporaries alongside an analysis of contemporary realities of statelessness. Counter to Arendt's legal approach, Blitz defines statelessness as a structural problem to which solutions must be found beyond the simplistic reform of nationality law. His focus on the potential for contestation and change within the states in which stateless persons live sets the scene for the remainder of the book and the discussions of State-based solutions to statelessness.

Building on the notion that statelessness is a primarily structural problem, Lindsey Kingston argues that statelessness is in fact both a symptom and a cause of marginalisation. In this way, she shows how a right to citizenship itself may be an insufficient means for addressing the deprivations faced by stateless persons. Kingston demonstrates how, for the most part, statelessness primarily affects those who already fall within marginalised groups, suffering systematic discrimination. From this position she argues that stateless persons require an active and mutually-beneficial relationship with a government, and that nationality law can only provide a first step in a journey towards this. Kingston's chapter demonstrates the complex nature of deprivation and the ways in which different structural barriers intersect to exclude stateless persons, highlighting the shortcomings of a simplistic legal definition of the status.

This is not, of course, to diminish the importance of analysing the legal definition of statelessness as the deprivation of citizenship, and the final two chapters of this section turn their attention to this. The first of these, from Caia Vlieks, considers a critical distinction in the literature on statelessness between statelessness *in situ*, where it is experienced by a person in his or her 'own country', and statelessness in the migratory context, where statelessness is experienced by persons who have themselves migrated. Vlieks works to consider the applicability of this definition between two types of statelessness in international law. Crucially, this chapter shows that these two forms of statelessness call for different approaches to resolving statelessness and its associated problems. However, at the same time,



it demonstrates that there are difficulties in applying the definition of each statelessness concept in individual cases.

The ‘slipperiness’ of statelessness is a theme then picked up by Laura van Waas and Amal de Chickera in the final chapter in this section, which finishes the work of setting the stage for the rest of the book to follow. This chapter provides a detailed analysis of the conceptual blurring of statelessness and related sources of marginalisation. The authors argue for the central importance of the legal definition of statelessness in order to define it as a distinct issue requiring a specific and targeted response. On first reading, the chapters by Vlieks and van Waas and de Chickera may appear to be at odds with those of Blitz and Kingston, and there are certainly some useful moments of contention. However, for the project as a whole, the issues of the legal, political and social realities of statelessness do not need to be seen as mutually exclusive. Bringing together these four approaches demonstrates the importance of an interdisciplinary research agenda for statelessness which can examine the phenomenon from a range of perspectives – and which can bring together insights from across disciplinary specialism and focus.

## ***Part 2: Living Statelessness***

Having set out some critical issues in the conceptual definition of statelessness from a range of disciplinary perspectives, the next section of the book develops this through in-depth analyses of the particular challenges raised through some localised situations of statelessness. It does this by analysing the theoretical issues that arise through consideration of the realities of statelessness in very different contexts across global regions and in different local frameworks. The six chapters of the section can be seen as falling into two groups. While the first three focus on situations primarily of vulnerability, where it is the nature of the vulnerability that challenges the existing structures, the second three chapters in this section present situations of statelessness that challenge the notion that statelessness should be seen as a primarily vulnerable status. These latter three chapters show how the attempts of stateless persons to engage in new forms of empowered membership challenge existing frameworks.

Part 2 opens with Jillian Blake’s chapter examining the recently developing situation for persons of Haitian descent living in the Dominican Republic, which focuses on the interplay of race and indigeneity and the use of definitional construction to write people out of rights.

She shows how the Dominican Republic government has used the notion that people are ‘passing through’ to remove citizenship from some members of the polity and how this fits within a wider discussion of race and citizenship in the Dominican Republic in the Caribbean context. This is followed by Oscar Mwangi’s analysis of the situation for Somalis living in Kenya, which looks at the impact of the statelessness of Somalis who in fact hold Kenyan citizenship. Both Mwangi and Blake show how the tension between the ‘migratory’ and ‘*in situ*’ contexts of statelessness can derive more from definition than facts on the ground. Mwangi takes this further, drawing attention also to how the fact of statelessness among Somalis and the way in which stateless Somalis are treated within the Kenyan political context affects individuals’ connection to the Kenyan State, with implications also for broader questions about sovereignty and national security. He shows the dynamic interplay of governance, space and security in the construction of statelessness, and demonstrates the vulnerabilities to which the populations he describes are exposed as a result of the ineffectiveness of the State in providing meaningful security.

Subin Mulmi and Sara Shneiderman pick up this thread of discussion with their consideration of the case of Nepal, in which the context of statelessness is more uncontroversially *in situ*. They argue that it is relatively novel to apply the language of statelessness to the populations that are most at risk of statelessness in Nepal, such as orphans, the mentally ill and divorced women. Their analysis draws attention to a potential mismatch between official citizenship policies and those who are actually able to call upon their citizenship status. In doing so, they raise uncomfortable questions for the relationship between the construction of the Nepali nation and the construction of the Nepali citizenry. Importantly, Mulmi and Shneiderman also show how it is the most vulnerable Nepali ‘citizens’ who find themselves actively excluded from the citizenship rights that are often seen in liberal theory as in place to protect precisely those most vulnerable persons.

The second half of this section draws more explicit attention to the active rights-claiming and political structures associated with stateless populations. This starts with Tendayi Bloom’s analysis of specific questions raised by contexts of colonisation, examining the political nature of citizenship and statelessness in the settler States of Australia, Canada, New Zealand and the United States, with a particular focus on the United States. Bloom argues that there is a tension between the rights-entitlements associated with citizenship and the reinforcement of the *status quo* which limits such rights-claims to citizenship forced upon members of colonised groups. She argues that members of colonised groups may face a pseudo-choice between statelessness or partial-statelessness (with its associated vulnerabilities) and embracing an imposed colonial citizenship. Bloom demonstrates the critical importance of

disrupting simple binary assumptions in academic studies of statelessness as well as the need to examine what citizenship, noncitizenship and statelessness mean for the individuals concerned.

This is taken up by Katja Swider with her direct critique of citizenship as the principle remedy for the problems associated with statelessness. Swider's analysis provides a bridge between the second and third sections of the book. Drawing on experiences of statelessness in the Netherlands, Latvia and the post-Soviet space, Swider demonstrates the problems inherent in international policy goals which prioritise the reduction of statelessness over the identification and protection of stateless persons, and the ways in which these two sets of goals can come into tension in the real world. The chapter provides an important link between the lived experiences described in this section and the legal instruments through which the rights of stateless persons are pursued, and collectively with the other chapters in the section shows the critical importance of taking an applied perspective to the study of statelessness.

### ***Part 3: Theorising Statelessness***

The final section of the book draws from the first two sections to offer a series of theoretical reflections on the position of statelessness within political theory, and the authors bring a diverse range of perspectives to this question. This begins with David Passarelli's presentation of how the duty of municipal authorities towards stateless persons within their jurisdictions can be seen as a form of fiduciary duty. His case is interesting because for the most part, municipal authorities do not have the jurisdiction to control State membership, nor do they wield the power of the State itself. As such, the municipal authority is a particularly interesting site for constructing obligation. In focusing on this level, Passarelli consciously strips away the tools that can usually be used by political theorists and others in order to understand the obligation of a political entity towards stateless persons. He argues that it is the very vulnerability itself and the person's physical presence and participation that activates a fiduciary obligation in the municipal authorities.

Patti Lenard also addresses a particular constituency within the stateless population. Focusing on the situation of stateless children, and in particular children who are stateless in a migratory context, Lenard draws on moral theory concerning the vulnerability of children to present a systematic argument that they must be entitled to rapid access to the regularisation of their status through easy access to citizenship. She then works to further establish a right to

family unity on the part of these children with consequent rights for their parents to gain regularised status as a right derivative from that of their children. In focusing on the situation of children in particular, Lenard's chapter offers a valuable normative theorisation of the theme of vulnerability running throughout the volume, and adds further to Passarelli's discussion of the role of vulnerability in generating obligation.

Katherine Tonkiss and Phillip Cole then take a step further back, to look at stateless populations in general and the implications for political theory of acknowledging and address the fact of their existence. Tonkiss takes as her focus the role of nationality in defining, researching and theorising statelessness. Tonkiss exposes the ways in which academic literature and international law in the field of statelessness both explicitly and implicitly assume the interchangeability of nationality and citizenship. She argues that this leads them to support the performance of what she terms 'citizenship-as-nationality', which she argues is problematic for those who seek to address the problems faced by stateless people. In the context of the specific cases considered throughout this volume and the problems raised, Tonkiss proposes an alternative post-national frame for examining statelessness in response, which she suggests is better suited to realising the rights of stateless people. In interrogating the notion of national citizenship at the heart of discourses on statelessness, Tonkiss reveals the critical importance of exposing such ideas to critique in the theorisation of statelessness.

In the final chapter of the book, Phillip Cole takes what he terms a 'radically theoretical' perspective to expose and interrogate the assumptions about the political systems in which we live which sit at the heart of political theory and to problematize these from the perspective of statelessness. In a similar vein to Tonkiss' discussion of the treatment of nationality in the theorisation of statelessness, Cole takes liberal political theory itself as the object of inquiry and seeks to offer an alternative vision which could better account for the rights of stateless persons. Cole's vision is more radical than earlier chapters have proposed, but plays upon the problematics that are illustrated throughout the book. Cole argues that liberal political theory is a theory of privileged 'insiders' with access to citizenship, while the interests of those on the outside (the stateless) are left behind. To end the volume, therefore, Cole uses the analysis of statelessness to turn his lens on theory itself and offers a radical vision to shape future theoretical work in the field.

## **7. A call to action**

Political theory and philosophy can sometimes be accused of being abstract or naval-gazing, so as to be of little use in solving contemporary political challenges. The authors of this book think otherwise. They wield political theoretic tools to address directly the situation of statelessness and the challenges it poses for liberal political frameworks. Its primary guiding question concerns whether, and if so how, political theory can engage with and account for the rights of stateless persons. In doing so it represents an important step in bringing the discussion of statelessness into the mainstream political theory discourse.

This book should not be seen as a finished project. Instead, it is a call to action. Its authors argue that liberal political theory and policymaking based on liberal political theoretical foundations cannot, as currently understood, successfully address the question of statelessness. This has practical implications, as stateless persons are currently written out of liberal democratic polities and can be ignored within liberal considerations of justice. It also has theoretical implications, as shortfalls in existing liberal political frameworks are illuminated through the consideration of statelessness. Existing attempts to address the problems associated with statelessness need to be re-examined if these problems are to be fully addressed and stateless persons are to be genuinely incorporated into the scope of liberal justice.

There are three stages to the action that we consider to be necessary. First, there is the need to protect currently stateless persons from the problems that arise for them as a result of the existing international political structure. Second, there is the need to re-examine this structure itself to understand why and how statelessness emerges in the ways it does. Finally, there is the need to look for a new way of constructing existing institutions in such a way that will reduce statelessness and its associated problems.

Taking the project as a whole, we offer some key points to guide this work. Firstly, statelessness must be seen as a structural problem as well as a legal one. Statelessness exists not only as the lack of any citizenship, but as an exclusion located within multiple intersecting structural barriers affecting marginalised populations. Secondly, statelessness and citizenship are upshots of the same institutional structure and are necessary upshots of this structure as it is currently constructed. A genuine attempt to address the privations associated with statelessness will need a re-examination of the structures within which it is constructed and within which such privations and vulnerabilities arise. Addressing statelessness merely

by offering citizenship to specific stateless persons is like putting a band-aid on a cut on the foot without removing the broken glass that caused it. Thirdly, the legal definition is important, within the current context, for mobilising support for change and action across international institutions. The legal definition, along with the Conventions within which it sits, is important in ensuring protections and rights are in place for currently stateless persons. However, it must be recognised that the concept is slippery and the Conventions problematic.

How, then, should we move forward? First, we need to re-examine the binary assumptions inherent in existing discourse around citizenship, noncitizenship and statelessness and to recognise the complex reality of individuals' relationships with States, regional and local political entities. Second, the ideologies of citizenship and statelessness need to be revised, so that citizenship is examined separately from the assumption of vulnerability and subjugation. Instead, we need to re-start political theorising in order to consider the nature of citizenship, noncitizenship, statelessness and the State, as well as the ways in which a liberal theoretical framework could allow these different forms of engagement to intertwine without compromising individual autonomy and rights. This will require a revisiting of the language that we use to discuss these concepts and the tools that we are able to employ. It will also require us to break down existing limits to the political imagination.

As discussed in the opening paragraph of this chapter in relation to the writings of Zweig, the condition of stateless persons is often treated as an anomaly and they are improperly labelled as the object of suspicion. We hope with this volume to break down these assumptions and to show that stateless persons and their experiences within liberal frameworks should be recognised as a critical factor in mainstream political theory. It is only through trying to understand the concerns of stateless persons that it will be possible to offer coherent and robust liberal political frameworks. By keeping stateless persons voiceless in political theory and policymaking, we are losing the most essential resource to building a more just and liberal world and are limiting our political theoretical imaginations to the vagaries of the precise State-based framework that history has given us.

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**Appendix - Number of people under UNHCR statelessness mandate in the 77 countries  
For which data exists - compiled from *UNHCR 2014 Yearbook* (UNHCR 2014)**

|                        |         |               |         |  |           |
|------------------------|---------|---------------|---------|--|-----------|
| Albania                | 7443    | Greece        | 199     | Philippines                                  | 6,370     |
| Armenia                | 206     | Hungary       | 124     | Poland                                       | 10,825    |
| Austria                | 570     | Iceland       | 119     | Portugal                                     | 14        |
| Azerbaijan             | 3,585   | Iraq          | 120,000 | Qatar  | 1,200     |
| Belarus                | 6,440   | Ireland       | 99      | Republic of Korea                            | 204       |
| Belgium                | 2,554   | Israel        | 10      | Republic of Moldova                          | 2,036     |
| Bosnia and Herzegovina | 101     | Italy         | 813     | Romania                                      | 299       |
| Brazil                 | 2       | Japan         | 635     | Russian Federation                           | 113,474   |
| Brunei Darussalam      | 20,524  | Kazakhstan    | 7,038   | Saudi Arabia                                 | 70,000    |
| Bulgaria               | 67      | Kenya         | 20,000  | Serbia and Kosovo                            | 3,578     |
| Burundi                | 1,302   | Kuwait        | 93,000  | Slovakia                                     | 1,523     |
| Cabo Verde             | 115     | Kyrgyzstan    | 12,133  | Slovenia                                     | 4         |
| China, Hong Kong SAR   | 1       | Latvia        | 262,802 | Spain  | 270       |
| Colombia               | 12      | Liberia       | 1       | Sweden                                       | 27,167    |
| Costa Rica             | 1,200   | Liechtenstein | 2       | Switzerland                                  | 76        |
| Côte d'Ivoire          | 700,000 | Lithuania     | 3,645   | Syrian Arab Republic                         | 160,000   |
| Croatia                | 2,886   | Luxembourg    | 81      | Tajikistan                                   | 1,364     |
| Czech Republic         | 1,502   | Malaysia      | 40,000  | Thailand                                     | 506,197   |
| Denmark                | 4,725   | Mexico        | 13      | The former Yugoslav<br>Republic of Macedonia | 741       |
| Dominican Republic     | 210,000 | Mongolia      | 16      | Turkey                                       | 780       |
| Egypt                  | 20      | Montenegro    | 3,296   | Turkmenistan                                 | 7,511     |
| Estonia                | 88,076  | Myanmar       | 810,000 | Ukraine                                      | 35,335    |
| Finland                | 2,293   | Netherlands   | 1,951   | United Kingdom                               | 16        |
| France                 | 1,288   | Nicaragua     | 1       | Uzbekistan                                   | 86,703    |
| Georgia                | 770     | Norway        | 1,997   | Viet Nam                                     | 11,000    |
| Germany                | 11,917  | Panama        | 2       | TOTAL  | 3,492,263 |