

COMMENTARY

A POWER IMBALANCE IN ACADEMIC SCHOLARSHIP ON STATELESSNESS: A THEMATIC ANALYSIS OF THE ACADEMIC LITERATURE ON STATELESSNESS FROM 2014 ONWARDS

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I INTRODUCTION

In 2019, Lindsey Kingston wrote about the often-ignored issue of statelessness and argued against the narrow focus of statelessness studies. She stated that human rights are interconnected and interdependent and therefore cannot be studied in isolation.¹ Kingston's assessment of the state of statelessness studies is compelling because of her interdisciplinary approach. The research I have conducted reveals that an increasing diversity of themes is being explored within the study of statelessness. The starting point of my analysis is the year 2014, when the *Tilburg Law Review* published their first special issue on statelessness.² Whereas articles written in 2014 show the prevalence of the legal perspective, recent years have demonstrated increasing diversity in perspective, as will be discussed. Compared to previous years, more articles were written from a philosophical, anthropological, historical and intersectional point of view. These articles have diversified the field of academia addressing statelessness.³

Nevertheless, as this commentary shows, existing scholarship still does not adequately cover the full range of topics that are crucial in understanding the complexities of statelessness, and representation of the people affected by statelessness is lacking. The findings of this study illustrate that this underrepresentation is causing a power imbalance within statelessness

* The author has written this commentary following her research conducted as an intern at the Institute of Statelessness and Inclusion ('ISI'). She would like to thank Laura van Waas and Caia Vlieks for comments on this work.

¹ Lindsey N Kingston, 'Expanding Statelessness Scholarship: The Value of Interdisciplinary Research and Education' (2019) 1(1) *Statelessness & Citizenship Review* 165, 166 ('Expanding Statelessness Scholarship').

² This Special Issue was published in volume 19 issues 1 and 2 of the *Tilburg Law Review* in 2014 ('Statelessness Special Issue').

³ Melissa Schnyder, 'Civil Society Advocacy to Address Statelessness: Using Norms to Promote Progress on the Global Action Plan to End Statelessness' in Tendayi Bloom and Lindsey N Kingston (eds), *Statelessness, Governance, and the Problem of Citizenship* (Manchester University Press 2021).

scholarship. This commentary presents key findings and reflections from a thematic analysis of selected literature, which covered two journals, three edited collections and one online blog published between 2014 and 2021. These sources were selected based on their dedicated focus on the topic of statelessness.

This data has been unpacked by performing a thematic analysis of the themes and disciplines of the various publications. The categorisation of the articles into different themes and disciplines enabled me to detect patterns and make conclusions about the development of — and remaining gaps in — academic literature within the field of statelessness. This analysis exposes some of the enduring power imbalances in statelessness scholarship by investigating the topics identified by authors in existing scholarship as ‘under-served’. This term refers to topics that deserve more attention and are crucial for understanding and solving the problem of statelessness. These under-served topics function as building blocks for a shared research agenda. My thematic analysis shows that the under-served topic most frequently highlighted by various authors is the under-representation of scholars with lived experience and scholars from the Global South. An additional analysis of authorship was performed to gain more in-depth knowledge of what this under-representation can teach us about the power imbalance within statelessness scholarship. Analysing the background and academic affiliations of the authors allowed me to discover that scholars with lived experience and/or those from the Global South are indeed under-represented. In Part II, I explain how I discovered the under-representation of unheard voices as an under-served topic and argue that only writing about the issue is not enough.

II EXPLORING UNDER-SERVED TOPICS

The sources that this research analysed included two journals: the *Statelessness & Citizenship Review*⁴ and two special issues of the *Tilburg Law Review*.⁵ Together, from 2014 to 2021, these journals contain 124 articles discussing the topic of statelessness. The study also analysed the *Critical Statelessness Studies Blog*,⁶ which during the period analysed had published 14 articles, providing insightful and critical perspectives to the field.⁷ The final sources that were analysed

4 This includes volumes one to three of the *Statelessness & Citizenship Review* (2017–21) <<https://statelessnessandcitizenshipreview.com/index.php/journal/issue/archive>>, archived at <perma.cc/M8VK-77AS>.

5 ‘Statelessness Special Issue’ (n 2). The second Special Issue, ‘Citizenship and Statelessness’, was published in 2019 by the *Tilburg Law Review* in volume 24 issue 2.

6 Peter McMullin Centre on Statelessness, ‘Critical Statelessness Studies Blog’, *Melbourne Law School* (Web Page) <<https://law.unimelb.edu.au/centres/statelessness/resources/critical-statelessness-studies-blog>>, archived at <perma.cc/P3HE-FR95>.

7 For examples of these 14 articles see, eg, Zahra Al-Barazi, ‘Decentralising Solutions to Statelessness’, *Critical Statelessness Studies Blog* (‘CSS Blog’) (Blog Post, August 2021) <<https://law.unimelb.edu.au/centres/statelessness/resources/critical-statelessness-studies-blog/decentralising-solutions-to-statelessness>>, archived at <perma.cc/ERW7-GTQU>; Jeanine Hourani, ‘Reclaiming Statelessness Narratives by Resisting “Deficit” Discourse and Amplifying the Voices of Stateless People’, *CSS Blog* (Blog Post, March 2021) <<https://law.unimelb.edu.au/centres/statelessness/resources/critical-statelessness-studies-blog/reclaiming-statelessness-narratives-by-resisting-deficit-discourse-and-amplifying-the-voices-of-stateless-people>>, archived at <perma.cc/XG9Y-U3MD>.

consisted of three edited volumes, namely *Understanding Statelessness*,⁸ *Solving Statelessness*⁹ and *Statelessness, Governance, and the Problem of Citizenship*,¹⁰ which together contained 55 chapters.¹¹ Together, these sources offer insights into statelessness scholarship as collections of literature from a range of scholars who show the ‘state of the art’ of research in this emerging field.

By categorising these 193 sources according to themes and disciplines, patterns became visible, revealing how various authors include reflections in their contributions on issues and themes that are under-served. I decided to take these reflections as the foundation for my research and start an analysis of what these under-served topics entail. Three categories emerged from this analysis as crucial topics to the study of statelessness that deserve more attention: ‘multi-disciplinarity’ of perspectives,¹² colonialism and unheard voices.

Table 1. Overview of under-served topics¹³

Topics	n			%		
	2014	2021	Total	2014	2021	Total
Dominance of legal perspectives	24	20	44	63.15	33.89	22.79
Authors from the Global South	2	27	29	1.04	13.99	15.03
Authors with lived experience	0	0	4	0	0	2.07

The first topic that different authors have noted requires further development in statelessness research is engaging a wider array of perspectives. These authors’ works shed light on perspectives that are less dominant within statelessness scholarship and highlight the importance of considering multidisciplinary research.¹⁴ Deirdre Brennan, for instance, argues for the consideration of a feminist perspective when trying to find a solution for statelessness.¹⁵ Another problem within statelessness studies is that statelessness is often considered ‘too much’ from the legal point of view, as argued by Kingston in her article on the value of interdisciplinary research and education. She contends that scholars run

⁸ Tendayi Bloom, Katherine Tonkiss and Philip Cole (eds), *Understanding Statelessness* (Routledge 2017).

⁹ Laura van Waas and Melanie J Khanna (eds), *Solving Statelessness* (Wolf Legal Publishers 2017).

¹⁰ Tendayi Bloom and Lindsay N Kingston (eds) *Statelessness, Governance, and the Problem of Citizenship* (Manchester University Press 2021).

¹¹ Introductory chapters were excluded from the analysis, since they tended to represent a general introduction to the topic of statelessness for readers, rather than specific engagement with a particular aspect or subtopic of the issue.

¹² See David Baluarte, ‘The Arrival of “Statelessness Studies?”’ (2019) 1(1) *Statelessness & Citizenship Review* 157.

¹³ By number and percentage of pieces surveyed that were published in a given year. The total (n = 193) represents the number and percentage of all pieces surveyed from 2014–21.

¹⁴ See especially Deirdre Brennan, ‘Statelessness and the Feminist Toolbox: Another Man-Made Problem with a Feminist Solution?’ (2019) 24 *Tilburg Law Review* 170 (‘Statelessness and the Feminist Toolbox’). See also Deirdre Brennan, Nina Murray and Allison J Petrozziello, ‘Asking the “Other Questions”: Applying Intersectionality to Understand Statelessness in Europe’ in Tendayi Bloom and Lindsay N Kingston (eds), *Statelessness, Governance and the Problem of Citizenship* (Manchester University Press 2021); Victoria Reitter, ‘Tackling the Nation-State “Container Model” in Statelessness Research’, *CSS Blog* (Blog Post, October 2020) <<https://law.unimelb.edu.au/centres/statelessness/resources/critical-statelessness-studies-blog/Victoria-Reitter-entry>>, archived at <perma.cc/K8V-RGQX>.

¹⁵ Brennan, ‘Statelessness and the Feminist Toolbox’ (n 14) 171.

the risk of being stuck in their ‘disciplinary bubbles’ when they stick to only one perspective.¹⁶ According to my findings, a gradual change towards more multidisciplinary research is emerging within scholarship on statelessness. While in 2014 over half (63.15%) of the publications I analysed were written from a legal perspective, in 2017 this percentage lowered to 37.93%, and in 2021 less than 35% (33.89%) of publications were written from a legal perspective. In the last year of my research, more articles were written from a philosophical, anthropological, historical and intersectional point of view than the years before.¹⁷

Table 2. Change in dominance of legal perspectives on statelessness over time¹⁸

	2014	2015	2016	2017	2018	2019	2020	2021
n	24	0	0	11	0	9	19	20
n (total pieces published)	38	0	0	28		22	46	59
%	63.15	0	0	39.29	0	40.91	36.96	33.89

The second research topic which is ‘under-served’ relates to the colonial perspective on statelessness. According to authors who argue for more attention to this perspective, there needs to be more historical contextualisation in research on contemporary issues.¹⁹ This means that academic scholarship should consider more colonial history and legacies when studying the problem of statelessness.²⁰ Malak Benslama-Dabdoub, for instance, makes a convincing case for the importance of recognising the colonial legacies of statelessness issues.²¹ In the articles considering this issue, it is evident that the authors argue for the acknowledgment of colonial legacies and their continuing influence on nation-states. To find appropriate solutions for the problem of statelessness, it is crucial to consider and acknowledge the historical roots of the problem.

III A POWER IMBALANCE WITHIN ACADEMIA

My analysis illustrates that the theme most authors referred to as being under-served is the under-representation of unheard voices. This theme refers to the phenomenon of scholars with lived experience or scholars from the Global South not being represented within scholarship on statelessness. Haqqi Bahram’s work

¹⁶ Kingston, ‘Expanding Statelessness Scholarship’ (n 1) 167.

¹⁷ See, eg, Katalin Berényi, ‘Mapping Minorities’ Vulnerability to Hate Speech and Denationalisation with a Focus on East and Southeast Asia’ (2020) 2(1) *Statelessness & Citizenship Review* 5; Natalie Brinham, ‘Statelessness: A Modern History by Mira L Siegelberg’ (2021) 3(1) *Statelessness & Citizenship Review* 163.

¹⁸ This is based on the percentage of the pieces surveyed that were published in that year alone.

¹⁹ See, eg, Jane Anna Gordon, ‘Critical Allies: On Contemporary Enslavement and Statelessness’ (2020) 2(1) *Statelessness & Citizenship Review* 153; Bronwen Manby, Ayalew Getachew and Julia Sloth-Nielsen, ‘The Right to a Nationality in Africa: New Norms and New Commitments’ in Laura van Waas and Melanie J Khanna (eds), *Solving Statelessness* (Wolf Legal Publishers 2017) 261–4.

²⁰ See, eg, Tendayi Bloom, ‘Members of Colonised Groups, Statelessness and the Right to Have Rights in Tendayi Bloom, Katherine Tonkiss, Phillip Cole (eds), *Understanding Statelessness* (Routledge 2017).

²¹ Malak Benslama-Dabdoub, ‘Decolonising Statelessness: Unpacking Colonial Legacies and Deconstructing Forms of Epistemic Violence’, *CSS Blog* (Blog Post, January 2021) <<https://law.unimelb.edu.au/centres/statelessness/resources/critical-statelessness-studies-blog/decolonising-statelessness-unpacking-colonial-legacies-and-deconstructing-forms-of-epistemic-violence>>, archived at <perma.cc/A9C2-6AQF>.

shows the value working with stateless people can bring, and Zahra Al-Barazi's critique of Eurocentric solutions to statelessness illustrates the missing Global South perspective.²² These articles illustrate that a full understanding of the issue of statelessness can only be realised when these voices are heard. After discovering the reflections of various authors on this under-representation of unheard voices as an under-served issue, I performed an additional analysis of authorship within my sample to investigate this under-representation more thoroughly. Within the 193 sources I analysed for authors' origin and academic affiliation, I discovered that stateless scholars and scholars from the Global South are under-represented.

In performing interviews with stateless Chinese Bruneians, Amanda Cheong emphasises the importance of raising the voices of stateless people, which is the first point upon which the academic literature on statelessness is lacking and should improve.²³ My analysis of authorship illustrates the need for attention to this issue, as only 2.04 % of the authors of the analysed publications have lived experience of statelessness.²⁴ These articles were all written in 2020, which demonstrates a change from the years before, where none of the analysed publications were written by authors with lived experience. Nevertheless, a representation of only 2.07% of authors with lived experience is not sufficient to acquire a complete understanding of the complex issue of statelessness. As discussed by Aleksejs Ivashuk, stateless people should be included in discussions and research on statelessness, and not be considered 'mere objects of discussion'.²⁵ This under-representation of stateless people within academic authorship creates a power imbalance in the production of knowledge, which contributes to an incomplete picture of the phenomenon of statelessness.

The second finding concerning power imbalance is that less than 15% of the authors analysed for this research are based in the Global South.²⁶ That academia is dominated by the Global North is not new information and has also been considered an issue in other fields of research.²⁷ However, except for two articles written in 2014, all the articles from Global South authors were written in the years 2020 and 2021, which indicates that there is an increasing representation of scholars from the Global South within statelessness scholarship, even though the percentage remains low.²⁸ Yet, because the Global South makes up 40% of all

²² Haqqi Bahram, 'On Statelessness Activism and True Engagement', *European Network on Statelessness* (Blog Post, 22 October 2020) <<https://www.statelessness.eu/updates/blog/stateless-activism-and-true-engagement>>, archived at <perma.cc/2HX6-DYY7>; Al-Barazi (n 7).

²³ Amanda R Cheong, 'Using Oral History Methods to Document the Subjective Experiences of Statelessness' (2014) 19(2) *Tilburg Law Review* 74, 77.

²⁴ That is, authors who have acknowledged that they have lived experience of statelessness in their work.

²⁵ Aleksejs Ivashuk, 'Tackling Statelessness: The Fundamental Importance of Stateless People's Voices' (2022) 70 *Forced Migration Review* 13, 13 <<https://www.fmreview.org/issue70/ivashuk>>, archived at <perma.cc/S44N-YGPJ>.

²⁶ In this commentary the 'Global South' refers to the regions of Latin America, Asia, Africa and Oceania. See Nour Dados and Raewyn Connell, 'The Global South' (2012) 11(1) *Contexts* 12. For the purposes of this analysis, authors who, at the time of publication, were based in institutions located in the Global South, as well as authors with a nationality from a Global South country that are publishing from an institution in the Global North, were included.

²⁷ See Elena Fiddian-Qasmiyeh, 'Recentring the South in Studies of Migration' (2020) 3 *Migration and Society* 1.

²⁸ See Katherine G Southwick, 'Myanmar's Democratic Transition: Peril or Promise for the Stateless Rohingya?' (2014) 19 *Tilburg Law Review* 261; Srinuan Soakhamnuan, 'A Personal Story about Statelessness' (2014) 19 *Tilburg Law Review* 248.

countries, just under 15% of total authorship is not enough to be representative of Global South perspectives.²⁹ Furthermore, since the highest reported stateless populations can be found in the Global South, as shown in the 2021 United Nations High Commissioner for Refugees (‘UNHCR’) Global Trends Data,³⁰ the under-representation in academia of stateless people or those otherwise affected by statelessness is further exacerbated.³¹

In order to fully understand the complex issue of statelessness, the voices of scholars with lived experience and scholars from the Global South should be heard and included. This research illustrates that these voices are being under-represented within scholarship on statelessness today. Even though many authors refer to this lack of representation in their writings, I argue that merely writing about it is not a sufficient solution to bring about change. Based on my findings, I propose some suggestions to create a more inclusive scholarship for both scholars with lived experience and scholars from the Global South.

A survey performed by the *Forced Migration Review*, in collaboration with the Local Engagement Refugee Research Network (‘LERRN’), investigated the barriers people from the Global South face in publishing.³² Even though this research looked at scholars writing on forced migration, it can teach us something about the general barriers faced by authors from the Global South. The findings of this research note that the dominance of English within academic writing creates a language barrier for people who wish to publish, but are more comfortable expressing themselves in a language other than English.³³ A second barrier noted by the respondents was the lack of know-how in writing a scholarly publication.³⁴ As a response to the latter, LERRN set up a pilot mentorship program to promote the inclusion of authors from the Global South.³⁵ Such a pilot mentorship programme is one way in which this power imbalance can be challenged and a more inclusive academic field can be created. Another suggestion, similar to mentorship, is co-authorship, as it can be an effective way of increasing the inclusiveness of statelessness scholarship. 31.03% of the publications from my analysis that were written by an author from the Global South, were co-authored by an author from the Global North. A crucial aspect of this partnership involves acknowledging the validity of non-Western forms of knowledge and refraining from a hegemonic consideration of the Global North perspective.³⁶

²⁹ ‘Global South Countries (Group of 77 and China)’, *Finance Center for South-South Cooperation* (Web Page, 8 October 2015) <http://www.fc-ssc.org/en/partnership_program/south_south_countries>, archived at <perma.cc/3GL2-C6LC>.

³⁰ See United Nations High Commissioner for Refugees (‘UNHCR’), *Global Trends: Forced Displacement in 2021* (Report, 16 June 2022) 46 <<https://www.unhcr.org/media/global-trends-report-2021>>, archived at <perma.cc/FU4K-HMW4>.

³¹ See generally ISI, *Statelessness in Numbers: 2020: An Overview and Analysis of Global Statistics* (Report, August 2020) 2 <https://files.institutesei.org/ISI_statistics_analysis_2020.pdf>, archived at <perma.cc/J7M3-EWT8>.

³² See Heather Alexander, James Milner and Alice Philip, ‘Mentoring New Voices in Forced Migration Publishing’ (2022) 70 *Forced Migration Review* 4, 4.

³³ *ibid* 4.

³⁴ *ibid* 4–5.

³⁵ *ibid* 5.

³⁶ Fiddian-Qasmiyeh (n 27) 2.

Table 3. Representation of authors from the Global South (2014–21)

	n	n (total pieces published)	%
Pieces authored by at least one researcher from the Global South	29	193	15.03
Pieces co-authored by Global North/Global South researchers	9	29	31.03

Not only should voices from the Global South be heard, but the under-representation of people with lived experience also needs to be addressed. The adoption of new directions, as proposed by Christiana Bukalo, can help to close the gap between stateless people and statelessness research.³⁷ Bukalo describes how companies and organisations that put effort into addressing the issue of statelessness fail to deliver impact when they ignore the perspective of the individuals who are affected. Bukalo’s community, Statefree, is one way in which scholars, organisations, institutions and editors can involve more stateless people in their academic research.³⁸ A possibility for academic scholarship could be the introduction of a special issue reserved for stateless authors, with guidance and support on academic publication. The Melbourne Law School, for instance, already offers scholarships to disadvantaged students and has a unit providing expertise and support to academics, graduate and early career researchers.³⁹ Expanding these methods of support could potentially be a way to support stateless people in publishing scholarly articles. There is so much to learn from the knowledge and experience of various scholars, and this may help to increase knowledge and capacity as well as spark valuable collaborations that will bridge the gap between stateless people and academia. This partnership between those with knowledge and experience in academia and those with lived experience on the topic is crucial if we want to move towards a more inclusive scholarship that involves the voices of those affected in both problem analysis and formulating solutions.

Another example of addressing the need for inclusion of scholars with lived experience or scholars from the Global South is the event organised by LERRN’s Social Policy Association about the politics of ‘lived experience’, consisting of talks, workshops and other activities. This one-day symposium offered the opportunity to submit an abstract addressing the issue of the representation of people with lived experiences.⁴⁰

³⁷ Christiana Bukalo, ‘Knowledge to Empower: Closing the Gap between Stateless People and Statelessness Research’, *CSS Blog* (Blog Post, December 2020) <<https://law.unimelb.edu.au/centres/statelessness/resources/critical-statelessness-studies-blog/knowledge-to-empower-closing-the-gap-between-stateless-people-and-statelessness-research>>, archived at <perma.cc/723X-BJTY>.

³⁸ *ibid.* See also ‘Who We Are’, *Statefree* (Web Page) <<https://statefree.world/about-us>>, archived at <perma.cc/957D-2J9R>.

³⁹ See ‘Information for Researchers’, *Melbourne Law School* (Web Page, 10 May 2018) <<https://law.unimelb.edu.au/research/for-researchers>>, archived at <perma.cc/74WB-4P89>; ‘The Melbourne JD Scholarships’, *Melbourne Law School* (Web Page, 11 May 2018) <<https://law.unimelb.edu.au/study/scholarships/overview/jd>>, archived at <perma.cc/93PL-HS5M>.

⁴⁰ Local Engagement Refugee Research Network (‘LERRN’), ‘Listening to All Voices? The Politics of “Lived Experience”: Concerns, Contradictions, and Challenges’ (Workshop, Durham University, 28–9 March 2023) <<https://carleton.ca/lerrn/cu-events/spa-lived-experience-march-2023>>, archived at <perma.cc/HK2V-QT6D>.

The hosting of the second World Conference on Statelessness by the Institute on Statelessness and Inclusion ('ISI'), Nationality for All and Development of Human Resources for Rural Areas in Malaysia in 2024, is a good example of the creation of fora for more inclusive conversations on statelessness.⁴¹ The conference will bring together 300 different participants with lived experience and with scholarly knowledge of statelessness, ranging from academics and United Nations advocates, to activists and community leaders from different parts of the world. Since the focus of this conference will be on knowledge and change, it will be an important opportunity to prominently address the power imbalance within academia and initiate new partnerships. The hosting of this conference exemplifies how the perspectives of different actors can be represented inclusively, by addressing the voices of both stateless authors and authors from the Global South.

A final example of how to build research partnerships between scholars is by organising courses on statelessness, like the one organised by the LERRN on academic publication. The ISI and the Peter McMullin Centre on Statelessness also organise various courses on statelessness.⁴² Keeping close contact with the participants of these courses is crucial for building a network of statelessness scholars. Assisting these alumni in academic publishing can improve the accessibility of academic publication for people from the Global South and those with lived experience. It is important to keep in mind that these partnerships will still contain structures of inequality and therefore should not function as a solution to this power imbalance on its own, but rather as a step towards further collaboration and a more inclusive field.⁴³

IV CONCLUSION

By analysing 193 sources of literature within academic scholarship on statelessness, I detected various topics identified as under-served by authors. These under-served categories demonstrate the research gaps and, in particular, the missing perspectives, such as multi-disciplinarity and colonialism, which prevent a complete representation of the issue of statelessness. The most important under-served topic, however, was the significant under-representation of authors with lived experiences and authors from the Global South. Investigating this topic more thoroughly has exposed a power imbalance within academic scholarship on statelessness. Since these findings are based on data from academic literature on statelessness itself, they provide guidance from the field on how the field could evolve further and become more inclusive. Moreover, it shows that simply writing about these challenges is not enough and new solutions should be considered. I hope that this commentary will contribute to the realisation of a more inclusive, diverse and critical statelessness scholarship.

⁴¹ Nationality for All, 'World Conference on Statelessness 2024' (Conference Announcement, 10 November 2022) <<https://www.nationalityforall.org/world-conference-on-statelessness-2024>>, archived at <perma.cc/9BAF-TNRP>.

⁴² See, eg, 'ISI Internship Programme', *ISI* (Web Page, 2019) <<https://www.institutesi.org/pages/internship-programme>>, archived at <perma.cc/VG7V-8E53>; 'Statelessness Legal Clinic', *Melbourne Law School* (Web Page, April 2023) <<https://law.unimelb.edu.au/centres/statelessness/engage/stateless-children-legal-clinic>>, archived at <perma.cc/9G2B-NXEZ>.

⁴³ Claudia Zingerli, 'A Sociology of International Research Partnerships for Sustainable Development' (2010) 22(2) *European Journal of Development Research* 217, 227.