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Humanizing Statelessness Through an Artistic Approach

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MD MIZANUR RAHMAN

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Members of the Examining Committee:

Dr. Katarzyna Grabska

Dr. Jeff Handmaker

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Inquiries:

International Institute of Social Studies
P.O. Box 29776
2502 LT The Hague
The Netherlands

t: +31 70 426 0460
e: info@iss.nl
w: www.iss.nl
fb: <http://www.facebook.com/iss.nl>
twitter: @issnl

Location:

Kortenaerkade 12
2518 AX The Hague
The Netherlands

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List of Acronyms

ENS	European Network on Statelessness
ISI	Institute of Statelessness and Inclusion
ISS	Institute of Social Studies
MIG	Governance of Migration
NGO	Non-Governmental Organization
UK	United Kingdom
UNHCR	United Nations High Commissioner for Refugees

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Abstract

Drawing from an ethnographic, in this research, I examine an art-based approach on statelessness, I explored how an artistic approach employed by a Dutch NGO and its partner organization present a different perspective on statelessness. Furthermore I have also critically reflected on artistic approach towards statelessness. I show how art can go beyond the predominant legalistic and political framing on statelessness, but still stay married to the same legal and political discourses. The artistic approach emphasizes the creation of radical empathy and feeling for stateless persons, recognizing their hope, agency and resilience power as a human and does not subscribe to the idea that statelessness is only a legal anomaly, a matter of national and international law, yet it struggles to challenge the legalistic and political nature of the problem. Thus, in this research I show how art-based approaches try to take a different path by humanizing the issue of statelessness but fail to overcome the influence of existing discourses on statelessness. I argue that art-based approach employed by these organizations is mainly trying to humanize statelessness through generating empathy for the stateless people, and by recognizing their hope and agency. But it remains a question whether art-based approach are promoting the view, perceptions, and feelings of the stateless people as the art-based approach I have observed lacks this aspect.

Relevance to Development Studies

On the one hand, using art and art-based approaches are increasingly becoming common in the national and international field of development, in research, advocacy and interventions. Almost in every arena of the development field, art and visual representation has become one of the essential components in development projects. On the other hand statelessness is itself an issue of development. The sustainable development goals come into the light with objectives of leaving no one behind. But in reality statelessness makes it almost impossible to ensure the human rights protection a person is supposed to have from the state as they are not recognized by the very law of states; furthermore, their sufferings know no bounds, as they struggle with poverty, health, education, their livelihood, persecution, and forced migration, makes them the population who are ultimately left behind. They become absent in papers, while in reality they exist as humans. Thus, using art-based approaches to frame and represent the human conditions of stateless people could enhance and expand the cause to include them more meaningfully in the arena of development.

Keywords

Statelessness, Artistic Approach, Legal framework, Decoloniality of Knowledge, Humanizing, Empathy, Agency, and Hope.

PART 1 WHAT, WHEN, WHY, HOW: THE CONTEXTUAL BACKGROUND

CHAPTER 1

STATELESSNESS IS A 'LEGAL' ISSUE, WHAT CAN ART DO?

"We breathe, we bleed, we vibrate as like you under the same sky, our cries are whispers, our shouts are demands, our love, our curses, we do things as you do. Yet in your need to recognize, hypothesize, categorize, theorize, legalize, you forget to humanize. We are not stateless, and we are not merely a word, we are not just numbers". – An anonymous quote by a former stateless person, collected from the World Conference on Statelessness organized by ISI, 26-28 June, The Hague, Netherlands.

There is a famous proverb in Bangladesh, "the insects inside the mango, never knows what a mango looks like". My parents used to tell me this whenever they felt that I was far more privileged than them because I did not need to worry about food, I had a reading table, electricity in my house, while they had nothing when they were at my age, and yet I was told I am not studying hard enough and appreciating their effort as much as I should have. I never cared or understood what this could possibly mean for me; I used to get really angry and sad. I then considered them very rude and tried to defend my so-called privileges by thinking, it was not my fault that my parents had to struggle with their parents' economic situation. But eventually, I realised the true meaning of that proverb with a traumatic experience back in 2011.

I was a fresh graduate in 2011 and joined an NGO as a research assistant. My first assignment was to go to the Rohingya camps situated at Cox's Bazar in Bangladesh as part of a survey team which would evaluate the impact of the food assistance programme of World Food Programme (WFP). After spending three months visiting those camps almost every day to interview Rohingya men and women, for the first time ever in my life I truly understood how 'blessed' I was to be a citizen recognized by a state, before this experience I had never thought about the true value of this. It felt like I was living my life inside a dark vessel termed as nationality; I never got a chance to get the look at it from the outside, like that insect that spent an entire life being born inside the mango and then died inside it. Like the insect never can know what a mango really looks like, I never knew the meaning of having a nationality and citizenship of a state, although I was carrying it my entire life. The Bangladeshi nationality was natural and given to me. My whole world view about nationality, citizenship and statehood changed after witnessing what I witnessed in those camps for three months. I saw how families were living under a plastic-covered tiny place over the hill, people waiting for water hours after hours, children with no clothes in winter. I can still remember that day when I heard that one of the young girls we hired as an interpreter from one of the Rohingya camps offered sex to one of the team members in order to get some money so that she could get admitted in the local college. I felt heartbroken. It was like witnessing pornography of sufferings, vulnerabilities, poverty, hunger, and sexual violence. Since then, statelessness has been an issue of immense interest to me.

In February 2019, a person named Rabiaa came to ISS in our research preparation class to talk about her organization named Creative Court and the projects she did and in-

tended to do, asking whether we would possibly be interested in working for the organization through an internship and possibly do our master's thesis on one of the project areas. I was not paying much attention at first, but when she mentioned that she is going to work on statelessness through an artistic approach and her organization will be participating with artworks, live performances and art experiments in the upcoming "World Conference on Statelessness" with another organization on June 26-28, 2019, it immediately caught my attention. I felt curious and excited to know about such an approach to statelessness.

Later I visited their website to learn more about the organization. I found that the 'Creative Court' is a Dutch NGO based in The Hague, founded in 2013, which mainly develops art projects to reflect on peace and justice. Creative Court believes that rules and regulations are not enough to achieve long-lasting peace; true peace can only be obtained through shared humanity. In order to do so, Creative Court creates artistic stories about humanity and about systems man creates in response to inhumanity. Because of that, they believe, art has the ability to incite empathy and reflection, which are the vital characteristics of peaceful co-existence (Creative Court Website, 2019). In terms of statelessness, the organization wants to complement and challenge existing ideas around statelessness. While listening to Rabiaa and later visiting the website of 'Creative Court', the first question came to my mind was, what could art possibly have to do in the field of statelessness, since it is a very 'legal', 'political' and 'bureaucratic' issue? Thus, this research started with this sceptic curiosity. My assumptions and little knowledge on statelessness were responsible for this sceptic impression as statelessness is laid out mostly as a political, legal and bureaucratic issue in the academic discourses.

I was dwelling with the idea that artistic approach cannot be enough to represent the 'actual' condition of stateless people. My own experiences in Rohingya camps were playing its part behind this bias. I was also thinking about the study trip we had as the students of 'Migration and Diversity' track of ISS to Geneva, where we went to the headquarters of United Nations High Commissioner for Refugees (UNHCR) and met a senior desk officer named Francois Renaud to learn more about the activities and operations of UNHCR in the face of the refugee crisis. At one stage the UNHCR official said, "If the refugee situation is bad, then the case of statelessness is worse, we can do nothing about it if a particular state does not accept people as their nationals" (Renaud 2019, group discussion with MIG students). I was surprised to hear that from a high ranked officer of UNHCR while the organization itself in 2014 launched a campaign to end statelessness by 2024 named '#ibelong' (ISI, 2014). So, all of these experiences made me wonder about the possible contribution of art in the field of statelessness.

As stated earlier, statelessness is widely considered as a legal and political issue. Most of the literatures on statelessness explained it through the nation-state framework, national and international laws and citizenship status, which I illustrate later in my literature reviews. As a result stateless person remains invisible in the dominant discussion of statelessness and statelessness remains unsolved despite the growing concern in the international legal, political and human rights field. UNHCR (2014) estimates there are almost twelve million

stateless people all over the world. In this context there is a growing sentiment that the legal and political approach to end statelessness is perhaps not good enough to deal with such a complex problem. Hence, organizations and agencies like the Institute of Statelessness and Inclusion (ISI), European Network on Statelessness (ENS), and European Union Agency for Fundamental Rights (FRA) advocates artistic approach and consider it as an alternative way to tackle the issue of statelessness. They argue that an artistic approach is an effective way to address the issue of statelessness and create an environment to ensure justice to stateless persons or groups through empathy, feeling and visualization. Academics also believe art can be effective to bring forward the complexity of statelessness in front of the wider audience (e.g. Kingston, 2019; Enria, 2019; Danchev & Lisle, 2009).

In this research, I examine such an artistic approach to statelessness employed by Creative Court and its partner organization. It intends to problematize the nature of the discourses around statelessness which are mostly limited to the legal and political field; as a result, the stateless people remain invisible, their perceptions, conditions, struggles, hope and agency are not focused on within the dominant discourses around statelessness. Therefore, in this research I intend to explore how art-based approaches frame and represent statelessness and to what extent this approach challenges the dominant discourses and framing of statelessness. More specifically, by examining their art project's build-up, exhibition and representation, the research asks how within these frameworks Creative Court is making a difference towards statelessness through its art projects in collaboration with other partner organizations. Drawing from an ethnographic observational study, I illustrate how art and artistic approaches reflect on some of the human aspects and conditions related to statelessness and unveil the complexity around statelessness. Thus, my focus is on the artworks and art concepts I have come across during my internship. I analyse the art-based approach to show how it offer a different perspective on statelessness and how far actually they can go beyond the existing dominant discourses related to statelessness.

The quote I have presented at the very beginning of this chapter from a former stateless person reflects the necessity of humanizing the issue of statelessness. I show how art and artistic approaches can 'humanize' the issue of statelessness through generating empathy and feeling for the stateless people, through addressing their hope despite their stateless condition, and finally by recognising their agency as human beings. I also argue, art can frame and represent statelessness in a different way put forward by the legal and political lenses which are dominating in the field of statelessness but does not really challenge it or aim to change it, which is a major drawback of such an approach.

1.1 Research Objective and questions

My overall objective of this research is to explore how an artistic approach employed by the Creative Court frame and represent statelessness and how, if at all, this approach challenges the dominant discourses and framing of statelessness. The specific objective of this study is to explore how the artistic approach towards statelessness is creating a different discourse about statelessness. Hence, this research contributes to the existing academic

discussion on statelessness. In order to understand the artistic approach to this issue, this research explores the following research question:

- *How does the art-based approach frame and represent statelessness compared to existing legal and political discourses on statelessness?*

In order to fully capture the answer to my main research question, I pose three sub-questions. The first one shows the dominant discourses and framing of statelessness, and the last two deals with examining and exploring artistic approaches in the context of Creative Courts' activities and practices to explore and examine the type of knowledge art-based approaches present in relation to statelessness. Although these are three different sub-questions, it should be noted that they are interconnected. The three sub-questions are as follows:

1. *How have academic, legal and human rights fields, as the dominant narratives, framed and represented statelessness?*

This question is important to ask in the context of my research in order to show what the predominant discourses are on statelessness which art-based approach does not see as enough. The answer to this question show the dominant understanding derived from citizenship and sovereignty principles under the domestic laws of nation-states and international law, which I present by reviewing important academic, legal and human rights literature.

2. *How does the art-based approach employed by the Creative Court frame and represent statelessness through various artworks?*

This question particularly looks at the objectives of the art-based approach in relation to the framing and representation of statelessness. In order to fully grasp the artistic concepts and framing related to statelessness, I observed the artworks and tried to understand the particular message artworks intend to provide on statelessness employed by Creative Court and Empathy and Risk.

3. *How does the art-based approach produce a different discourse about statelessness that addresses the gaps of the law-based discourse, and what are the drawbacks of this approach?*

Observing and analysing the narratives and discourses Creative Court and its partner organization 'Empathy and Risk' produced through their artistic approach I show if this approach can challenge the existing approaches by conveying a different perspective on the issue of statelessness.

1.2 Situating my research questions theoretically

Statelessness is defined as the absence of a legal bond between the state and its individuals. This is also evident in the definition of the 1954 United Nations Convention relating to the Status of Stateless persons as it states, "A person who is not considered as a na-

tional by any State under the operation of its law". The 1948 Universal Declaration of Human Rights states that everybody has a right to nationality and nobody should arbitrarily be deprived of nationality. Those who do not have this fundamental right are considered stateless and they do not enjoy the rights of citizenship offered by a particular state. Thus, the legal bond with the state is intricately related to citizenship rights, whereas non-citizens lack such bonds and cannot enjoy the same rights as a citizen. This is no surprise then the definition and solution regarding statelessness in the existing legal and political approaches focuses on citizenship, nationality and legal aspects of statelessness. The legal discourse on statelessness sees the issue as a 'legal anomaly' and the stateless people are treated as 'non-persons' and 'legal ghosts' (Naimou, 2009: 22).

Such rhetoric of legality confirms statelessness as nothing more than a formalized condition of insecurity and inferiority, makes stateless people invisible and emphasizes on the sovereign power of states to differentiate who might appear or disappear under the operation of its law and who belongs or does not belong to the nation (ibid: 23). The ghostliness of the stateless persons portrayed in the legal discourses dehumanizes the issue by ignoring the feeling, perceptions, and experiences of the stateless person. The artistic approach I have examined in this research tries to break this legal rhetoric and metaphors. The art-based approach through various artworks intends to humanize statelessness by bringing forward the experiences, feelings, perceptions, hope and agency of the stateless people. So, it can create empathy for the stateless people. I have analysed this different path through art informed by the lens of 'decoloniality'.

1.2.1 Decoloniality of knowledge: Bringing forward an alternative perspective

In this research, I consider the art-based approach as an attempt to decolonize the knowledge on statelessness which is predominantly legal, bureaucratic and political. The artistic approach calls for humanizing the issue of statelessness is a different way of approaching statelessness and stateless people. In this art-based approach the main objective is to recognize the human aspects of statelessness, not just to look at stateless people as numbers or victims. Thus, by saying statelessness is not only a legal issue, rather it is a very human issue, which involves actual people's lives, feelings and experiences, the artistic approach stand in line with the perspectives of decoloniality. One of the leading scholars on decoloniality named Mignolo states, "decoloniality is neither a "field of study" nor a "discipline" but a way of being in the world, interrogating the structures of knowledge and of knowing that have thrown us, all of us on the planet, into the world" (2018: 381). Thus decoloniality seeks to question the existing knowledge structures and the knowledge production. Mignolo (2002) also suggested the decolonization of knowledge occurs in acknowledging the sources and geo-political locations of knowledge while at the same time affirming those modes and practices of knowledge that have been denied by the dominance of particular forms (as cited in Bhambara, 2014:118). Mignolo's statement regarding decolonial thinking is similar to the artistic approach of Creative Court and its partner organization as he states, "Decolonial thinking presupposes de-linking (epistemically and politically) from the web of imperial knowledge from disciplinary management... Decolonial

thinking and the decolonial option place human lives and life, in general, first rather than making claims for the ‘transformation of the disciplines’” (2009: 178).

In short, decolonial thought and practice question colonial contexts, seek to denaturalize this dehumanization intrinsic to colonial and settler colonial logics and all the violence arising from them while aligning with “processes and forces of regeneration, revitalization, remembering, and visioning” drawn from Indigenous ways of being, thinking and connecting (Simpson 2011, as cited in Runyan, 2018:4). In this research I found it very useful to see the kind of knowledge produced by the art-based approach as an attempt to decolonize the dominant frame and representation on statelessness by creating empathy and feeling for the stateless people and recognising the human aspects of the statelessness, such as, suffering, hope, and agency. Having said that I am not under any illusion that a decolonial approach cannot be taken using a legal lens, especially by using ‘Third World Approaches to International Law (TWAIL)’, where “the general theme of its interventions is to unpack and deconstruct the colonial legacies of international law and engage in efforts to decolonise the lived realities of the peoples of the Global South” (Natarjan et al. 2016:1946).

1.3 Structure of this paper

I have divided this paper into six chapters. In first chapter, I show how my background motivated me to do this research and what are my research objective and questions. I have also shown how I intend to use ‘decoloniality’ to analyse artistic approach towards statelessness. In second chapter, I illustrate my methodological approach and specific methods of data collection for this research. Moreover, I discuss my positionality, ethical considerations, and reflexivity. In chapter three, I review the existing research and papers on statelessness to show the dominant framing and representation of statelessness in general and introduce how art has been increasingly employed to represent human rights issues like statelessness. In chapter four, I show how art-based approaches try to humanize the issue of statelessness as opposed to considering it a legal and political issue by generating empathy. In fifth chapter, I examine the artworks which recognize ‘hope’ and ‘agency’ of stateless people. In final chapter, I reflect on my final thoughts on the research questions related to the artistic approach and identify further areas to research.

CHAPTER 2

METHODOLOGICAL STRATEGY AND RESEARCH METHODS: HOW DID I DO IT?

In this chapter, I present the overall research approach for this research. Moreover, in relation to my overall research approach I illustrate how my own background and bias influenced me to study this particular topic and how I encountered and dealt with my own assumptions. 'Interpretive Reflexivity' (Lichterman, 2015) is most significant in the analysis and writing of this research. This particular chapter can be seen as a personal account through interpretive reflexivity regarding the choices I have adopted or abandoned while doing and writing this research.

2.1 This is my research and 'I' am in it

I have already mentioned that my interest on statelessness stems from my experiences with the Rohingya's in Bangladesh. It can be interpreted under the theme 'how personal life affects ethnographic research' described by van der Geest et. al. (2012: 7), as the authors explained how researcher's personal life can influence them to choose a particular topic to study. It is widely recognized that the topic we choose, the type of questions we ask, the relationships we build with respondents and key informants, interpreting our field notes, in deciding what is important and what is not, and the analytical insight we develop into our final writing are intricately influenced by the person we are, our life experiences, assumptions, cultural orientations, class, gender, ethnicity or our background (Lichterman, 2015; van der Geest et. al. 2012; Clifford & Marcus, 1986). My initial thoughts on statelessness as only a legal and political issue (which of course it is, there is no denying of that), placed doubts on the value of an artistic approach to statelessness, and then experiencing an art-based approach which changed my view on artistic approaches and statelessness, all can confirm how as a person - my thinking, experiences and interactions influenced this research.

2.2 Overall methodological approach: Insider ethnographer in an institutional setting

To answer my research questions, I needed to understand Creative Court's ideas and practices related to their art project and events on statelessness. As an intern, I positioned myself as an embedded researcher to explore their material and discursive practices of everyday settings. Creative Court's claim about the uniqueness of their artistic approach on statelessness required critical examination of their concept development procedure, framing, and approaches.

In order to do so, I have adopted the insider ethnography approach put forward by Mosse (2011). Mosse presents anthropologists' reflections on such knowledge practices in his book. He stated that "this type of insight does not arise from conventional anthropological research projects, but are the result of reflection on the experience of living and

working as part of the interconnected expert world of international development" (2011: Preface). He categorizes this type of research as 'insider ethnography' or 'auto ethnography' which derives from the reflexive capabilities of observant participant as much as participant observers (*ibid*). His objective is to move from 'planning knowledge out of ethnography' to make 'ethnography out of planned knowledge'. In this type of research, a field is no longer a place but a shift in location and insights come from combining the experience of insider participation with the detachment of an outsider (Mosse, 2011). My position as an intern of Creative Court and at the same time as an observer of the activities related to knowledge production process on statelessness through the artistic practices take a similar approach.

The idea of insider ethnography is similar to institutional ethnography approach. Dorothy E. Smith, introduced institutional ethnography, as a tool of inquiry and discovery in an organizational setting (Smith, 2005:36). She states that an institutional ethnography may start by exploring the experience of those directly involved in the institutional setting, but they are not the objects of investigation. It is the aspects of the institutions relevant to the people's experience, not the people themselves that constitute the objects of inquiry (*ibid*: 38). She also mentions that the position of an ethnographer's standpoint may be defined by his or her experience or by what she or he has learned by talking with others (*ibid*: 38). Thus, institutional ethnography examines the work process through observing and analysing activities, texts and different discourses within institutional setting. Smith's initial sketch for institutional ethnographic research (in Smith 1987; elaborated in Griffith and Smith 2004) demonstrated how one might begin with some embodied experience (Devault, 2006: 295). An institutional ethnography generally takes some particular experience (and associated work processes) as a "point of entry." The work involved could be part of a paid job; it might fall into the broader field of unpaid or invisible work (Devault, 2006: 294).

When I first met with Rabiaa I informed her about my intention of doing my research and writing my thesis on the art-based approach on statelessness. She was sceptical at first; she told me a story about a journalist who worked in Creative Court last year and later published a blog article with wrong facts about the organization. It took me a while to make her understand that I was not there to reject what they do or criticise them based on presumptions, rather I want to examine this art-based approach and to experience it by myself as a part of this project. Gradually she started to trust me to share her views about the artistic approach. I gained access to the meetings and interview materials which Creative Court conducted last year. So, as an intern and also as a researcher I have taken the insights from both 'insider ethnography' and 'institutional ethnography' as a methodological approach in order to understand the type of knowledge, concepts and ideas, frames and representations put forwarded by the artistic approach. The insider ethnography approach also helped me to look critically towards the artworks, narratives and concepts used by the organizations regarding statelessness as I was involved in the process too. I was able to go beyond the discourses Creative Court was producing on statelessness. I also address my own bias through the reflexive capability as an insider ethnographer, which I illustrate later sections in this chapter.

2.3 Ethnographic observation is the tool to dig deep

My position as an intern gave me the opportunity to observe and participate in Creative Court's artistic approach to conceptualization, framing and representation of statelessness. I have used observation for this ethnographic research to collect the primary material, along with my everyday conversations and exchanging ideas with the members of Creative Court. I did not conduct any structured or semi-structured interviews as I wanted to experience the artistic process from the 'natural' settings of the organization and events. I felt that the interviews can manipulate my experience as an observant participant. I was engaged in informal discussion with the artists, participants, and other members of the Creative Court as a team member. In the observation process I was also a participant, which meant the observed were aware of my presence as a researcher while I was also participating in the process. This strategy was labelled as 'candid participant' in observational studies (O'Leary, 2017: 253). My position as an intern and at the same time as a researcher allowed me to 'explore what they actually do, rather than what they say' (ibid: 252).

As an intern of Creative Court, I had access to the events that Creative Court organizes and/or participates in. This included a world conference on statelessness organized by the Institute of Statelessness and Inclusion (ISI) on June 26 - June 28, 2019 in The Hague. Creative Court participated in that conference with their partner organisation from the UK named Empathy and Risk. Together they participated in that conference with their artworks, such as visual photography, video installation, audio installation, poetry, live performances, art experiments, and discussion sessions. This conference was the main event for my observation and for this research; most of my observational data derived from this conference setting. There was a series of discussions with artists, students and also internal planning for the conference exhibition. Observing and participating in those events and discussions helped me to understand the framing of statelessness and the ideas behind that. Besides the conference Creative Court is also working on a new artistic project to illustrate how stateless people stay connected even when they are not able to belong. The organisation is planning to build up the project by exhibiting the metaphoric alliances and kinship network between plant, soil, light, and water to communicate, connect and maintain roots. As an active participant in this artistic research project I have observed and analysed the type of knowledge and ideas that are being employed to the conceptualization and representation of statelessness. I have kept a diary to write down my notes and observation, took photos of the artworks, and later at night I would elaborate on these observation data, notes and photos in an ethnographic journal from everyday interactions with Creative Court- which are analysed to understand the institution's concept build-up process of statelessness. Thus, it unveils the particular philosophies and ideas art can bring forward regarding statelessness.

2.4 Anthropology of art: Looking beyond the material art objects

In order to understand and examine the role of art and artistic approaches in the field of statelessness, I have adopted the insights derived from the anthropology of art. Gell's

(1998) idea regarding an anthropology of art is it should focus on the social context of art production, circulation and reception, rather than the evaluation of particular works of art, which is the function of a critic (ibid, 1998:3). By observing Creative Court's artistic approach this research will also go beyond analysing particular pieces of artwork, rather it will concentrate on the ideas, frame and concepts art-based approaches delivered on statelessness.

In a similar vein Harrington (2004) argues that, an anthropology of art should show "how aesthetic frames of perception enter into textual aspects of metaphor, analogy and vignette, into sensuous media of data analysis such as visual images and life-story narratives; and into conceptions of theatrical qualities in social action" (Harrington 2004: 6). Thus, the anthropology of art is not only concerned with the materiality of artworks rather the main focus is the type of knowledge art produces when people embrace and engage with it. Plattner (2003) suggests it is wrong to focus on the unique art object and ignore the complex set of human relationships which contributed to its creation" (2003: 15). In this research I investigate the artworks, metaphors, performances used in relation to statelessness by Creative Court through their artistic approach informed by anthropology of art.

2.5 Dealing with my bias and assumptions: They call it Reflexivity

After 'Writing Culture' (Clifford & Marcus, 1986), it has been accepted that the presence of the researcher in ethnographic research and writing needs to be recognized. Since most of the time researchers or anthropologists give meaning to their observed data, they interpret it through self-reflection. For this reason, "many would argue that ethnographic knowledge claims are partial" (Lichterman, 2015: 35). To deal with bias and assumptions a researcher might put into his interpretation of data, self-reflexivity, which has been commonly accepted in the ethnographic circle for quite some time now. According to Nazaruk (2011) "Reflexivity is close to a Nietzschean perspective consciousness in which all facts are interpretations and all points are seen as subjective. In practice, reflexivity has relied on anthropology's recognition that its writings have to take into account the political and epistemological forces that condition them" (ibid: 81). I also adopt a reflexive mode of analysing and writing. As mentioned, I started this research from my own assumptions about artistic approaches on statelessness, which were cynical. Subsequently I encountered my assumptions on artistic approaches at Creative Court's setting, realizing it gradually changed and shifted during the course of my fieldwork. So, this research also affected my ideas and worldview significantly. Moreover, since it is an ethnographic observation-based research, I interpreted what I have seen and heard from the sensual feelings I got from those situations and words. Thus, my subjectivity played a significant role while writing my field notes and later during the interpretation. In short, my 'ethnographic self as a resource' (Collins & Gallinat, 2010) played a major role in this study.

2.6 Positionality: Situating my loyalty through ‘Interpretive Reflexivity’

“Ethnographers are situated in one or more identity positions in social-structural hierarchies; which mean positionality yields partiality, not universality. Gender, race, class, sexual, and other orientations cultivate affinities for some questions and concepts over others” (Lichterman, 2015: 36). My position as an embedded researcher is complex in this research setting. On the one hand, I was part of Creative Court’s artistic approach towards statelessness as an intern. I did what I was told to do, which made me an active and integral part of the process. So, I was fully aware of the fact that as an intern and a student of the International Institute of Social Studies (ISS) I am contributing to this knowledge creation. On the other hand, as a researcher I was observing everyday activities, discussions and conversations including mine. In this way I was also challenging my own assumptions. I found it challenging sometimes to do what Creative Court asked me to do but at the same time I was bound to do those tasks as an intern. Gallenga (2013) illustrated the delicate challenges deriving from doing ethnography in the workplace, she states, “the main drawbacks are that the ethnographer will only be assigned a subordinate role and that she will be constantly caught between her position as an employee and her status as a researcher. More often than not, fieldwork in the workplace involves ‘studying up’ and yet influential people in companies can often be difficult to observe” (Gallenga, 2013: 189).

I also faced those dilemmas. As a researcher, I have carefully considered my own biases and assumptions to go beyond them as much as possible in the analysis of my fieldwork material. For instance, my own belief derived from my experience and reading was that operating within the nation-state framework without challenging it is not going to help statelessness. But the director of Creative Court maintained a position that she is not going to make things political. It was also hard for me to understand such a position, as for me, art is inherently political, even though someone does not want it to be. So, when we discussed I would try to feed her my idea of challenging the nation-state, and she would try to skip it. But gradually the director changed her stance a bit and started to recognize the necessity of challenging the nation-state framework. Likewise, she also motivated me to look at the influence and significance of artistic approaches towards statelessness. She would say, “I want to get yourself out from your academic ideas and think like a human” (Rabiaa, 2019: informal conversation). I would then argue, “As a human being I cannot be alienated from my background and waves of thought I have developed over the years (observation notes, 2019)”. This shows the negotiation and mediation in an institutional setting where individuals can also influence the institutional strategy. Vanhala (2018) criticised sociological institutionalism for emphasizing so much on the institution’s cultural conventions and norms ignoring individual agency; she states, “individuals are able to form and reform organizations: particular categories of individuals can shape organizations and their tactical repertoires” (Vanhala, 2018: 398). Thus my participation as an intern and a researcher are crucial in the context of this research.

Overall, I found that doing an ethnographic study in the workplace is challenging. I joined Creative Court with a singular objective in my mind, that is, to observe their activi-

ties on statelessness, but they do have other projects with other themes. As an intern, I was bound to participate in those activities too. Sometimes I felt down just because of the fact that they were not doing anything on statelessness. At the same time the Director of that organization also felt ‘unhappy’ just because she thought I was trying to drag the conversations in line with my research. So, there were tensions. In this context, ‘Interpretive Reflexivity’ (Lichterman, 2015) was important for me to make peace with those challenges. According to Lichterman (2015), “If we ethnographers want to make our explanatory claims more transparent and disputable by readers, then we need to show readers how we came up with our interpretations, how we made mistakes and lucky guesses along the way to capturing other people’s meanings. That is what interpretive reflexivity discloses” (ibid: 38). I find this insight useful while writing my field notes and analysing.

2.7 I am a ‘good’ ethnographer: Respecting privacy and informed consent

In this research my ethical consideration in relation to the Creative Court, its members and the people I came close to was important. I have tried to maintain it very carefully. A good portion of fieldwork material was collected from the artistic interventions and sessions employed by the Creative Court and its partner organization Empathy and Risk at the “World Conference on Statelessness”. The name and the details of the artists, Creative Court members and some former stateless people who participated in those art interventions is kept confidential and I use pseudonyms instead of using their real names. I only use the actual names of the Directors of both organizations, with their permission as they are the official figures and it would be pointless to hide their identity. Thus, the issue of confidentiality and anonymity is maintained carefully. At the beginning of the research, I informed both the organizations that my research focuses on the artistic activities, events and ideas related to statelessness. Only when I was observing the participants’ verbal and non-verbal reactions during the conference I could not inform all of them that I was there as a participant as well as a researcher, for this reason I do not use any name of the conference participants.

2.8 Going from data to theory: a grounded theory approach

I followed grounded theory approach to understand my observation notes, transcriptions of discussion sessions, informal discussions, and conversations. Grounded theory approach is compatible for data analysis in the context of this research for a number of reasons. First of all, this research is not started by investigating a problem; rather it started from my personal experience related to statelessness and the curiosity I developed to investigate artistic approaches regarding statelessness. Secondly, as I have mentioned earlier, this is ethnographic observation-based research, I decided not to employ some pre-determined theoretical framework to look at my data, and rather I wanted to see what are the themes and sub-themes which came out from my research and how these fit or contradict with the existing theoretical frames or concepts. Flick (2009) illustrated the same procedure of data analysis in qualitative research. Glaser and Strauss (1967) discovered grounded theory in order to raise the issue of “how the discovery of theory from data systematically obtained

and analysed in social research-can be furthered”, which they have termed as ‘grounded theory’ instead of how theories can be rigorously tested with accurate data collection followed by most of the sociological research (Glaser & Strauss, 1967:1). They did not deny the importance of verifying theories in social research rather they simply believed that generating theories are as important as testing existing theories (ibid: 2). Likewise the main concepts in this research, such as, humanising, empathy, hope, intersectionality and agency came across from my observation of the artworks, narrative and concepts employed by Creative Court and Empathy and Risk along with informal discussions and conversations with the artists and officials of the organizations. The only limitation I could think of about this research is time; I felt that if I could engage myself with the project for a long time this research would have been more analytical and conclusive.

CHAPTER 3

THE STATE OF STATELESSNESS RESEARCH: WHY ART IS IMPORTANT?

Statelessness is still considered an understudied and neglected issue (Edward & Van Waas, 2017). Nevertheless, academics and organizations, such as UNHCR, European Network on Statelessness (ENS) and Institute of Statelessness and Inclusion (ISI) published a significant amount of research and papers on statelessness. It is impossible to present the whole plethora of research and literature within this short space but I intend to present main thematic areas from the existing literatures. I argue that most of the literature frame and represent statelessness as a legal issue in reference with discriminatory nationality laws focused on the importance of citizenship, and the protection and prevention of statelessness. In doing so, I develop rationale for this research in terms of locating my research focus in existing literatures. I have divided the literature into three broad thematic areas, namely, defining statelessness, solving or preventing statelessness and the critique of human rights and nation-state frameworks to present the dominant framing and representation of statelessness. This also answers my first research question. Later I discuss the literature on the importance of using art and artistic approaches to show what purposes art can serve to the issue of statelessness.

3.1 Defining Statelessness: Legal framing and representation

The 1954 UN Convention on the Status of Stateless people lies at the core of the international regime to define statelessness (UNHCR, 2014). According to article 1(1) of the Convention, the definition of a stateless person is, “a person who is not considered as a national by any State under the operation of its law” (UN, 1954). Although political theorists like Bloom et al. (2017) recognised the fact that defining statelessness is not easy, as it is a complex and multifaceted issue and can arise from many different contexts and reasons, yet they and their colleagues tried to define statelessness from their point of view focusing on different aspects of it. From the literature regarding statelessness it is clear that although statelessness is about the non-recognition by states, there is no single definition to define statelessness. Most of the authors emphasize the lack of a nationality creating this structural and legal problem while defining statelessness (e.g. Bloom et al, 2017; Kingston, 2017; Vlieks, 2017), while others mention the lack of legal status with non-existence of citizenship rights (e.g. Kingston, 2017). Some have also argued that the term statelessness is a slippery one; it is perceived by some as a narrow, technical, legal concept, yet embraced by others as a broad descriptor for a lack of belonging or situation of rightlessness (Chickera & Waas, 2017). Others focus on the different types of statelessness namely in situ and de facto stateless people.

In general, defining statelessness is about ‘statelessness’, a person or group without a state, and as a consequence deprived of the political and civil rights, such as, right to vote, right

to have a passport or national ID, right to health care, right to have a driving license and so on. Thus, the narratives of statelessness often define statelessness as a legal anomaly in terms of non-existent legal bonds between the people and state. In doing so, predominant legal narratives and discourses do not give attention to the perception, feelings or agency of the stateless people, they become a number. But people do not connect with numbers, nor do they feel empathy for statistical numbers.

3.2 Solving and Preventing Statelessness: A focus on nation-state and law

The second stream of literature focuses on issues concerning finding solutions to statelessness and the need to resolve it. Optimism surrounded ending and preventing statelessness was fuelled by the '#IBelong' campaign to end statelessness' launched by UNHCR in November 2014, which was endorsed by the United Nations (UN) General Assembly in the same year. The literature on solving statelessness identifies the nation-state's role as key regardless of the different strategies which needs to be taken or areas to be improved. Strategically some of the authors stresses the need for the implementation of 1954 and 1961 UN Conventions directly related to statelessness (e.g. Edward & Van Waas, 2014; Volker, 2017; Chickera & Whiteman, 2017) and some of them pointed out the importance of human rights conventions to deal with statelessness (e.g. Khanna & Brett, 2017). There are other academics that have a different approach to the solution of statelessness on the basis of how they conceptualize statelessness in the first place. For example, Govil (2017) thinks implementing SDG's can solve statelessness because statelessness is a core development issue, not just a humanitarian and human rights issue. A similar view is also expressed by Molnar (2017). From the literature concerned with solving statelessness, whether by implementing human rights conventions properly or by eradicating discriminatory nationality laws based on gender, race, ethnicity or religion, it is undeniable that the nation-state is the centre of their focus. Nevertheless, some of the literature also discusses how international and regional communities can create pressure on states or mobilise the rights of stateless persons to influence nation-states (e.g. Manby et al., 2017; Swider et al., 2017).

However, there is another stream of literature focusing mainly on the setbacks of solving statelessness. For instance, Al Barazi & Tucker (2017) talk about how the absence of a common language and framework hinders the path of solving statelessness. Bloom (2017) problematizes the idea that the solution for stateless people is through the citizenship framework of the recognized nation-state, although the author does not deny the importance of citizenship in the current nation-state based world to get access to human rights. Similarly Staples (2017) also focuses on states' discriminatory citizenship rights towards certain groups and the inability to ensure basic universality of human status, which is a major setback to UNHCR's aims of ending statelessness through the agency's particular approach to birth registration, documentation, and discrimination, reflecting in each case on the politics of recognition.

3.3 Critical literature on international human rights and the nation-state framework

One of the great political thinkers of the twentieth century, Arendt (1958) coined the phrase ‘right to have rights’ to show the failure of international human right regimes in the context of statelessness. The author reminds us that in order to have or enjoy human rights, being human is not enough, rather one has to have the right of nationality first or the person must be a part of a political community. Thus she rejects the normative claims of universal rights (Blitz & Otero-Iglesias, 2011: 3). Arendt concludes, what stateless people lack is the fundamental ‘right to have rights’, in other words, the political and legal recognition that would come with being a member of a certain political community (Lechte & Newman, 2012:523).

The presence of stateless people leads Arendt to claim that human rights, supposedly universal, have no meaning unless they can be anchored to an effective source of protection, for her, the only option is the state (Blitz, 2017: 72). Agamben (1998) like Arendt also rejects the idea that human rights are guaranteed to human beings just because they are human. But unlike Arendt, “Agamben believes that rights are appropriated by the mechanisms of sovereign political power even as the excluded and abandoned entity, caught, as he puts it, in the relation of the ban. In other words, to be subject to the ban or to be consigned to the status of *homo sacer*- the ‘sacred’ man who may be killed but not sacrificed- is to be placed on a terrain of radical freedom (as in the state nature), but, on the contrary, to be abandoned by the law and removed from its protection, and thus to be the subject of political violence” (Lechte and Newman, 2012: 524). This situation of abandonment by law or the sovereign ban applies exactly to the situation of stateless people (ibid: 525). I appreciate that both Arendt and Agamben were critical of the sovereignty of the state, but at the same time I am critical about the fact that they really did not offer us any other way to conceptualise or define statelessness. Notably, Arendt’s critical stance of international law stumbles hard when she went back to the same state for the protection of the stateless people which made them stateless at first.

3.4 Dominant framing and representation of statelessness: Where are the stateless people?

The literatures I discussed are important to analyse statelessness, but they suffer from a singular and linear way of seeing statelessness as an issue. This literature defines, categorizes and theorizes statelessness mostly through the legal and nation-state framework. The framing of the issue relates to ‘nationality law’, ‘international law’, and ‘citizenship statuses’. Stateless people are merely visible, they are represented as ‘rightless’ and ‘citizens of nowhere’ due to their legal status. Their experiences mostly remain invisible in these literatures. Cole (2017) criticised such positions, he states “finding a solution to statelessness is about asking radical questions about the international political order” (Cole, 2017: 258). Cole also argues that “the theoretical basis for discourses of membership and mobility

must be challenged and transformed. What membership means has to be fought over, rather than taken as our starting point. The fight is not just for membership, but also for its meaning. And what we realise that the meaning will be determined not by the theorists or policymakers, but also by the stateless themselves acting out these ideas in their everyday life. What is needed is dialectic between theory and lived experience" (Cole, 2017: 264).

This position is very similar to the anthropological criticism of 'sedentary metaphysics' which see "peoples" and "cultures" into "national soils," and the "family of nations" (Malkki, 1992). Anthropologists taking up a postmodern view strongly criticise the 'territorialisation' of people and culture within the existing national boundaries of current world order (Appadurai, 1990; Clifford, 1988; Rosaldo, 1989; Hannerz, 1987). Malkki (1992) questions the idea of territorialization and brings forward the idea of deterritorialization and focuses on issues such as migration experiences, the memory of dispossession and displacement and lived responses of the uprootedness (as cited in Chatty, 2014:75). Most of the political theorists, legal academics and policy experts also see statelessness as the problem of citizenship and nationality, in doing so they assume that nationality is natural and every person must have it, thus they conceptualize statelessness from a sedentary view. Statelessness in a way then can reject this whole theoretical conundrum related to sedentarism. By attaching to nowhere, stateless people may become the 'citizens' of the world, attached to everywhere as human beings. I find this anthropological approach with the view expressed by Cole (2017) is very useful to understand the conceptualization and ideas produced through art-based approaches towards statelessness.

3.4 Artistic approach on statelessness: New strategy in town?

The importance of art to create new knowledge(s) and to challenge the existing ones is well recognised in the academic field although it is less focused. Danchev & Lisle (2009) emphasize the importance of art in society. They wrote, "Art matters, ethically and politically, affectively and intellectually. It is another way of apprehending the world. It has consequences. Not only does it make us feel, or feel differently, it also makes us think, and think again" (Danchev & Lisle, 2009:775). They call for critical understanding and observation of art. They state that "there must be a politics in our observation" (ibid). The knowledge art can produce on a particular issue is also gaining importance in the academic field. Harrington states, "The knowledge art can convey about society is no substitute for the methodical knowledge of social science; but neither is it inferior or subordinate to the latter" (2004: 4).

Art and artistic approaches have gained acceptance and importance particularly in the context of human rights issues. European Union Agency for Fundamental Rights (FRA) states, "Most of the human rights agenda is directed at bridging attitudinal disparities, such as prejudices based on race, religion, gender, age, nationality, culture and identity. Art can help to overcome those barriers, by bringing a counter-discourse, contesting privileged nar-

ratives and perspectives" (FRA, 2017:6). FRA also recommended strengthening the connection between art and human rights as it can reinforce the message of human rights. In this regard, the report states, "the professional field of human rights can learn a lot from the field of arts. Emotions commonly drive decisions; yet, modern societies are (wrongly) believed to be driven by rational thought and intellect. We do not only think, therefore we are, but we also feel, therefore we are. Indeed, perceptions (including love, hate, hope, forgiveness, horror and empathy) are more powerful than facts, especially when society's acceptance of facts is rapidly fracturing. Art can transcend barriers, such as politics and language" (ibid: 10).

The artistic approach employed by Creative Court and its partner organization to address statelessness is also about showing stateless peoples' conditions, perceptions and feelings. Enria (2019) in her blog article suggests using art could be a potential solution to fostering radical empathy about statelessness. According to the author, in the case of statelessness radical empathy would make the audiences feel what it is like to be a stateless person. To create radical empathy Enria proposes using art as a remedy. She states, "Art has always been effective at speaking out against injustice. Indeed, historically, art has been a powerful resource for oppressed communities themselves to tell their stories and mark their existence, by way of forcing people to listen, stop, reflect and put themselves in their shoes. As such art can be an extremely effective way to foster radical empathy" (Enria, 2019). Kingston (2019) similarly emphasizes on visual representation in order to bring forward the issue of statelessness in front of wider audiences.

But none of these reports and authors investigates or asks how the art comes into being and what kind of ideas, knowledge and concepts are used to develop an artistic approach. As Allen (2008) argues, artistic representation often produces knowledge which already exists. She argues that the knowledge artwork brings forward is not a neutral one as the artist's ideology plays a crucial role; it is determined by the artist's knowledge. Allen states, "the artist's gaze is influenced by what is known, knowledge is thus influenced by how one sees the world" (ibid: 6). In the context of my research, I investigate these issues by participating and observing art-based approaches employed by Creative Court and its partner on statelessness. I set out to understand the ways art frames and represents statelessness, the strategy it suggests and the kind of knowledge it brings forward from a critical standpoint.

PART TWO: INTO THE WORLD OF STATELESSNESS THROUGH ART

CHAPTER 4

‘HUMANIZING’ STATELESSNESS

In this chapter and through the next chapter, I elaborate and analyse the major theme that came out from my fieldwork. I show how the artistic approach of Creative Court and Empathy and Risk towards statelessness strongly advocates communicating with the wider audience by showing the human aspects of it. Different theoretical concepts such as, ‘de-coloniality of knowledge’, ‘empathy’, and ‘Intersectionality’ comes into play in the line of explanation. The main objective of this chapter is to present how the artistic approach ‘humanizes’ statelessness as opposed to the existing lens of national and international law and how it is different, which answer my second and third research question simultaneously.

4.1 Decolonizing statelessness as an issue beyond legal and political frames

Statelessness is framed and represented mostly as a ‘legal anomaly’ (Manly & van Waas, 2014; Edwards & Ferstman, 2010) and thus ‘exists in a vacuum’ (Kingston, 2019:54). Creative Court and its partner Empathy and Risk wanted to go beyond this legal lens towards statelessness with their artworks and other activities. Both organizations shared the same idea, rules and laws are not enough to solve the problems of stateless people, as rules and regulations do not show the human side of the problem, and the wider society is not moved by rules and regulations. So, they have decided to come up with an art programme titled ‘Cancelled Art’ to unveil these human conditions of statelessness. David Cottrell explained it in the opening session of the conference. He said,

The Cancelled art programme has an unusual name. It occurs to us that something has to exist first before it is cancelled; any entity that has been cancelled does exist in the world, and somehow they are denied their agency and access. We are thinking to understand the construction around it; it is not something just about legal or illegal. We want to combine the pluralism of activities through our programme. Through new artworks, archives, poetry, filmmaking, installation art, performances we would try to remove the boundaries between systems and individual, and we will show the human aspects of statelessness (Cottrell 2019, recorded session).

I was able to relate his statement with my time being an intern in Creative Court. Most of the time of my internship (around four months) was related to this art programme. Rabiaa made it very clear to me that the first priority would be given to the conference before she started to plan and discuss her own projects later. In relation to the conference she said, “In the conference the idea is to translate the diverse experiences and conditions of stateless people in artistic ways so that the wider audience feels empathy and connection with the stateless people, because the legal approach cannot do much in this case of state-

lessness, which is apparent from the growing pile of stateless people all around the world” (Rabiaa 2019, personal conversation). Rabiaa also informed me earlier, “We will try to translate these ideas which will be an alternative way to experience the realities around statelessness”. When I asked her what she means by ‘alternative way’, she replied with a smile, “a human way” (Rabiaa 2019, personal conversation).

Thus, the main theme which came out from my observation was humanizing statelessness by showing its various consequences on human life. Artworks through an artistic approach on statelessness tried to decolonize statelessness from the legalistic and state-centred notions surrounding it which dehumanizes the stateless people around the world. The message is stateless people are human beings, who had lost their homes, occupations, languages and all the familiarity of life. Art-based approach of Creative Court and its partner organization proposes to see stateless people as human being, just like everybody else. And most importantly suggests to listen to their stories to get the sense of their feelings of frustration, fear, denial, agency, resistance, and overall their existence as stateless. Like an artist named Rafael associated with Empathy and Risk told me, “We are here to humanize the issue of statelessness. It’s about humanizing this very legal thing by establishing human connections between stateless people and the rest of us” (Rafael 2019, informal discussion).

This motive to humanize statelessness through an artistic approach can be understood through the concept of ‘decoloniality’. Decoloniality exposes the multiple ways of seeing and analysing society and culture apart from the western knowledge and institutions or epistemologies (Mignolo, 2012). Walsh & Mignolo states their position on doing decolonial practice, “Our proposal is for creating and illuminating pluriversal and interversal paths that disturb the totality from which the universal and the global are most often perceived” (2018:2). This decolonial way of thinking can also be found in what Manly & van Waas (2014) states regarding statelessness,

“Although statelessness is undeniably a legal anomaly, at its heart it is also a human condition. It affects people – often in devastating ways. Not only does it have an impact on their legal status and ability to exercise rights, it also has an effect on the way they are perceived and how they perceive themselves. It can impact their life choices and life chances, trapping people in poverty or, together with fear of other rights violations, forcing them to flee their homes and their countries” (2014: 5).

Next I present and analyse various artworks and experiments which tried to present these human conditions of statelessness. I examine this decolonial way of presenting statelessness from a critical perspective to understand how this is different.

4.2 Generating Empathy: “Walk-in a Stateless person’s shoe”

How do you then humanize the issue of statelessness or how do you establish a human connection with the people who have never experienced statelessness? The major concept I heard over and over during my internship at Creative Court and in the confer-

ence was empathy. David, Rabiaa, other team members and artists all mentioned using art to create empathy for the stateless person, so that the policymakers, academics, civil society, and experts would understand what it is like to be a stateless person, and how does it feel when the world around you does not recognize you. As a matter of fact every artwork and performance employed in the conference venue had one common objective apart from its specific message(s), which was to create empathy among the participants. How do we define empathy then? Rabiaa once told me, “Empathy means feeling like someone. When you can feel like what a stateless person feels... that will create empathy” (Rabiaa, 2019: informal conversation).

In the conference, there were several components of artworks which I felt created empathy within the participants, including myself. For instance, by simply putting an empty chair in every session to recognize that this conference is about stateless people, but none of them are here, because they do not possess the documents to travel. The empty chair attracted a lot of attention. For me, it was a symbol of silence and absence of the stateless people due to the lack of legal identity provided by a nation-state. This simple gesture of artistic intervention was presenting stateless people which generated feelings for the stateless people. One of the participants said, “It is funny that we are here in a world conference on statelessness, but the stateless people themselves are not present, because they do not have a passport” (observation note, 2019).

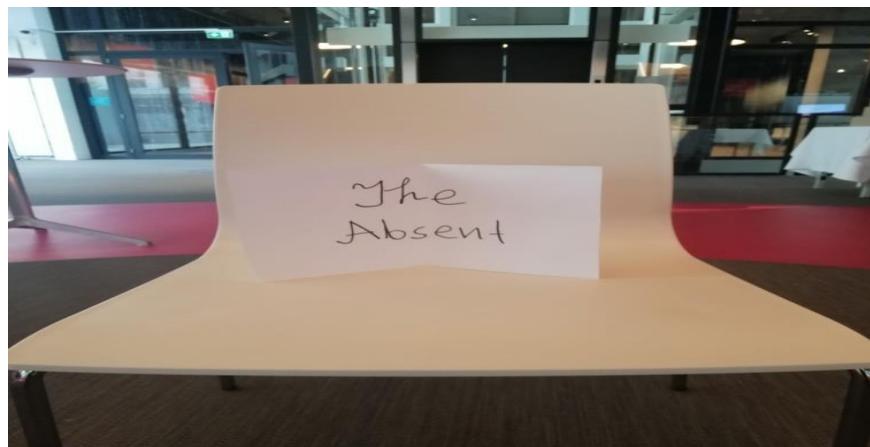


Figure 1: an empty chair for the stateless people, the absent people (source: photo taken by me at the world conference on statelessness, 26-28 June 2019, The Hague, Netherlands.)

I observed the various reactions of the participants who encountered these artworks and also kept an account of my feelings in the context of a particular artwork. The first example is an art experiment titled as ‘Freeing Neha’ in the context of Nepal, using a bubble as a metaphor to illustrate the situation of stateless children, led by an artist named Rafael, which continued for three days in the conference. The second example is a story of a stateless child by an artist named Sahira.

4.2.1 Freeing Neha: An art experiment to show the ‘limbo’ situation

Statelessness has been described as a ‘legal limbo’ situation in many articles and reports (e.g. ISI, 2014; van Waas & Khanna, 2017; Chikera & Whiteman, 2017). But nonetheless, it is not entirely clear what that means. The co-founder of the ‘Empathy and Risk’ and a professor of Fine Arts in Sheffield University of the UK, David Cottrell, told me, “People do not easily understand what is it meant by ‘legal limbo’”. So, they do not feel connected with the situation, we want to communicate with the wider audience through art approaches to establish that human connection between stateless persons or groups and the people who never knew what it feels like to be in a ‘limbo’ situation” (Cottrell 2019, informal discussion). Creative Court and Empathy and Risk came up with the idea of a ‘bubble’ as a metaphor to visualise and translate the idea of legal limbo. They put an image of a girl with a mirror in the place of her face inside a clear and transparent bubble. Whoever wanted to look at her, that person would see him or herself. Rafael explained this to me, “it is because statelessness is a constructed thing, anybody can be stateless in any time with changed political and legal rules, anybody can find them in the place of Neha” (Rafael 2019, personal conversation).

The image was of a girl named Neha from Nepal; she is the daughter of an activist worker with Empathy and Risk named Dipannita. Neha is trapped inside that bubble, she cannot go outside, and she cannot go to school or play. In order to free Neha, Rafael announced, we needed 46 Nepali passports for the stateless people. People who want to help Neha by collecting a passport had to pretend that they were stateless; they had to fill some documents (birth certificate, citizenship certificate) and go through some stages to obtain a passport. I also participated in this experiment. I asked Rafael, why 46 passports are needed? He replied that in the world there are almost 4.6 million children who are stateless. 46 is a symbolic number representing those 4.6 million children. I asked him, why the passport? “Well, do you know a better way except giving them a passport and identity of the state in order to free them from the situation of statelessness”, he asked me. I did not reply but I was thinking if there is no other way than following the legal procedure of the state in order to be free from the legal limbo situation then this art experiment is not really challenging the system or giving us a solution which has not already been told by the academics and policymakers; it is rather a different way to show the situation and convey the message.



Figure 2: Neha, a stateless girl trapped inside a bubble (Source: photo taken by me at the world conference on statelessness, 26-28 June 2019. The Hague, Netherlands.)

In the first stage, I had to fill a document titled as, “Prove that you were born”, (even if you are clearly alive and a breathing human being). The sarcastic tone of the title seemed like a challenge to the authority of the nation-state to decide if you were born. It challenges the need for a birth certificate, when in reality you do exist as a human. I found this piece of paper quite interesting as the document declared you were a person who was born. At the end of that ‘birth certificate’ it was written, “Please present this fully accomplished form as evidence that you are not stateless. Nothing is more important than a piece of paper as compared to your live presence and actual existence, right?” These lines were also a critical reflection regarding the importance of state-sanctioned documents.



Figure 3: Write your own birth certificate and prove that you were born (Source: Photo taken by me at the world conference on statelessness, 26-28 June 2019, The Hague, Netherlands)

It took me the entire three days to go through all the stages to get a ‘passport’. Sometimes the officer played by the person in the passport office was not there, sometimes the officer would not want to do the work, sometimes the photo I submitted was said to be inappropriate and I was asked to submit it again. For example, when I filled the first form, I went to the washroom, took a selfie of myself in the mirror and went to Rafael. He said it would not work, I need to take a photograph reflecting myself in one of the citizen certifi-

cates which are to be found in different doors and corridors and mirrors. I went to another washroom and saw a clear certificate pasted on the mirror titled, “I am a human being; I am a citizen of the world”. I realised it is a challenge to the borders and boundaries of the states. I took a photograph of my reflection on that citizen certificate. Throughout the procedure I felt a sense of rejection and betrayal even though I knew that these steps were part of the experiment. Later, the officer played by an activist named Dipannita from Nepal explained it to me, “we just wanted to show you a glimpse of what it feels like to be a stateless person and knocking relentlessly to the door of the authority to get it solved. It can take year after year; generation after generation. In Nepal stateless people face all of this harassment” (Dipannita, 2019, observation note). Finally she gave me a passport and requested that I put the passport in front of the bubble and when the number of passports reached 46, Neha would be free. I went to the bubble and saw only 15 passports including my own. There was only one day left and still they needed 31 more passports. I was wondering what is happening? Is it that people are not interested enough? While smoking outside with Rafael, I asked him, why were there only 15 passports? He laughed and informed me that he had given the initial form to more than 150 participants personally, but when they could not get through the whole process, most of them got annoyed. This is how the artist wants people to have the experience of frustration. They could not take three days, so how then do stateless persons go through such situations year after year?

On the third day morning, Rafael made an announcement: “Dear Participants, we still need 30 passports in order to free Neha from the bubble, please cooperate”. Rafael asked me to go to participants to motivate them to go through the process. By 5.00 pm Rafael declared that they had 46 passports and it was time to free Neha. There were a lot of people in front of the bubble, taking pictures, discussing. Rafael went in front of the bubble, he looked really happy. He then thanked all of the participants who went through the whole process. After that, he lifted the bubble from the symbolic Neha with the face of a mirror. Everyone was clapping and cheering. The person standing near me was telling another participant, “this is nice, but it is also over-ambitious. If the state does not want to give them the passport no way you can lift the bubble around them, which is the case now. I am afraid if it will change at all”. The other person replied, “it’s a shame that they are living in a bubble their whole life, I see her as a living embodiment of every stateless child. This is also a very beautiful way to present such a complex issue. I have participated in this art programme, I feel good, feel like I have done something good and I will carry this feeling in my head and heart forever”. I was amused by these feeling of empathy as the participants felt the same way like a stateless person.

In academic literature, empathy has been generally described as a ‘capacity’ to feel and realize others’ state of mind and emotion; more generally it has been characterized as “putting oneself into others shoes” (Ward, 1994; Loannidou & Konstantikaki, 2008; Bailey, 2009; Hemmings, 2012). Empathy has been widely recognized and used by feminist scholars to build affective solidarity, to facilitate political transformation, to challenge the objectivity of knowledge and to promote a different way of knowing things. For instance, Hemmings (2012) states, “in order to know differently we have to feel differently. Feeling that something is amiss in how one is recognised, feeling an ill fit with social descriptions,

feeling undervalued, feeling that same sense in considering others..." (Hemmings, 2012: 150). She further elaborated the significance of adopting empathy as a feminist tool by saying, "I take empathy as paradigmatic of this approach since it has been centrally elaborated within feminist epistemology as key for challenging the opposition between feeling and knowing, self and other. Empathy foregrounds the importance of feeling as knowledge; it opens a window on the experiences of others and stresses their importance for an ethical feminist epistemology" (ibid: 151). One of the major advocates of the feminist intersectionality approach, Patricia Hill Collins (2000) states, "the ability to empathise is not only important for a feminist subject committed to knowing differently but may also be a condition of being understood as trustworthy by those within marginal communities used to being misrepresented" (as cited in, Hemmings, 2012: 151).

I felt 'Freeing Neha' as an art experiment succeeded to create empathy for the stateless people by showing their situation of being trapped in 'legal limbo'. Also, it was critical to the state and challenged the state in different ways. But it was also clear to me that the final resolution of Neha's status was centred on the state and obtaining the passports. In this way, the arts-based approach to statelessness, while tries to humanise the condition of statelessness and provoke radical empathy, it does not challenge the state-centred discourses related to statelessness. Rather, it showed that the solution to statelessness is still located within the nation-state framework, and thus, no different from the legal approach and state-centric approach by emphasizing to obtain the passports as proof of Neha's existence and as the fundamental means of her freedom from 'limbo' situation created by statelessness.

4.2.2 Feel the burden: 'You are stateless because your mother is a characterless whore'

In the opening session of the conference along with more than 250 participants, I was listening to the speech of Marriet Schurman, the human rights ambassador of the Kingdom of the Netherlands. The moment she finished her speech a teenager artist of Empathy and Risk named Sahira screamed from the back "I have a question. I have a question, which no one can answer". She went to the stage with a file full of papers in one hand and a microphone in another hand, without asking anyone for permission, she started, "I am going to tell you a story first and then I will ask you a question." During her storytelling, the scale of her voice shifted from time to time. Sometimes it was sad, sometimes it was full of anger, sometimes it was confusing and sometimes it was full of emotion as if she was going to cry. Sahira told a story about herself. She was stateless because her father abandoned her mother. She was born in a country where women cannot pass their nationality to their children. She became stateless and her mother went through a lot of abuse and stigmatisation. She was treated as a child whose mother is a 'characterless whore' in the wider society. She showed that she had made her own certificates for everything, such as for the books she read, for the jokes she made. Her mother always advised her to take these documents first if their house ever caught fire from any accident. At the very end Sahira started crying, and screamed,

“They say this is a world for humans, I say this is a world for men. Sometimes I wonder how this world discriminates against girls so much. How then every person is equal, how then every child is special? I am a human being. Whose responsibility am I? Why does this world make it so difficult to think that I am one of the human beings? Can anybody answer? Can you feel the burden of being a stateless child where her mother cannot pass her nationality to her own child and is then abused by the whole society when she did nothing wrong” (Sahira 2019, recorded session)

The room was silent, and I could hear the heavy breath of participants sitting behind me. One of the discussants said, “This is what artistic and creative intervention can do. I was feeling that pain, that empathy in my heart”. I saw one of the male participants sitting in the front row wiping his eyes with a tissue paper and sobbing. One of the participants said while hugging her, “That was so emotional and psychologically tormenting, I almost cried”. I almost cried too given my experience in the Rohingya camps which I have mentioned earlier. I immediately realized how an artistic approach can bring out sensitivity and empathy.

Gender has been addressed in the context of international laws and domestic nationality laws, and feminist scholars advocated for the eradication of gender-based discriminatory laws, hoping for a legal solution (Brennan, 2019). Yet, the feminist critique has not been yet included adequately in the field of statelessness. Brennan (2019) argues that gender has been only seen as a component of statelessness like gender, race and ethnicity. She advocates for a feminist analysis of statelessness which would “incorporate critical work from postcolonial theory, intersectionality, poststructuralism, black/race studies, and others to infiltrate an issue at its foundations. The infiltration of feminist analysis serves to make sense of how structural inequalities disenfranchise both men and women, which would include those affected by statelessness” (Brennan, 2019: 172). Statelessness is often framed and represented as a gender-neutral issue, which is caused by laws. Feminist scholars are critical of this. Lay Lee (2005) states,

Feminist critiques of citizenship assume legal or formal citizenship as the norm for women. The experience of women who are stateless disappears from sight and statelessness appears as a gender-neutral phenomenon. Statelessness becomes subsumed under the category of noncitizens in the citizen/non-citizen dichotomy, and the similarities and differences between statelessness and other forms of non-citizenship rendered insignificant (2005: 115).

The story narrated by Sahira can be interpreted through the feminist critique of citizenship and intersectional framework. Lay Lee (2005) noted the absence of feminist critiques in the field of knowledge about statelessness. Brennan (2019) mentioned that the first contribution of feminist critique on statelessness was by Lay Lee, as she also mentioned how the deep root of patriarchal structure is embedded in the notion of citizenship, where without the father a woman cannot pass her nationality to her children, hence they become stateless. Lee (2005) “vividly illustrates the “crystallization” of the fraternal and patriarchal citizenship imperative, in which the principle of *jus sanguinis* was a male-

gendered construction. Citizenship was acquired on the basis of having a father or husband who was a citizen. This remains the case today, to some degree at least in roughly fifty countries. This system privileged the “man” and identified him as being part of the fraternal social pact, which Lay Lee explains was necessary in order not to disrupt the social order men had established” (as cited in Brennan, 2019: 174). In the story we can see how this gendered norm of citizenship excludes women and causes statelessness.

The second aspect of the story is the marginalisation of women and their children in the after effects of statelessness. In a patriarchal society women are stigmatised in absence of the male or even if the men abandon the women and his children. The society always or most of the time gets to point the finger towards the woman. Having been raised in a patriarchal society I know this from my family, surroundings and society. This further marginalisation shows us the layers of oppression. Crenshaw coined the term intersectionality to critique “the tendency to treat race and gender as mutually exclusive categories of experience and analysis” (Crenshaw, 1989: 139). Intersectionality broadens the understanding of one’s lived experience and recognises the many layers of oppression and discrimination. Similarly, Brennan pointed it out that there is no mention of sex and gender in relation with statelessness in either the 1954 or 1961 convention on Statelessness (Brennan, 2019: 175). As a result, statelessness became a gender-neutral term and thus the suffering, marginalization, stigmatization and struggle women face in the context of statelessness are not being focused on adequately either in the academic field or policy field. The story Sahira narrated does that work, which is bringing the story of the women who cannot pass their nationality to their children in front of wider audiences who can then know and feel it in their heart. As we follow this story we see that statelessness affects some women and children in different ways, as we saw that the mother was characterized as ‘characterless whore’ in the society and as a consequence the child also faces abuse and trauma.

In my observation I can say these art experiments, by narrating the story of stateless children, was successful to create a strong sense of feeling and empathy for the stateless women who cannot pass on their nationality in the absence of men being their legal husband or if the men avoid the responsibility of the child by abandoning them. But like the previous example of ‘Freeing Neha,’ this experiment also does not challenge the legal system. It frames the problem as the outcome of discriminatory gender-based nationality laws, and advocates eradicating such laws, which is important but falls under the same path of seeking a legal solution. Thus, while the art-based approach employed by the Creative Court and Empathy and Risk is successful to deliver a different way of seeing and showing the human condition related to statelessness and succeeded to generate empathy for the stateless person, thus present a decolonial way of seeing the issue, but it does not successfully challenge the legal or political order which creates statelessness in the first place illustrate the contradiction inherent to this approach. So, unless an artistic approach can go beyond the nation-state framework and all the legality around statelessness with different narratives and discourses it is hard to say that this approach successfully decolonizes the knowledge on statelessness.

CHAPTER 5

ADDRESSING HOPE AND RECOGNISING THE AGENCY

Most of the academic publications portray statelessness as a pretty grim situation for stateless people. For example, Couldrey & Herson (2009) gave the title to Forced Migration Review, issue 32, as, “No legal identity, few rights, hidden from society, forgotten”. This title draws a picture of stateless people and groups who are in total despair, drowned in the ocean of sorrow and uncertainty. Most of the existing literature on statelessness talks about stateless people in a way, as if, they are the embodiment of ultimate passiveness, they do not possess any hope, they do not have any agency, they cannot resist, and as if they are only a category, a term, and a variable. They are only defined by their legal status related to nationality and citizenship. In an informal conversation, David told me about the framing of stateless people and he said, “There is a problem in the conceptualization of stateless people. They are stateless, but still they are human beings, they have hope, they have family, they get angry too, we need to recognise those” (David 2019, personal conversation). In my observation notes ‘hope’, ‘agency’ and ‘resistance’ featured on many occasions. Both Creative Court and Empathy and Risk think, to truly humanize statelessness, art should come out with showing these two fundamental sides of human beings. In line of the previous chapter, in this chapter, I show how art and art interventions intend to and represent hope and agency and thus, humanise the concept of statelessness. I also focused on their artworks and practices critically to understand the type of knowledge they produce and how do they do it.

5.1 Unseen and Untouchables: Searching hope with hope

“There is not a single human being in this world who has no hope, everyone possesses some kind of hope”, says Manoj, a photographer and artist of Empathy and Risk from Nepal. Manoj installed some of his photography to represent the situation of stateless people and performed a live performance. I had several opportunities to meet with Manoj and socialize with him. He explained to me how his idea of statelessness is closely related to his personal experience. His initial photographs were inspired by his personal experience of being threatened and oppressed as an artist as the member of the *Harjan* (untouchable) community for painting Hindu Gods images collaborating with western superheroes from Hollywood. His work was not accepted for exhibition in Kathmandu. When he had the opportunity to present his work in relation to statelessness, he found his experience was quite similar to stateless people. He said, “I found myself as unseen and untouchable in my society and my situation is quite similar to the stateless person, who exists in real, yet they are invisible”. I then asked him how do you know the situations of stateless people are almost same as yours. He told me that he read a lot about statelessness, how they are framed and represented as invisible in the literature.

I was impressed to know how he has translated his personal experience to conceptualize the situation of stateless people. Later before the conference, I asked him, “what do you intend to represent with your artwork then?” He replied. “My experience taught me that

the ultimate vulnerabilities come from the non-recognition. When people are overlooked and ignored on the base of religion, caste, class, gender, ethnicity and nationality nothing can be worse. Statelessness is the same situation of non-recognition, as a matter of fact, it is the ultimate non-recognition. People or groups just do not belong anywhere, thus they become unseen, they become untouchable, and they become ghosts. But they are human, they have hope and need hope" (Manoj 2019, informal discussion). Manoj told me that I have to wait to see his live performance to realise what he meant as I have already seen his photographs in a meeting between Creative Court members and Empathy and Risk's members. During the coffee break I was standing where the photographs were exhibited. One of the participants asked Manoj, what do you want to convey regarding statelessness through these photographs. He replied, "It has been established that stateless people do not belong anywhere, they lack identity and travel documents. They are like legal ghosts. My photograph shows that despite being unseen and treated unfairly they could stand strong. The facelessness questions the system which trapped them in an utmost unwanted situation, because without a face you do not recognise a human being, yet he is a human."



Figure 4: unseen and untouchables, yet standing tall, representing statelessness (photo taken by me from a photograph by Manoj, World Conference on Statelessness, 26-28 June 2019, The Hague, Netherlands)

On 26th June, the first day of the conference, the Creative Court and Empathy and Risk scheduled the live performance of Manoj during lunch time. Manoj was sitting on a chair in front of a table wearing a huge bowl (made of steel) on his face. And he was moving his head very slowly, his hands were also moving around the table very slowly like he was searching for something. I saw almost everyone was looking at him. One of the participants brought food for him and placed the food in front of him. The participant also sat in front of him, he asked Manoj, "what do you need? I brought you food, you can eat". But Manoj remained silent and kept moving his hands around the table. The second person came and sat in front of him. She was talking to him, at one moment she touched the moving hands of Manoj and I saw his hands take that participant's hand firmly. I felt that the whole point of these live performances was to create empathy for the stateless people, who you do not see, cannot talk to, but they need your assistance, they need humanity to step up for their cause. They hope to find some hope even though the system makes it quite impossible for them. Later I asked Manoj why he did not eat or talk with the persons who

came to him. He answered, “the idea is that statelessness makes people invisible, they are unseen and untouchables. So, in reality when you don’t see or touch someone, when you don’t exist legally, you cannot offer food or your sympathy for someone like that.” So why did you then hold their hands, I asked. He replied, “That is because the stateless people are searching for something, searching for the way out, when they can find something they want to grab the opportunity. So, holding their hands symbolizes that they are searching for hope and ways to end their stateless situation, maybe those hands are providing them some hope.”



Figure 5: Searching for hope (source: photo taken by me at the World Conference on Statelessness, 26-28 June, The Hague, Netherlands)

In contrast to representing stateless people as frustrated, disappointed and someone with ‘bare life’, the art and artistic approach employed by the organizations emphasized one of the most basic human aspects, which is hope. “Hope itself is an interesting concept and political idea. Without it there is despair and a sense of futility” (Barker et al. 2008: 430). For centuries hope has been featured as a central theme in artistic, philosophical and religious endeavours and explanation (Kleist and Jansen, 2016: 374). More recently, especially in the feminist school of thought, hope became a central theme. Coleman and Ferreday argue, “Hope is central to marginal politics which speaks for desire for equality or simply for a better life”, they add, “Feminism might be characterized as a politics of hope, a movement underpinned by a utopian drive for full equality” (2010: 313). One of the leading feminist theorists on hope defined it as something that, “sustains life in the face of despair” and “the drive or energy that embeds us in the world- in the ecology of life, ethics and politics” (Zournazi, 2002: 14-15). Coleman and Ferreday took this statement as a starting point in thinking through the future of feminist theory (2010: 313).

The photographs and live performance of Manoj show that exact hope which values life and human aspiration over the unimaginable difficulties stateless people are facing as, “It is a basic human condition that involves belief and trust in the world. It is the stuff of our dreams and desires, our ideas of freedom and justice and how we might conceive life” (Zournazi, 2002:12). In the conference, artistic approaches evoked hope that does not ignore the sufferings of others, a positive hope that stateless people are holding in their life

as humans. This recognition of hope of the stateless people and for the stateless people from the wider community further humanizes the issue of statelessness.

Having said so, I am also aware that this art experiment of presenting the hope of the stateless people did not come from the stateless persons themselves, as a result, we cannot know for sure if the stateless people themselves would conceptualize it in the same vein or how they would have preferred to present it in an artistic way. So, for me as a researcher, this experiment of illustrating the hope of stateless people as a fundamental human feature is based on the very subjective experience of the artist and he combined his experience with the dominant narratives of statelessness (invisibility and drowned in despair) found in the existing literature. In short, it is not informed or translated from the experience of stateless persons and as a matter of fact remains a top-down interpretation of stateless people's experiences and trajectories.

5.2 How do you survive in a world that does not recognise you: Agency perspective through plants metaphor

The artistic approach of Creative Court on statelessness does not only recognize hope of/for the stateless people, but it also wants to recognize the agency of them. It is commonly agreed that statelessness is a status of victimhood that make stateless persons passive victims of circumstances (Bloom et al. 2017: 3). Creative Court has been working on their new project to show the agency and resilience of stateless people instead of looking at them as 'passive victims'. The last two months of my internship was solely focused on Creative Court's project on statelessness. I was engaged in conversation and discussion with Rabiaa and participated in the six concept development meetings with the other members of Creative Court. Rabiaa repeated her idea many times with me and in the discussion sessions. Her idea was to see the different situation and contexts of stateless people in Europe through different plants. She got the idea while she was attending a conference, where Laura van Waas, an assistant professor of Law at Tilburg University said, statelessness is a human-made and thus constructed issue. Rabiaa was very influenced by that statement. She started to see stateless people as plants, which want to root in the soil, but cannot, since something is obstructing them, which is the system. In Rabiaa's view, the plants have agency, they try to survive, some can, and some cannot (observation note, 2019).

During the first meeting of concept development Rabiaa declared that her idea is to focus on the stateless persons' perceptions and activities by which they connect themselves with the world even when the world does not recognize them, then translate it in an artistic way to visualise it. She also told me her initial idea was not to focus on stateless people's vulnerabilities and sufferings, rather their agency and practices. She was interested and invested in the situation of Western Sahrawi, a stateless group of people living in the desert in an occupied territory of Morocco. Rabiaa gave me an interview to transcribe which she conducted with a Western Sahrawi stateless person, Drik (pseudonym), whom she met in Madrid in a conference. I am using this interview in this research with permission.

In the interview, Drik sheds light on the many aspects of their stateless life living in a camp which is currently under Moroccan territory. Drik expressed a strong sense of identity-related to the Western Sahrawi community. According to him, Sahrawi culture is about the words, stories, poetry and advice of their wise men, they pass it through generations. They are nomadic, constantly searching for water. He emphasized on the fact that even though they are living in a camp, in the middle of a desert, under an occupied territory, frozen in a status quo, still they are surviving. He said, "We are not stateless, the oppressors made us. We suffered a lot, but we exist, they cannot take it away from us" (Drik 2019, Interview with the director of Creative Court). Drik also strongly believes in Sahrawi identity as he stated that they do not have much but they care about who they are. He also mentioned that they protect their identity despite all the sufferings, some of them applied for Moroccan Nationality for money and comfort, but then the majority would not accept them back into the community because the Sahrawi community would not think that they are Sahrawi anymore. After the interview Rabiaa asked him if he can connect them with the plant world. Drik suggested that they are like Cactus.



Figure 6: Visualising stateless people of western Sahrawi as Cactus (source: Creative Court Website, 2019)

This interview led to the discussion session with Rabiaa to translate Drik's perception and conception of the Western Sahrawi community. She wanted to visually interpret it through a plant metaphor. We discussed if the cactus can represent the Western Sahrawi community and Drik's idea of identity, agency and survival. I researched about cactus and after reading quite a bit about cactus plants and their characteristics I was also convinced that the situation Drik described can be interpreted through the metaphor of a cactus. In deserts, cactus plants can survive in an extremely difficult environment; to survive they have adapted by adopting distinctive physical and behavioural mechanisms. Cactus are drought resistant, do not have any leaves which reduces transpiration (loss of water in the air), they can store water in their long roots from a single period of rainfall and can use it for years. Rabiaa also informed me that there are specific types of desert cactus which can also move through the desert. Hence, Creative Court decided to use the cactus as a metaphor to visualise and translate agency and the resilient nature of Western Sahrawi stateless people.

In this way, the Creative Court intends to bring out the issue of agency of stateless people. Agency is defined by Gell as something ‘attributable to people or things who/which can be seen as initiating events or causal sequence through their acts of mind or will or intention... independently of the state of the physical (Gell, 1998: 16). Giddens (1984) defined agency as people’s ability to act in a certain way where multiple courses of action are possible (as cited in Layton 2003: 451). For Giddens, constraints enable people to exercise their agency (Giddens, 1984: 173). The interview with Drik suggests that the stateless people of Western Sahrawi do not see themselves as stateless and most of them do not have any intention to accept Moroccan citizenship despite their sufferings. The will to resist against the condition, to survive and to protect their identity clearly shows the agency aspect of the Western Sahrawi people which Drik himself thinks similar to the abilities of cactus plant.

Contending with Brennan (2019) I came to realise that the theories on agency can play a significant role in understanding the issue of definition and self-identification by asking questions, such as, what are the implications of portraying stateless people as the victims, such as, ‘invisible’, ‘legal ghosts’, and the ‘people of nowhere’? In what circumstances do people want to be defined as stateless people? In what space stateless people can be seen as having and practising agency? (Brennan, 2019: 172). Similarly, portraying stateless people universally as ‘victims’, ‘nowhere people’, ‘submissive’, ‘people with bare life’, and waiting for ‘citizenship’ ignores their contextual and complicated history, identity, and culture. Through the use of artistic approach Creative Court intends to go beyond these portrayals and wants to represent the agency of stateless people in the context of Western Sahrawi people by portraying them as Cactus plants, which are strong and resilient in order to survive in a rough environment.

Yet, the agency perspective of Creative Court also suffers similar limitations like the aspect of hope, where I have pointed out the absence of stateless persons’ view on the artworks. In this case, too, Creative Court as an organization did not paid enough attention to the view of stateless people. Its entire agency argument and showing stateless people as resilient, aware of their identity and survival instinct is based on one sudden encounter with a stateless person in a conference. Also the photographs and artworks to present stateless people’s agency were not developed with stateless people, their concern and consent was not counted in the process. So, the question can be asked, who represent whom and how? The answer is Creative Court’s ideas and knowledge did not arise from empirical research with the Western Sahrawi population residing inside the Moroccan territory. Rather it falls into the same trap of generalising the experience of the stateless population like the existing dominant discourses. It is a different way of seeing and imagination, but it followed the same path of totalizing the experience of the Western Sahrawi stateless population based on the view of one particular member of the community. I felt that this is a nice idea to show the agency of stateless people and recognise their existence, but also my subjective knowledge derived from being an anthropologist made me critical of this project as it lacks the empirical evidence. I was also wondering with all the concerns of humanising statelessness, when Creative Court sees stateless people through the plant metaphor, in a way, they

also dehumanizes stateless people by turning their experiences into an object (plant) or artwork. This is a paradox created by the organization. In the one hand, they are decolonising the knowledge by addressing stateless people's agency as part of humanising statelessness in an artistic way, but on the other hand they are doing it in a top-down way and represent the identity and experience of stateless person through objectification, showing the dilemma of their approach.

PART THREE: HUMANIZING STATELESSNESS, WHAT ELSE?

CHAPTER 6

CONCLUSION AND FINAL REMARKS

Throughout my research paper, I have answered my research questions by analysing the dominant framing of statelessness and art-based approaches towards statelessness in opposition to the dominant framework. By doing an extensive literature review available on statelessness I have shown the dominant academic, legal and political framing of statelessness which is framed and represented as a legal issue. It persists due to the lack of legal bonds between state and the individual. The experience and perceptions of stateless people are mostly invisible from such legal narratives. Stateless persons are represented as 'legal ghosts', they do not exist, and they are only vulnerable and passive victims. This predominant framing and representation of stateless people dehumanizes statelessness. An art-based approach proposes to set out a different narrative and discourses of statelessness focusing on the human aspects of the stateless situation to humanize the issue. Creative Court and its partner intended to bring forward the vulnerabilities, hope, and agency of the stateless people, as well as questioning the system in a subtle way. Thus, the art-based approach of Creative Court and Empathy and Risk intend to present a decolonial perspective on statelessness.

The artworks developed and executed by the Creative Court and Empathy and Risk framed statelessness as a 'human' issue' rather than only a 'legal' issue. They have tried to represent the different aspects of statelessness which intersects national and international law, sex and gender, hope, and agency of stateless people. Through the analysis of their artworks and my embodied experiences as an insider ethnographer, I show how these could be interpreted through ideas such as decoloniality and to what extent. The main objective of the artworks employed here was to 'humanize' the issue by creating empathy for stateless people rather than embedding it only in a legalized way. I demonstrated through my analysis, the artistic approach recognizes the basic human aspects in relation to stateless people, which go beyond the dominant framing and representation of stateless people existing in academic and policy literature. But this does not mean that art negates the sufferings, vulnerabilities, violence, exclusion, and oppressions stateless people go through often caused by the hierarchical bureaucratic nation-state system. Rather, the artworks and concepts want to recognise the various aspects of life a stateless person might go through in a particular context. For me, this reflects their principal objective of framing and representing statelessness in a humanizing way, so that other people can connect themselves with the stateless people. But careful analysis of these artworks shows that even if the framing of statelessness is a humanised version of legality, the solution still remains a legal one in the artworks and the artworks derived from the subjective experience of the artists, they lack the view of stateless people themselves. Nevertheless, the artistic approach can be seen as an effort 'to study statelessness from a different angle which shows human aspects of the stateless situation. Manly & van Waas states, "There is an evident need to explore statelessness from an interdisciplinary perspective to better understand why this extreme form of

exclusion is allowed to happen – and why it can so stubbornly persist – and what its true impact is on the lives of individuals, the fabric of communities and the integrity of the modern nation-state system” (2014: 6). I found art-based approaches could be helpful to study statelessness from an interdisciplinary standpoint.

Finally, in this research I argue that in the face of difficulty to solve statelessness through legal instruments (both national and international) and the failure of international human rights as illustrated by Hannah Arendt (1958), art-based approaches can play an important role to tackle the issue of statelessness through generating empathy and feeling for stateless persons and groups. This provides an alternative way, but it does not adequately challenge or go beyond the existing discourses. Artists and art-based approaches can go beyond the predominant discourses established in the current field of statelessness and to some extent challenge the constructions around statelessness, even though they do not challenge the issue of legality – and the optimum solution to resolving statelessness, which answers my final research question. In short, art-based approaches are capable of showing and producing different narratives and discourse on statelessness, which is a ‘pluriversal’ path of addressing the issue of statelessness, but this does not challenge the legality of the issue or constructions around statelessness derived from a nation-state framework. Overall, my conclusion is, the artistic approach employed by Creative Court and its partner organization has some drawbacks including hanging in the nation-state framework and its legal ways to tackle statelessness, top-down approach to conceptualise and represent stateless people’s experiences, objectifying their experiences and finally not to include stateless people’s views and presence in the process, which obviously represent contradiction and dilemma regarding decolonising the existent dominant frameworks. Regardless, I consider this different ways of showing and seeing statelessness through different human conditions as an important contribution to the decoloniality of knowledge on statelessness.

6.1 A call for further research: ‘an ethnographic turn’

In this final section of my paper, I want to address two interconnected issues which can be worthy of further exploration for anthropologists, sociologists, artists and other researchers. First, in my research the artwork I have observed were not community-led artworks, the artists and the organizations met with some stateless people, they collected their story, and then translated those into artworks, but we do not know if the stateless people themselves would represent their stories, hope, agency, identity and resilience in the same manner. How would have they done it? So, future researchers could think about engaging themselves in a community-led art project to see the difference.

Secondly, there is a growing concern regarding ‘the ethnographic turn in art’ (Grimshaw & Ravetz, 2015; Rutten et al., 2013). In this research I have noticed some elements of the ethnographic turn in artistic approaches towards statelessness, for example, the story of Drik which was collected first hand and then translated into artworks. Furthermore, statelessness is a very complex issue; there are stateless people and groups who experience state-

lessness in different ways from different contexts in different socio-cultural, economic and political contexts. It would be seemingly interesting to combine ethnographic knowledge in art-based approaches to grasp these perceptions, practices and meanings of statelessness in these different contexts from the stateless people's point of view. Thus, I believe an ethnographic turn in art practices regarding statelessness can further enhance the cause of humanizing statelessness. Community-led art projects and using ethnographic knowledge to translate that into artistic representation could generate radical empathy for the stateless people, which can influence policymakers to see this issue not only from a legal and political position but also from a humanist position. In this state-centred bureaucratic world, humanizing statelessness through empathy and feeling can give us a hope to hope. I see this MA research as my first step to engage with these topics in my future endeavours.

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Figures



Figure 7: World Conference on Statelessness logo (source: fieldwork, 2019)



Figure 8: Discussion Session between artists and students (source: Fieldwork, 2019)



Figure 9: Unseen_Untouchables, yet exists with hope (source: Fieldwork, 2019)



Figure 10: Despair (Source: Fieldwork, 2019)



Figure 11: Citizen Certificate for the world (Source: Fieldwork, 2019)

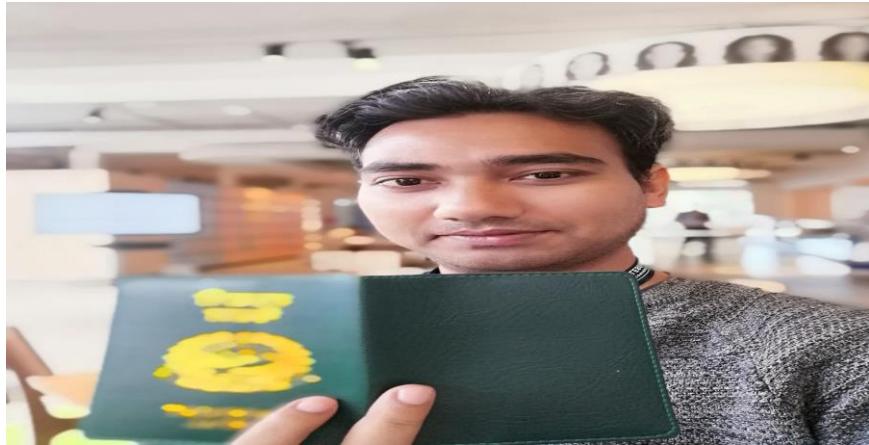


Figure 12: I got my passport after going through a lot of humiliation and legal procedure (source: Fieldwork, 2019)



Figure 13: Neha is free! (source: Fieldwork, 2019)