

EDITORIAL

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In our editorial for the inaugural issue of the *Statelessness and Citizenship Review* ('SCR') in 2019, we noted the 'exponential increase in scholarly attention and diversity of research projects focused on statelessness' over the preceding decade.¹ Since then, the field has continued to evolve (even more) rapidly. Heeding the call by Phillip Cole in his commentary for SCR issue 1(1) on 'taking statelessness seriously',² an increasing number of academics and practitioners are actively contributing to the collective project of statelessness studies. The SCR alone has published 114 pieces to date (not including the present volume), which together have accrued over 50,000 downloads. But as we contemplate the lessons from the contributions to this volume, we find ourselves confronting a difficult question: is the field evolving rapidly enough?

Jozefien Boone's review of a broad cross-section of scholarship from 2014 to 2021 in her contribution to the Critique and Comment section of this issue, exposes a concerning power imbalance, namely, that there is a severe under-representation of lived experience and of perspectives from the Global South in academic scholarship on statelessness.³ As Boone points out, the largest stateless populations in the world are found in the Global South, but less than 15% of academic authorship on the issue derives from researchers based in the Global South. Lived experience scholarship is even more marginal, with Boone concluding that just 2% of the 193 publications that she canvassed could be qualified as such. Boone shows that efforts to break through the supremacy of legal research and to take statelessness studies in a more interdisciplinary direction have been successful, with the share of legal research publications dropping from more than half to approximately a third over the period studied. However, her findings about who is at the centre of knowledge production raise uncomfortable but critical questions about the dominance of Global North scholars who lack lived experience of the issue of statelessness.

In their joint article in this issue, Lindsey Kingston and Ekaterina E express their shared position that 'the perspectives of stateless people must play a central role in advocacy and research related to statelessness', and their co-authorship demonstrates the rich results of collaboration between learned and lived experience.⁴ The piece offers a response to, and reflection on, the framing of

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¹ Michelle Foster and Laura van Waas, 'Editorial' (2019) 1(1) *Statelessness & Citizenship Review* 1, 1 <<https://statelessnessandcitizenshipreview.com/index.php/journal/article/view/83/137>>, archived at <<https://perma.cc/K8S2-Z7HM>>.

² Phillip Cole, 'Taking Statelessness Seriously' (2019) 1(1) *Statelessness & Citizenship Review* 161, 161 <<https://statelessnessandcitizenshipreview.com/index.php/journal/article/view/71/17>>, archived at <<https://perma.cc/F6E9-XQCG>>.

³ Jozefien Boone, 'A Power Imbalance in Academic Scholarship on Statelessness: A Thematic Analysis of the Academic Literature on Statelessness from 2014 Onwards' (2023) 5(1) *Statelessness & Citizenship Review* 76.

⁴ Lindsey Kingston and Ekaterina E, 'Responding to Netflix's Stateless Series: Misrecognition and Missed Opportunities' (2023) 5(1) *Statelessness & Citizenship Review* 4.

statelessness in the Netflix series, ‘Stateless’.⁵ It is an unusual prompt for an academic contribution, but one that the authors use to great effect to expose and critique problematic approaches to ‘words, definitions and representation’ that extend beyond the purview of mainstream film, television and media. By adopting a methodology of ‘analytic autoethnography’, they also offer an alternative to ‘the usual disconnect between authors’ identity and research’ and model one strategy for bringing personal experience to critical academic analysis.

Margarida Farinha’s commentary on ‘Statelessness and the Recognition of the Right to Have Rights in Germany’ demonstrates another approach, drawing heavily on, and sharing lessons from, a ‘*Community Lab*’.⁶ This was convened by Statefree,⁷ a game-changing initiative that offers a shared community space for stateless people and their allies globally and of which Farinha is a co-founder. The *Community Lab* is being used as a central tool for community-informed advocacy work by checking on the ‘alignment of priorities’ and asking, ‘Do our political demands matter to the people they are meant to empower?’ This manner of consulting on alignment could also be modelled to shape or refine future research agendas for the statelessness studies field.

U Myo Win and José María Arraiza’s joint commentary also explores advocacy strategies and their contextual adaptation, in their case, by looking at Myanmar and asking, ‘What is the way forward after the coup?’⁸ Like the article by Kingston and Ekaterina E, this commentary is a product of *co-authorship*, which is one of Boone’s suggested strategies for breaking open the long-standing hegemony of knowledge production. It demonstrates the value of collaborative scholarship that brings together authors with contrasting positionality to unpack a problem, while also reaffirming for us the importance of providing an avenue within the *SCR* for practitioners who are engaged with the statelessness field in different ways to be able to share their reflections and learnings. This is another route through which new directions for further scholarship can be inspired and informed in a way that, in turn, helps to preserve and strengthen the societal relevance and impact of academic research.

The articles by Samuel Martínez⁹ and Magdalena Zabrocka¹⁰ each engage with more foundational questions around the normative underpinnings and broader socio-political ramifications of certain approaches to nationality regulation. At first sight, the focus of the two pieces is starkly contrasting. Zabrocka looks at citizenship *inclusion* practices in Member States of the European Union that have ‘Golden passport’ schemes which benefit high-net-worth individuals. Martínez, on the other hand, explores citizenship *exclusion* narratives and practices in the Dominican Republic and the United States by looking at the intergenerational impact on low-wage foreign workers. Yet, sitting side by side in this issue, a common inquiry is revealed about how robust existing international (or regional)

⁵ *Stateless* (Matchbox Productions 2020).

⁶ Margarida Farinha, ‘Statelessness and the Recognition of the Right to Have Rights in Germany’ (2023) 5(1) *Statelessness & Citizenship Review* 84.

⁷ ‘About Us’, *Statefree* (Web Page, 2023) <<https://statefree.world/about-us>>, archived at <<https://perma.cc/U5ZB-4F53>>.

⁸ U Myo Win and Jose Maria Arraiza, ‘Citizenship Advocacy in Myanmar — What is the Way Forward after the Coup?’ (2023) 5(1) *Statelessness & Citizenship Review* 91.

⁹ Samuel Martínez, ‘The Racialised Non-being of Noncitizens: Slaves, Migrants, and the Stateless’ (2023) 5(1) *Statelessness & Citizenship Review* 20.

¹⁰ Magdalena Zabrocka, ‘The Sale of EU Citizenship and the “Law” Behind It’ (2023) 5(1) *Statelessness & Citizenship Review* 44.

norms are in combatting what Zaborcka describes as the ‘corruptive character’ of different kinds of citizenship schemes; a character that sit at odds with Martínez’ notion of ‘a right of effective membership’. While Zaborcka questions the concept of *ius pecuniae* (the right of money) in citizenship schemes, Martínez advocates for greater efforts to promote *ius nexi* (‘a right to belong specifically to the state in which you have set down social and economic roots’). Such scholarship enriches statelessness studies by digging below the surface of contemporary citizenship policies to problematise the varying forms of instrumentalization that are manifested, such as the frame that Martínez adopts through theorising ‘the racial coordinates of citizenship law’.

This issue’s case notes reassert the impressive array of situations with which ‘the law’, writ large, must contend. Contributors discuss evidentiary issues in the context of determination of stateless status (Helena-Ulrike Marambio),¹¹ the limits placed by human rights standards and principles on states’ powers to denationalise their own citizens (Christian Brown Prener),¹² nationality as reparation for international crimes (Christoph Sperfeldt)¹³ and access to nationality for stateless children in the context of adoption (Jamie Chai Yun Liew).¹⁴ The latter two notes explore cases from Cambodia and Malaysia, respectively, helping to expand the body of legal commentary on jurisprudential developments outside the Global North. Our book review discusses the monograph, *Neither Settler nor Native: The Making and Unmaking of Permanent Minorities*, by Mahmood Mamdani,¹⁵ who the reviewer (Mariangela Veikou)¹⁶ describes as ‘an imposing figure of African scholarship’. Building on (and questioning) his earlier work on race, colonialism and nationalism, Mamdani now focuses on ‘the social and political production of binary oppositions between natives and migrants’ to also contend with ‘the violence of the nation-state itself’. Veikou’s conclusion that one of the book’s key assets is ‘that it raises more questions than it provides answers to’ reaffirms the importance of understanding publishing as a tool for dialogue (rather than one-directional dissemination) and academia as a community that shares a commitment to joint exploration (rather than singular contribution). This is very much the ethos that guides our editorial approach at the *SCR*.

¹¹ Helena-Ulrike Marambio, ‘Germany: Determining Statelessness through Circumstantial Evidence’ (2023) 5(1) *Statelessness & Citizenship Review* 105.

¹² Christian Brown Prener, ‘Citizenship Revocation and the Question of Proportionate Consequences: Latest Judgment from the Danish Supreme Court Sheds New Light on the Limits of Article 8 of the European Convention on Human Rights’ (2023) 5(1) *Statelessness & Citizenship Review* 112.

¹³ Christoph Sperfeldt, ‘Nationality as Reparation? The Case 002/02 Trial Judgment at the Extraordinary Chambers in the Courts of Cambodia’ (2023) 5(1) *Statelessness & Citizenship Review* 118.

¹⁴ Jamie Chai Yun Liew, ‘*CYM v Malaysia*: Landmark Decision for Adopted Children has Little Traction Beyond Apex Court’ (2023) 5(1) *Statelessness & Citizenship Review* 100.

¹⁵ Mahmood Mamdani, *Neither Settler nor Native: The Making and Unmaking of Permanent Minorities* (Harvard University Press 2022).

¹⁶ Mariangela Veikou, ‘*Neither Settler nor Native: The Making and Unmaking of Permanent Minorities* by Mahmood Mamdani (Harvard University Press 2020) 416 Pages. Price \$29.95. ISBN 9780674987326’ (2023) 5(1) *Statelessness & Citizenship Review* 127.