

RECONFIGURATION OF CITIZENSHIP BEYOND STATE BOUNDARIES IN ROJAVA

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This paper seeks to investigate different modes of practicing citizenship in two political settings. One, in which an ethno-national state sets boundaries of membership and excludes some groups accordingly. The other, a democratic confederal system where neither state nor ethnic boundaries play a role in the configuration of citizenship. This empirical study looks at the individual perceptions and experiences of membership by stateless persons living in Rojava before and after the establishment of the Autonomous Administration of North and East Syria. The stateless Kurds in the north of Syria, in the time of the Ba'ath government, had limited access to resources and their social life was restricted. When northern Syria ('Rojava') went through fundamental institution-building to implement democratic self-administration and confederalism, the conceptualisation of citizenship changed within the context of reclaiming power from the State. This is understood as a transformation from people as state objects into active actors. My discussion here focuses on how the stateless groups develop a sense of belonging, reposition the political demands and arrange social engagement horizontally. An important issue emerging from the findings is that daily membership experiences are remarkably associated with active voluntary participation in the organisation of the community. In the self-organising system, regardless of the precarious legal status the persons are holding, citizenship content and consequences in daily life are more inclusionary and egalitarian.

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I INTRODUCTION

This article seeks to investigate different modes of practicing citizenship within two political settings: the Syrian nation-state and the Autonomous Administration of North and East Syria ('AANES'). This empirical study looks at the individual perceptions and experiences of membership by stateless persons living in Rojava before and after the establishment of the AANES. Since its founding, the Syrian Arab Republic ('Syria') has identified itself as an ethnically homogeneous Arab nation-state which offers the most restrictive illustration of citizenship.¹ A result

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¹ See, eg, *Constitution of Syria* (1950) art 1 (Syrian Republic); *Provisional Constitution of Syria* (1964) arts 1–2 (Syrian Arab Republic); *Constitution of the Syrian Arab Republic* (1973) art 1 (Syrian Arab Republic).

of the State of Syria's conflation of Arab ethnic identity with Syrian citizenship has been that non-Arabs have often been deprived of legal membership and have confronted marginalisation. In the 1962 census of Al-Hasakah Governorate,² those who could not provide documents to prove that they had lived there before 1945 were recognised as *Ajnabi* ('أجنبي' in Arabic, meaning 'foreigner'), stripped of citizenship status and considered stateless. Persons who missed the census were later categorised as *Maktoum* ('مكتوم' in Arabic, meaning 'hidden') and were consequently not permitted to officially register or apply for a legal document. Both the *Ajanib* and *Maktoumin* (who were Kurds) had limited access to resources and their social life was restricted. When northern Syria (commonly known as 'Rojava')³ introduced the revolutionary idea of democratic self-administration and confederalism following the uprising in 2012, citizenship adopted a new configuration and was characterised by the AANES' non-state setting.

The aim of this article is to address the implication of the reconfiguration and reconceptualisation of citizenship with reference to the ideology of democratic autonomy used within the AANES despite the fact that the Syrian State continues to authorise membership. The current study elaborates on the personal experiences of stateless individuals in connection to the dynamic reformation of what constitutes citizenship in relation to a governing body politic. The question posed in this research is crucial in terms of understanding citizenship in a non-statist system. This is because existing scholarship on issues of statelessness in Syria (particularly in the case of stateless Kurdish populations) either focuses on the legal aspects of statelessness prior to the establishment of the AANES or explores the situation of stateless Kurds after their resettlement in neighbouring countries, like the Kurdistan Region of Iraq or Türkiye, or far away in Europe.⁴ What is rarely explored is the perception and practice of citizenship of those (de jure) stateless Kurds who have not moved and are still living in Syria under the control of a new political system. For this purpose, this article seeks to re-examine the meaning of citizenship from a more sociological (rather than legal) standpoint, where social relations and political organisation have indispensable implications on those experiencing citizenship.

My assessment of the historical and political background of statelessness in this region will be divided into two main parts. I first look at how Kurds in northern

² The census was ordered by a decree of President Nazim al-Qudsi: *Legislative Decree No 93/1962 to Conduct a General Census of the Population of Al-Hasakah Governorate* (Syrian Arab Republic).

³ In Kurdish, 'Rojava' refers to the western part of Kurdistan which is located in the north and north-east of Syria. After revolutionary resistance against Bashar al-Assad and the Islamic State of Iraq and Syria ('ISIS'), Rojava became the region's prevalent name in the media and later it was appointed as the official name for the region, which was mainly under control of Kurdish groups. Following the integration of more areas with non-Kurdish populations into the administrative structure of Rojava and also to include all groups in the region, on 18 July 2018 its official name changed to the Autonomous Administration of North and East Syria ('AANES').

⁴ See, eg, Thomas McGee, 'Update on Syria's Stateless Kurds', *Institute on Statelessness and Inclusion* (Working Paper Series No 2016/02, Institute on Statelessness and Inclusion, June 2016) ('Update on Syria's Stateless Kurds'); Dana Swanson and Caroline Zullo, *Understanding Statelessness among Syrian Refugees in the Kurdistan Region of Iraq* (Report, Norwegian Refugee Council, August 2022) ('Understanding Statelessness'); Zahra Albarazi, 'The Stateless Syrians' (Research Paper No 011/2013, Tilburg Law Journal, 24 May 2013) 16 ('Stateless Syrians'); Latif Tas, 'Stateless Kurds and Their Multiple Diaspora' (Working Paper No 125, International Migration Institute, January 2016); Malak Benslama-Dabdoub, 'Colonial Legacies in Syrian Nationality Law and the Risk of Statelessness' (2021) 3(1) *Statelessness & Citizenship Review* 6.

Syria historically became stateless. I secondly provide an overview of how the AANES emerged as a stateless political unit and how its particular political structure has been implemented. Next, I provide a theoretical answer to the question of why citizenship matters and then I move on to a methodological description of how data for this study was gathered and analysed. This is followed by a discussion on how stateless Kurds have lived with exclusion both before and after the establishment of the AANES. I conclude with an exploration of how the social experiences of stateless Kurds are affected in a non-state political setting.

II THE HISTORY OF BECOMING STATELESS

A *The Decree of 1962*

After the collapse of the Ottoman Empire following the First World War, the borders of Syria, Iraq and Turkey were drawn pursuant to Anglo-France’s colonial expansion under the 1916 Sykes–Picot Agreement.⁵ These artificial borders divided the region’s ethno-national populations, the Kurds being the largest of them. From the beginning of the French mandate until the accession of power by the Arab Socialist Ba’ath Party, Syria had been divided on ethnic and religious grounds. The colonial administration of Syria is at least partly responsible for the way in which the citizenship regulation of Syria subsequently marginalised non-Arabic groups: ‘[a]ccording to the *Constitution of the Syrian Arab Republic*, the official name of the country is “Syrian Arab Republic”, described as “part of the Arab homeland” and the Syrian people are considered “part of the Arab nation” with an “Arab identity”’.⁶ Arab nationalism after the accession of power by the Ba’athists strongly denied Kurdish identity and deprived the rights of Kurds who nowadays comprise around 15% of Syria’s total population.⁷ By treating the Kurds in the north of the country unfavourably, the economy was curbed into agriculture and kept undersized, political activity was rejected and cultural interchange was intensely prohibited.⁸

Among the ethnicity-based discriminatory measures carried out by the Syrian Government was stripping the Kurds of their citizenship rights. Putting *Decree No 93* (*‘Decree of 1962’*) of the Government of the Syrian Arab Republic (the ‘Syrian Government’) into action, on 5 October 1962, a single-day census in the northern province of Al-Hasakah — where the main Kurdish city is located — was carried out. The Government claimed that the goal of the census was to trace the migrants coming through Syria’s border with Turkey. However, as Zahra Albarazi aptly put it: ‘The census was conducted in the context of sweeping pan-Arab ideology that was taking over the whole region.’⁹ In this short time frame, people in Al-Hasakah were asked to present documents confirming that they had been living in the region since, or had originated from the region before, 1945. Those who were able to provide the required documents received Syrian citizenship. However, a massive number of residents either missed the census or could not manage to provide

⁵ Asia Minor Agreement (United Kingdom–France) (16 May 1916) (*‘Sykes-Picot Agreement’*).

⁶ Malak Benslama-Dabdoub, ‘Colonial Legacies in Syrian Nationality Law and the Risk of Statelessness’ (2021) 3(1) *The Statelessness & Citizenship Review* 6, 17 (emphasis in original).

⁷ European Agency for Asylum, ‘Country Guidance: Syria’ (Report, February 2023) 96.

⁸ Anja Flach, Ercan Ayboğa and Michael Knapp, *Revolution in Rojava: Frauenbewegung und Kommunalismus zwischen Krieg und Embargo* [*Revolution in Rojava: Women’s Movement and Communalism between War and Embargo*] (2nd edn, VSA Verlag 2015) 75–78.

⁹ Zahra Albarazi, *Report on Citizenship Law: Syria* (Report, No CR 2021/15, Global Citizenship Observatory, June 2021) 4 (*‘Report on Citizenship Law’*).

passable documents. People who were present at the time of registration but could not show the evidence were registered as non-Syrian or foreign residents, titled *Ajanib*. But those people who were absent or were not included in the census for any reason remained unregistered and were later called *Maktoumin*. The former received an identity document declaring their status as foreigners in Syria but the latter were deprived of any official documentation. *Maktoumin* could only get a residency affirmation from neighbourhood custodians, which rendered them ineligible to access public services.

As a consequence of this limited duration registry around 120,000 people — who were almost all Kurdish — were stripped of their citizenship.¹⁰ Over the years, the number of these stateless persons has increased as persons born in a stateless family continue not to be recognised as citizens by the same rationale. Their descendants are exposed to similar restrictions of their rights as their parents. According to Syrian regulations, children born in a family with an *Ajanib* parent and a Syrian citizen parent, children of an *Ajanib* parent and a *Maktoum* parent, and children of two *Maktoumin* parents all fall under the category of *Maktoumin*.¹¹ Despite there never having been an accurate enumeration, in 2010 around 300,000 stateless Kurds were living in Syria.¹²

B *The Decree of 2011*

After the 2012 uprising spread out across the country, the Assad Government encountered various rebellious groups on different fronts. To mitigate the protests in the northern areas where Kurds actively participated, and also to get their support, in 2011 the Assad Government introduced *Decree No 49* (*Decree of 2011*) which allowed some stateless Kurds to reacquire their citizenship status as a concessionary measure.¹³ However, the Government never recognised stateless Kurds as authentic citizens of Syria and classified them as migrants coming from Turkey, designing this decree to ‘grant’ citizenship status to those who lost it in 1962. According to the *Decree of 2011*, only *Ajanib* holding registry documents were eligible to apply for citizenship. As the Norwegian Refugee Council Report indicates ‘by 2015, 105,000 *Ajanib* had successfully obtained citizenship through this order’.¹⁴

Despite the acquisition of citizenship by this number of people, many stateless Kurds remained disadvantaged. Due to war conditions, applying for citizenship became complicated. Since applicants had to present personally to make a request for citizenship, many stateless people who had left the country before the adoption of the *Decree of 2011* could not take part in the process. Others who were still living at the borders due to the conflict were afraid to approach governmental sites.

¹⁰ Albarazi, Stateless Syrians (n 4) 16. See generally, Thomas McGee, ‘Not Only a Problem in Exile: Risks of Statelessness for Syrian Children Born in Internal Displacement Contexts’ (Research Paper, Peter McMullin Centre on Statelessness, 28 November 2022) 2, 4; Benslama-Dabdoub (n 6) 27.

¹¹ Kurdwatch, ‘Stateless Kurds in Syria, Illegal Invaders or Victims of a Nationalistic Policy?’ (Report No 5, March 2010) 15.

¹² UNHCR, *Global Trends 2010* (Report, 2010) Annexes, Table 7, 3 <<https://www.unhcr.org/au/media/statistics-stateless-persons-2010-source-unhcr-global-trends-2010-annexes-table-7-stateless>>, archived at <perma.cc/7ANY-RPNJ>.

¹³ *Legislative Decree No 49/2011 to Grant Syrian Arab Citizenship to those Registered as Foreigners in Al-Hasakah* (Syrian Arab Republic). See Jordi Tejel, ‘The Kurdish Question in Syria, 1946–2019’ in Hamit Bozarslan, Cengiz Gunes and Veli Yadirgi (eds), *The Cambridge History of the Kurds* (1st edn, Cambridge University Press 2021) 436, 446.

¹⁴ Swanson and Zullo, *Understanding Statelessness* (n 4) 5.

Maktoumin were the main group who could not benefit from this decree because they were not included in the law.¹⁵ Around 150,000 *Maktoumin* were excluded from the citizenship acquisition provisions.¹⁶ Consequently, *Maktoumin* remain stateless in Syria and, to date, there are no provisions to create opportunities to improve their living conditions. On this ground, statelessness remains a discriminatory issue in northern Syrian society.

III ESTABLISHMENT OF THE AANES, IDEOLOGICAL FOUNDATIONS AND IMPLEMENTATION

Despite the immense suppression of the Kurds, they did not remain silent and kept mobilising against the discriminatory measures of the Syrian Government. Over the years, several uprisings were organised and political parties were founded. In 2012, when control over the war became increasingly difficult, Syrian authorities withdrew their forces from the northern and eastern areas of the country, where the majority of inhabitants are Kurdish.¹⁷ People who were conversant with political organising and military struggles started to organise themselves within neighbourhoods. In August 2012, the forbidden Democratic Union Party with the support of the newly organised People's Protection Units founded the canton system for administration in Rojava.¹⁸ In 2014, the social contract of Rojava, which included all ethnic, religious and social identities, was approved and a democratic autonomous administration was declared as the cantons system of organisation.

The formulation and implementation of this system has roots in the philosophy of Abdullah Öcalan, the imprisoned leader of the Kurdistan Workers' Party.¹⁹ Here, I contextualise the philosophical origins of his ideas and explain the theoretical articulation of non-statist governance. I then provide insight into how this idea has been empirically employed and what are its implications for citizenship.

After a theoretical and political shift from nationalist ideas in the 1980s, Öcalan introduced democratic autonomous confederalism as a non-statist system. He proposed this system to oppose the conventional nation-state model which he thought had a centralist, homogenising and assimilating formation.²⁰ Borrowing from Murray Bookchin's theory and taking into consideration the ethnic and religious complexities of middle eastern societies, Öcalan developed the concepts of democratic autonomy for the people's self-determination and democratic confederalism as a 'bottom-up council system of self-administration'.²¹ Bookchin advocated for a non-hierarchical, equalitarian and ecological system embedded in a direct democracy as an alternative to the current state model which monopolises

¹⁵ Albarazi, *Report on Citizenship Law* (n 9) 4–5.

¹⁶ McGee, Update on Syria's Stateless Kurds (n 4) 13.

¹⁷ Krisztián Manzinger and Péter Wagner, 'Syrian Kurds, Rojava and Alternative Society Building in Middle East' (2020) 148 *Honvédségi Szemle* [*Hungarian Defence Review*] 15, 20.

¹⁸ See 'Internal System', *Partiya Yekîtiya Demokrat* [Democratic Union Party] (Web Page, 21 September 2015) <<http://pydrojava.org/english/internal-system>>, archived at <perma.cc/2FHJ-2RCS>.

¹⁹ In the political context of Kurdistan, it is a very common and accepted belief.

²⁰ Michael Knapp and Joost Jongerden, 'Communal Democracy: The Social Contract and Confederalism in Rojava' (2016) 10 *Comparative Islamic Studies* 87, 90.

²¹ *ibid* 90.

power.²² In his argumentation, Bookchin refers to the ‘Athenian’ and ‘Roman’ models of politics. The former model is more of an ‘organic society’ which engaged in a participatory, communal direct democracy.²³ In contrast, the Roman model employs a representative centralised system that generates a governmental hierarchy and takes the power of making decisions out of the people’s hands.²⁴ What counts for our understanding of these models is that the communal democracy in Athens was grounded in an inclusive and active citizenship, while Roman governance gave rise to an exclusive elite of decision-makers.

Öcalan’s ideal system rejects the state in the organisation of society. As stated in the social contract of Rojava:

We ... recognize that the nation-state has made Kurdistan, Mesopotamia, and Syria a hub for the chaos happening in the Middle East and has brought problems, serious crises, and agonies for our peoples. The tyrannical nation-state regime, which has been unfair to the different components of the Syrian people, has led the country to the destruction and fragmentation of the society[’s] fabric. To end this chaotic situation, the democratic federal system is an optimal solution to address the national, social, and historical issues in Syria.²⁵

By implementing a system of democratic autonomy, people’s political status is reconfigured from being defined by their relation to the state to being defined by self-government. In parallel, democratic confederalism gives decision-making power and capacity to local units in different layers. Öcalan proposed these systems to ‘break [free] from centralised and representative systems, which turn politics from collective decision-making to individual choice and are based, not on social relations among people, but on the individual relations of people with the state’.²⁶ Öcalan believes that in such political structures people belonging to different groups have the opportunity to express themselves in local councils. Membership to political communities based on democratic confederalism is cosmopolitan and residency-based but is not contingent on the state’s recognition and authorisation. Elaborating on how membership to political community and the meaning of citizenship can change, Michael Knapp and Joost Jongerden say that democratic confederalism relocates citizenship to relations among people rather than relations to the state.²⁷

In Rojava’s non-hierarchical participatory system decisions are made locally and executives come from below.²⁸ In this system, councils at different levels are set up to encourage and facilitate the participation of individuals and groups. Self-determination starts from the commune, which is the smallest unit for making decisions and typically consists of some households (depending on the make-up and size of the population). In the next level are sub-district and district councils with cantons in the later units. All councils are associated with three main general

²² Can Cemgil and Clemens Hoffmann, ‘The “Rojava Revolution” in Syrian Kurdistan: A Model of Development for the Middle East?’ (2016) 47(3) *IDS Bulletin* 53, 56.

²³ Ryan Balot, ‘Revisiting the Classical Ideal of Citizenship’ in Ayelet Shachar et al (eds), *The Oxford Handbook of Citizenship* (Oxford University Press 2017) 15, 26.

²⁴ *ibid* 21–22.

²⁵ *Constitution of the Autonomous Administration of North and East Syria* ‘Charter of the Social Contract’ (Autonomous Administration of North and East Syria) preamble, [1]–[2] <<https://rojavainformationcenter.org/2023/12/aanes-social-contract-2023-edition>>, archived at <perma.cc/7YWF-BD4Q> (‘Charter of the Social Contract’).

²⁶ Knapp and Jongerden (n 20) 92.

²⁷ *ibid*.

²⁸ Manzinger and Wagner (n 17) 23–24; Knapp and Jongerden (n 20) 100.

councils at the highest level: the executive, legislative and justice councils. All councils are included in the final layer which is the regional administration.²⁹ Every council contains committees designed for specific works addressing social and organisational issues. In parallel to these councils, civil institutions and unions are established to cover all of society's affairs.³⁰ Cemgil and Clemens Hoffmann call this a structural transformation to 'socialise governance and politicise social life'.³¹

Rojava's inhabitants, regardless of the identity they feel they belong to, have the opportunity to engage in the decision-making process concerning matters such as the organisation of defence, education, the economy and the youth. In this regard, Knapp and Jongerden argue that the self-organisation principles in Rojava resist the exclusion of specific identities or domination by specific identities. They note that:

[T]he duality of the individual-state is overcome, horizontally as opposed to hierarchically linking individuals through collectives to form a political will developed from multiplicities (or a multitude born of pluralities) rather than singularities. Therefore, the social contract does not produce a state, or a sovereign power, vis-à-vis individual people, but is based on the idea that politics emerges from relations among (territorially defined) groups of people.³²

In this system, there are no elites or a group with a specific identity governing others, but people of any identity and in any position can participate, act and make decisions for their own life. Citizenship is detached from its vertical affiliation with a state and is defined as a horizontal commitment to community members.³³ Through the framework of democratic confederalism, citizenship is transformed from a state-affiliated institution to a community-based social subject. The Athenian idea of direct democracy and participatory citizenship is reflected in this political setting. The emphasis is not on the restriction of citizenship but on political participation.

IV WHAT DOES IT MEAN TO BE A CITIZEN AND WHY IS IT IMPORTANT?

The theoretical ground from which I address statelessness in the AANES is that of the changing character of citizenship in the AANES when compared with the embeddedness of the State's institutionalised controls over its membership. I focus on the conceptualisation of state sovereign citizenship, which is the main issue in this study, in order to draw out many of the issues raised by statelessness which are challenged by the non-stateless membership model. In exploring the theories, the first question any scholarship on statelessness must answer is: what is citizenship, and how is it constituted? I start this theoretical examination by answering this question and then proceed to discuss citizenship and its relationship with the state.

²⁹ 'Charter of the Social Contract' (n 25) ch 3.

³⁰ Rojava Information Center, *Beyond the Frontlines — The Building of the Democratic System in North and East Syria* (Report, Rojava Information Center, 2019) 17.

³¹ Cemgil and Hoffmann (n 22) 64.

³² Knapp and Jongerden, 'Communal Democracy' (n 20) 97.

³³ Hanifi Baris, 'Radical Democracy and Self-Governance in Kurdistan' (2020) *E-International Relations* 1, 1–9, 4–5.

Historically, citizenship in ancient Athens was sketched out as membership to a self-governing political community.³⁴ Various definitions of citizenship have been provided from different angles and contexts, but the core description of citizenship is about a ‘legal relationship between the individual and the polity’.³⁵ In the modern era, when the ‘polity’ reached its most developed form — the nation-state — citizenship was translated to signifying legal membership to a certain nation-state. Therefore, in the modern nation-state ‘citizens’ are individuals who are officially recognised as members of a particular nation-state where they are granted some basic rights and are bound by some obligations.

Portraying citizenship from different views, scholars have suggested that it has various characteristics. While Christian Joppke describes citizenship as granting status, rights and identity,³⁶ Rainer Bauböck describes it as a conjunction of membership, rights and practices.³⁷ All definitions of citizenship and explanations relating to it revolve around membership. As Bauböck points out, ‘all interpretations of citizenship need to rely ... on its conceptual core, which is membership in a political community’.³⁸ In the modern era, the political community is interpreted as a nation-state and membership to it is recognised and authorised through the ‘legal status’ granted to persons according to ascriptive principles of birthplace (*jus soli*) and bloodline (*jus sanguinis*). In international law, states are the site of recognition and determination of who will be formally considered as a citizen and thus who becomes the subject of rights and responsibilities in relation to that state. This legal status can be understood as a line that the state draws to distinguish its members from outsiders. This distinction makes citizens privileged in the sense that they are legally recognised and are legitimated to have exclusive access to the advantages of their respective state while others are denied the same rights. Borrowing Linda Bosniak’s words: ‘In its legal status mode, citizenship both presupposes exclusion of some persons by others and produces exclusion via legal status boundaries drawn and defended between groups of persons of different states.’³⁹

Bauböck believes that membership is a categorical concept.⁴⁰ Since the body politic regulates access to resources and rights based on citizenship as a formal manifestation of membership, citizenship is a form of ‘legal discrimination’.⁴¹ As Rogers Brubaker rightly points out, the exclusionary substance of citizenship comes from the formal specifications of membership in a globally implemented

³⁴ Phillip Brook Manville, *The Origins of Citizenship in Ancient Athens* (Princeton University Press 1990) 40–41.

³⁵ Saskia Sassen, ‘Towards Post-National and Denationalized Citizenship’ (2002) in Engin Isin and Bryan Turner (eds), *Handbook of Citizenship Studies* (SAGE Publications 2002) 277, 278.

³⁶ Christian Joppke, ‘Transformation of Citizenship: Status, Rights, Identity’ (2007) 11 *Citizenship Studies* 37, 38.

³⁷ Rainer Bauböck, ‘Citizenship and Migration — Concepts and Controversies’ in Rainer Bauböck (ed), *Migration and Citizenship: Legal Status, Rights and Political Participation* (Amsterdam University Press 2006) 15, 15–16 (‘Citizenship and Migration’).

³⁸ Rainer Bauböck, ‘Political Membership and Democratic Boundaries’ in Ayelet Shachar et al (eds), *The Oxford Handbook of Citizenship* (Oxford University Press 2017) 60, 65.

³⁹ Linda Bosniak, ‘Status Non-Citizens’ in Ayelet Shachar and others (eds), *The Oxford Handbook of Citizenship* (Oxford University Press 2017) 314, 319 (emphasis omitted).

⁴⁰ Bauböck, ‘Citizenship and Migration’ (n 37) 19.

⁴¹ Andreas Wimmer, *Nationalist Exclusion and Ethnic Conflict: Shadows of Modernity* (Cambridge University Press 2002) 58.

system of state governance.⁴² The division of the world into members versus non-members and insiders versus outsiders gives citizenship a categorical and differentiating character: ‘Citizenship in this view is not just a name for membership [to a state], but a title or a rank that separates, excludes, and hierarchises.’⁴³ A lack of membership status pushes individuals and groups outside of citizenship borders and exposes them to exclusion, precariousness and marginalisation.

In a world demarcated by states, persons who lose their relationship with their respective state, or groups who have been deprived of their original state’s recognition, are prevented from claiming full membership and are subsequently dispossessed of the state’s rights, entitlements and privileges that are solely allocated to citizens. In the nation-state system, the granting of rights is conditional on full membership to the community and thus citizenship is ‘fundamentally about who has, and does not have, the right to be counted or recognised as a political subject as a first right, which is the right to life, and then only secondarily, the right to have other political, economic, and social rights that improve the quality of that life’.⁴⁴ Denial or loss of legal status in a state creates unequal life opportunities and goes hand in hand with a precarious livelihood.

A broader account of citizenship does not limit it to enabling legal status — entailing rights and duties — but expands it to encompass involvement in community activities and participation in the governing of a community.⁴⁵ Emphasising the participatory aspect of citizenship has led to the making of a distinction between its two conceptualisations in scholarly debates. Will Kymlicka and Wayne Norman separate citizenship as legal status (obtained through full membership to a community) from citizenship as an activity emphasising the ‘extent and quality of one’s citizenship’.⁴⁶ Sharing the same perspective, Angus Stewart draws attention to ‘democratic citizenship’ prompted by political activities that constitute political spaces.⁴⁷ This dimension has been the central principium of citizenship since its rise in the ancient city-states of Greece where citizens were actively engaged in collective decision-making and the management of the community.⁴⁸ Participatory governance in ancient Greek cities was a form of direct engagement of all individuals recognised as citizens but in modern nation-states, participatory governance is marked by more indirect participation. Aside from conventional forms of political participation such as participating in elections in representative governance systems (which are structured and motivated by the public institutions of modern states), other forms of political participation can

42 Rogers Brubaker, ‘Citizenship Struggles in Soviet Successor States’ (1992) 26 *International Migration Review* 269.

43 Engin Isin and Peter Nyers, ‘Introduction: Globalizing Citizenship Studies’ in Engin Isin and Peter Nyers (eds), *Routledge Handbook of Global Citizenship Studies* (Routledge 2014) 1, 4 (‘Introduction’).

44 Kim Rygiel, ‘In Life through Death Transgressive Citizenship at the Border’ in Engin Isin and Peter Nyers (eds), *Routledge Handbook of Global Citizenship Studies* (Routledge 2014) 62, 65.

45 Claire Rasmussen and Michael Brown, ‘Radical Democratic Citizenship: Amidst Political Theory and Geography’ in Engin Isin and Bryan Turner (eds), *Handbook of Citizenship Studies* (SAGE Publications 2002) 175, 178.

46 Will Kymlicka and Wayne Norman, ‘Return of the Citizen: A Survey of Recent Work on Citizenship Theory’ (1994) 104 *Ethics* 352, 353

47 Angus Stewart, ‘Two Conceptions of Citizenship’ (1995) 46 *The British Journal of Sociology* 63, 63.

48 Balot (n 23) 26.

include participation in war, protests and making claims to citizenship.⁴⁹ Socio-political activities such as protests and mobilisations are rooted in a bottom-up 'collective identity and agency' claim to citizenship.⁵⁰ While practicing the first sort of activities (participation in electives) necessitates the holding of legal status in the nation-state, the second one does not. For example, migrants who hold no legal status can participate in protests to claim certain rights.

It must be pointed out that just as theories of citizenship vary in their understanding of the relationship between individuals and the state, their perspective on statelessness is respectively distinguishable. Liberal theories of citizenship emphasise the importance of legal rights, interpret citizenship as enabling legal status and the rights and responsibilities that come with it, and interpret statelessness as a failure of the state to fulfil its obligations to provide legal protection and rights to individuals.⁵¹ On the other hand, republican theories of citizenship stress the importance of shared values of community and the participation of citizens in making decisions; they emphasise the importance of active participation in and belonging to a political community.⁵² In both these theoretical approaches statelessness can be understood not only as a legal issue, but also as a lack of membership and inclusion within a community.

V CITIZENSHIP AND STATE RELATIONSHIP

It is important in any discussion of citizenship to trace the connections in the triangle between the state, citizenship and the nation and to ask the questions: how is citizenship, as a performance of the nation-state, related to geographic and cultural borders and how is this relationship implemented in every political setting? This has considerable importance when examining statelessness in a stateless body politic such as Rojava.

Looking at the historical background of this relationship, Aristotle's delineation of the state enlightens the interdependency between the origins of the state and citizenship. In his view, the city-state is a collective entity made up of citizens.⁵³ Citizens are the persons who have the right to participate in deliberative or judicial office.⁵⁴ Aristotle explicitly distinguishes the male citizen from women, alien inhabitants, slaves and the elderly. He subsequently defines the constitution as a way to organise the city-state; the making of a constitution or organising the life of inhabitants is carried out by citizens.⁵⁵ Despite changes in the interconnection of the state and citizenship over time, citizenship has retained its function in the modern nation-state. After the Treaty of Westphalia and the rise of nationalism,⁵⁶ the nation-state system was internationally adopted. In this structure, a nation-state is a unit of bounded people under the name of one nation which is linked to a state through

⁴⁹ Rainer Bauböck et al, 'Migrants' Citizenship: Legal Status, Rights and Political Participation' in Rinus Penninx, Maria Berger and Karen Kraal (eds), *The Dynamics of International Migration and Settlement in Europe: A State of the Art* (Amsterdam University Press 2016) 86 ('Migrants' Citizenship').

⁵⁰ Bauböck et al, 'Migrants' Citizenship' (n 49) 86.

⁵¹ Iseult Honohan, 'Liberal and Republican Conceptions of Citizenship' in Shachar et al (eds), *Oxford Handbook of Citizenship* (Oxford University Press 2017) 83, 91.

⁵² *ibid* 92.

⁵³ Aristotle, *The Politics of Aristotle*, tr Ernest Barker (Oxford University Press 1977) 93.

⁵⁴ *ibid*.

⁵⁵ *ibid*.

⁵⁶ *Peace of Westphalia* (signed 24 October 1648).

citizenship. Becoming the legitimate site of the monopoly of citizenship ‘the state is able to mobilize citizenship as an aspect of nationalism’.⁵⁷

During the initial practice of demarcating national borders, it is necessary for each state to define who belongs to its national community. Defining the borders of citizenship in concordance with the nation’s frontiers gives meaning to membership in the state. In most nation-building projects nationhood is formulated based on the dominant ethnic/racial identity.⁵⁸ Inside the borders of the state, attempts at trying to create a homogenised national community have often resulted in groups and individuals that do not belong to the constitutional national group to experience marginalisation. If we look at different parts of the world, cultural assimilation, political intolerance, forced expulsion and ethnic cleansing are among the many actions which states have taken toward subgroups.⁵⁹

In reference to ethnic conflicts in Africa, Said Adejumobi points out that ethnic identity became the hallmark of entitlements to rights. He notes that ethnic identity

de-individualizes citizenship and makes it more of a group phenomenon. As such, in gaining access to state institutions, the individual does not relate with the state directly as a citizen, but relates with it (ie, the state) as a member/representative of an ethnic group. The result is that the central state becomes an arena of the ethnic contest with the more powerful ethnic groups excluding and submerging the lesser ones and denying their people the benefits of citizenship.⁶⁰

In this respect, Bosniak believes that formal citizenship is a mask for the operationalisation of the desired idea of the nation by state.⁶¹ In Brubaker’s view, in the modern era, citizenship emerges as the constitutional and integral capability of the state to determine its membership.⁶² States are organised around a certain definition of the nation which immediately associates itself with definitions of ‘insiders’ and ‘outsiders’.

Every state recognises a specific group of people as its citizens and categorises all others as outsiders or foreigners. In the framework of a regularised nation-state structure, the state has the sovereign right to determine who can be a citizen and who cannot. Therefore, the state has legitimate power over the acquisition of citizenship, the granting of rights and the provision of support for its citizens. Ayelet Shacher and Ran Hirshl argue that ‘[e]ach insider differs from outsiders by virtue of his or her share in the protection conferred only on those counted as citizens, and their right not to be deprived of the valuable good of membership itself’.⁶³ Moreover, the state has the ability to deny citizenship or denationalise those already

⁵⁷ Isin and Turner, ‘Introduction’ (n 43) 6.

⁵⁸ See Andreas Wimmer, *Nationalism, State Formation, and Ethnic Exclusion in the Modern World* (Cambridge University Press 2013); Rogers Brubaker, *Nationalisms Reframed: Nationhood and the National Question in New Europe* (Cambridge University Press 1996); ‘Forging Identities: The Politics and Ethnics of Nation-building’ in Wayne Norman (ed), *Negotiating Nation-Building, Federalism, and Secession in the Multinational State* (Oxford University Press 2006) 23.

⁵⁹ John Clarke, Kathleen Coll and Evelina Dagnino, *Disputing Citizenship* (Policy Press 2014) 95, 120.

⁶⁰ Said Adejumobi, ‘Citizenship, Rights and the Problem of Internal Conflicts and Civil Wars in Africa’ (2001) 6 *African Journal of Political Science* 77, 87.

⁶¹ Linda Bosniak, ‘The Citizenship of Aliens’ [1998] No 56 *Social Text* 29, 32 (‘Citizenship of Aliens’).

⁶² Rogers Brubaker, *Citizenship and Nationhood in France and Germany* (Harvard University Press 2002) 21 (‘Citizenship and Nationhood’).

⁶³ Ayelet Shachar and Ran Hirschl, ‘Citizenship as Inherited Property’ (2007) 35(3) *Political Theory* 253, 262.

accepted. In this regard, '[the] state operates as purveyor and trustee of membership title'⁶⁴ and rights are thereby granted only through state recognition of persons as citizens. It can be argued that the acceptance or denial of a right to citizenship to groups or individuals is the pivotal mechanism of implementing a state's power.

Therefore, in the context of the nation-state, citizenship is the legitimised legal instrument to define 'others' from 'us' and therefore is a mechanism for social closure. It is the means through which the lives of members of the state are organised and regulated. This exclusionary and categorising instrument forms a kind of relationship that facilitates certain privileges for a specific group while delegitimising others. It structurally and practically shapes life opportunities and systematically establishes and develops social differentiations. It can be argued that the granting of rights is dependent on an individual's recognition as a citizen but not on their recognition as a human.

Meanwhile, it is also crucial to move away from the notion that legal status is the only condition for getting privileges in a world which is divided into and according to states. Rather, there remain some marginalised groups who, despite their recognition by the state as citizens, live unfulfilled membership through being denied the rights which would ordinarily be accorded to those of their legal status. Brubaker, by distinguishing the politics of citizenship and the politics of belonging, relates this precarious situation to contestations 'about their access to, and enjoyment of, the substantive rights of citizenship, or about their substantive acceptance as full members of a putatively national "society"'.⁶⁵

Recently, debates around citizenship have presented the idea to relocate citizenship beyond the confines of nation-states.⁶⁶ Considering the challenges caused by globalisation and the development of supranational institutions, scholars have suggested that the state is no longer the only locus of citizenship.⁶⁷ According to this view, a wide range of political agencies (institutions, communities) have developed above and below the state which have challenged the state's absolute control over citizenship.⁶⁸ This approach suggests that the granting of rights needs to transcend statal citizenship boundaries and be inclusive of everyone equally, regardless of a person's status. Despite offering universal support for citizenship rights, these approaches continue to articulate citizenship through a framework centring the relationship between individuals and the state.⁶⁹ If we look at the politics of nation-states all around the world regarding 'foreigners', 'migrants' — particularly 'stateless' people — and also discriminatory acts toward 'minorities' in

⁶⁴ *ibid.*

⁶⁵ Rogers Brubaker, 'Migration, Membership, and the Modern Nation-State: Internal and External Dimensions of the Politics of Belonging' (2010) 41 *The Journal of Interdisciplinary History* 61, 64–65.

⁶⁶ Yasemin Nuhoğlu Soysal, *Limits of Citizenship: Migrants and Postnational Membership in Europe* (University of Chicago 1994); Bryan S Turner, 'The Erosion of Citizenship' (2001) 52 *The British Journal of Sociology* 189, 204–5; Rainer Bauböck and Thomas Faist (eds), *Diaspora and Transnationalism: Concepts, Theories and Methods* (Amsterdam University Press 2010); Irene Bloemraad, 'Who Claims Dual Citizenship? The Limits of Postnationalism, the Possibilities of Transnationalism, and the Persistence of Traditional Citizenship' (2004) 38 *The International Migration Review* 389; Şeyla Benhabib, 'The Philosophical Foundations of Cosmopolitan Norms' in Seyla Benhabib and Robert Post (eds) *Another Cosmopolitanism* (Oxford University Press 2008) 13, 18; Mitja Hafner-Fink, Brina Malnar and Samo Uhan, 'The National Contexts of Post-National Citizenship' (2013) 49 *Czech Sociological Review* 867; Sassen (n 35) 277–92.

⁶⁷ Isin and Turner, 'Introduction' (n 43) 9.

⁶⁸ Clarke, Coll and Dagnino (n 59) 131–40.

⁶⁹ See generally Sassen (n 35).

multi-identity states, it can be easily observed and immediately understood that the nation-state continues to solely and powerfully control citizenship.

VI COLLECTING NARRATIVES FROM ROJAVA

This study was conducted through interviews with people who are living within the geographical borders of the AANES.⁷⁰ Since the Al-Hasakah province was the target of citizenship expulsion in 1962, interviewees were selected from those born and/or residing in this region. Data was collected in semi-structured conversations with stateless persons. The in-depth conversations, with their attention to personal narrative and the contextualisation of individual experiences, offer a substantial point of entry into understanding how experiences of statelessness, in combination with struggles of collective identity in the transformation of the political body, are constructed.

For recruiting the respondents, I contacted people in my network of Kurdish fellows, colleagues working in the same field and students at the University of Rojava to link me with *Ajanib* and *Maktoumin* in the Al-Hasakah province. This led to a snowball sampling of 11 persons. The interviewees were all Kurdish and consisted of five women and six men ranging from 23 to 61 years of age, who are identified here by pseudonyms. Through this method of snowball sampling I obtained a diverse sample of study participants from different social positions, as determined by gender, age, education, occupation and urban and rural inhabitancy. Nevertheless, considering the limited scope of this study they may not represent all Kurdish stateless individuals living in North Syria. Both *Ajanib* and *Maktoumin* were included, although finding *Ajnabi* stateless individuals was not straightforward as the majority of *Ajanib* are entitled to citizenship status. It is important to note that among participants, one woman and one man were naturalised by the *Decree of 2011*.

Carrying out fieldwork in a conflict zone while relying on an online method of gathering data comes with notable challenges. Initially, forming connections with potential respondents took time and required a concerted effort to build trust. Since the beginning of the civil war, many Syrians have left the country; among them were *Ajanib* and *Maktoumin* who resettled in neighbouring countries, Europe and the United States. Therefore, only a small group continues to remain in Syria. There are no accurate statistics, but local estimates report that around 6,000 persons are still living in Rojava.⁷¹ Finding respondents was demanding work especially because I was not personally in the field and had to rely upon the assistance of third parties who connected me with the interviewees. Before starting the interviews, participants were requested to confirm that their participation in the conversations was uncoerced and informed that their consent was necessary prior to commencing the discussion.

⁷⁰ Before each interview, the participants were informed of the purpose and nature of the study and oral consent containing all elements required for informed consent was obtained. Participants were made aware of confidentiality obligations and voluntarily agreed to participate in the research. The data that informed this article was collected alongside data collection for my doctoral project. All data was ethically approved by the Ethics Commission of Bielefeld University and data collection onsite was approved by the University of Rojava in Qamishlo.

⁷¹ This information was provided by a mediator who was a lawyer advocating for stateless persons in AANES.

VII LIVING EXCLUSION

My discussion here focuses on the ways in which stateless Kurds experienced marginalisation in the time of the Ba’athist government and how their life changed following the establishment of the AANES. At the core of marginalisation is the denial of rights to those who do not have formal citizenship status. In the early stages following the 1962 census, the lands of those stripped of their citizenship were seized by the Government and the former were divested of ownership of their houses and businesses. Stateless persons are not eligible to work in the government sector and are not allowed to conscript. None of the Kurdish stateless groups enjoy political rights in the form of voting or being able to candidate themselves for elections. Kurdish stateless groups further face tremendous problems when they decide to make a family as their marriage cannot be officially recognised. Given that, in Syria, social subsidies are solely provided to people holding marriage certification, stateless people are practically deprived from accessing these subsidies.⁷² Although the ‘foreigner’ card issued to the *Ajanib* eases their travel inside the Syrian border, it is accompanied with hardships, such as having to obtain police permission to stay in a hotel. *Maktoumin* with no documents are restricted further as they cannot travel outside of their place of residence. In the event that the *Maktoumin* attempt to travel, they get stopped at the control gates where they are either returned to their place of residence or detained.

Among many of the discriminatory effects of having stateless status, the deprivation of education was emphasised the most by the respondents. Before 2011, the basic right of getting access to education was denied to both *Maktoumin* and *Ajanib*. *Maktoumin* were able to complete elementary education, however, they were unable to obtain any official record or transcript. *Ajanib* were allowed to carry on studying in high school and even higher education but would also be denied qualifications for their accomplishments. *Ajanib* and *Maktoumin* both faced the double burden of the processes of applying and being admitted to educational institutions, as both phases of the process required the authorisation of government agents. Although immediately after the establishment of the Autonomous Administration an alternative system of education was introduced in many areas, Syrian government schools continue to be in service.⁷³ In these schools, the educational approaches and procedures affecting stateless persons have kept operating according to the aforementioned regulations.

These sort of violations of both citizen and human rights not only restrict stateless people’s access to education, but also prevent them from accessing other opportunities. This includes the already very small range of job opportunities for which stateless people can apply. Rojda⁷⁴ put it as follows:

⁷² That is, the family booklet, which is obtained at the time of marriage, must be presented in order to obtain a ‘smart card’ used for obtaining subsidies: Rohan Advani, ‘Smart Cards for Rationing: How the Syrian Government is Outsmarting Accountability’, *Syria Direct* (online, 17 February 2020) <<https://syriadirect.org/smart-cards-for-rationing-how-the-syrian-government-is-outsmarting-accountability>>, archived at <perma.cc/E4QM-2LZ3>.

⁷³ Elise Boyle Espinosa and Adam Ronan, ‘Rojava’s “War of Education”: The Role of Education in Building a Revolutionary Political Community in North and East Syria’ (2023) 44(10) *Third World Quarterly* 2193, 2287.

⁷⁴ To preserve confidentiality and anonymity, a pseudonym has been assigned to each participant.

When looking for a job position, you see, education certification is the first requirement. So *Maktoumin* who have been expelled from the education are literally not able to apply for the job.

In a broader sense, the lack of education certification dramatically influences the economic situation of these groups. Children born in stateless families inherit their stateless status and, consequently, the stateless population has increased. This growth in numbers comes with the decreasing intergenerational social mobility that has resulted from the limited opportunities afforded to parents, making their children's lives more precarious. Seydo tells the story of their grandparents and parents who lost everything and continue to suffer the effects of statelessness:

Living deprivation as a *Maktoum* made us financially impoverished in such a way that we cannot afford to drive out of the village, to flee to Kurdistan [the region of Iraq].

Even though, in 2011, a large number of *Ajanib* became entitled to citizenship, the continuing and intergenerational impact of statelessness continues to preclude significant changes in their lives. Sobhi, a former *Ajanib*, explained that even though he completed a bachelor's degree in university about 15 years prior to receiving citizenship status, he was unable to apply for a job in his field as he lacked a certification. As a consequence, for all those years, he could not get a secure, properly paid job and suffered from unemployment:

Yeah, it might look like my life has become better compared to before 2011 but I lost many opportunities in my younger ages. Now when I look to the future, there is no bright perspective as I am old now and my parents passed away with all the pains statelessness gave them.

It is important to bear in mind that exclusion from rights goes hand in hand with other social inequalities and somehow magnifies them. A solely formal approach to statelessness would limit our comprehension of the fact that *Maktoumin* and *Ajanib* in Syria are not only disadvantaged with respect to rights, but that they are also socially marginalised.⁷⁵ In addition to economic inequality and political subordination, the persons in this study narrated how they have suffered from social exclusion. Shirin explains her experiences:

I always felt excluded as I was an *Ajanib*. Lacking citizenship documents means you are lower than others ... once I was entitled to citizenship, I felt belonged to the community, no more distance between me and my fellows.

As expressed by the interviewees, the social and official inequality which accompanied a lack of citizenship status fostered a sense of alienation. They report a sense of detachment from society and feelings of not being recognised as equal members. Diwan depicts his life as

an invisible object, neither a human nor an animal, something that does not live or cannot claim to live.

Citizenship policies targeting Kurds in Syria produced subjects that are not, by any account, wholly included in the political community. Kurdish citizens have legal status coupled with individual rights but they are nevertheless officially registered as Arab, which means their collective identity is rejected. Another group

⁷⁵ Haqqi Bahram, 'Too Little Too Late? Naturalisation of Stateless Kurds and Transitional Justice in Syria' in (eds), *Statelessness, Governance, and the Problem of Citizenship* (Manchester University Press 2021) 264, 268–69.

of Kurds is recognised as *Ajanib*; a status that already implies their precarious acceptance. Although this group has a relatively better position compared to the *Maktoumin*, who are neither recognised as citizens nor provided with any rights, none of the aforementioned groups have been ultimately permitted to enjoy their collective rights by the Damascus Government; they have never been absolute insiders to the Syrian body politic. As Bosniak explains, subordinated groups may possess legal citizenship, yet remain culturally, politically or economically excluded.⁷⁶

According to the narratives collated in this study, many of the State's exclusionary citizenship rules have survived in the AANES because it continues to be a political subject of the central Syrian State. Citizenship regulation in the internationally unrecognised polity of the AANES is technically under the control of policymakers in Damascus. In the few places run by the Government, the prohibition of *Maktoumin* and *Ajanib* still operates, restricting them from jobs and receiving subsidies. At different points, the changes in the north of the country actually made circumstances for stateless people tougher. For example, interviewees stated that before the war, traveling to cities outside of Rojava required police confirmation, which was not a long process, but after the establishment of the AANES, the Damascus Government placed more pressure on the commuting of the *Ajanib* and *Maktoumin*. Leyla shares:

It is some months that my mom is dealing with a severe illness, and she must go to Damascus for medical treatment, but we cannot go there, they don't allow us. They may arrest us because we don't have Syrian documents.

In another case, Hossein confirms this:

Although we have a Kurdish system, we have still problems with fuel subsidies. *Hevals*⁷⁷ also don't assist us to get oil because we don't have an ID card.

Although the organisation of the public service remains in the hands of the central government, the AANES founded its own independent education, health and juridical system to facilitate equal access to resources for various groups. In terms of education, there exist schools and universities where admission is open to all groups. In the narrative of Fatime, a *Maktoum* mother, the most important value of the new system is that it allows her to provide opportunity to her young children:

My young daughter was really obsessed with studying. It was a nightmare for me that she was not able to go to university. We are *Maktoum*, and my daughter was only allowed to study up to sixth class at school. For months I begged the security forces and school principals for their allowance so that my daughter could continue in upper grades. After she completed high school, she did not receive her diploma. She was very upset ... we went to Qamishli, and they surprised us when they said my daughter can carry on in the Rojava University.

Upon probing the narratives of the research respondents, I found that while citizenship is widely perceived as formal legal status — an ID card that they lack

⁷⁶ Linda Bosniak, 'Constitutional Citizenship Through the Prism of Alienage' (2002) 63(5) *Ohio State Law Journal*, 1285, 1305.

⁷⁷ Kurdish appellation of 'comrade' which refers to fighters and civil organising forces in Rojava.

which is associated with a deprivation of their rights — the respondents were aware of certain aspects of citizenship that lie beyond its formal restrictions.

Here, I would like to devote particular attention to the reconstruction of citizenship in the AANES, which lies apart from its predecessor in terms of its legal content and its function in the provision of rights. I provide a more sociological explanation to understand the meaning of citizenship in Rojava, as informed by the experiences of stateless individuals. Participation in the organisation of the community is the most emphasised mode of inclusion mentioned in the interviews. While *Ajanib* and *Maktoumin* were excluded from joining the military or becoming state administrative agents, in the new system they are able to join the defence units.⁷⁸ This reflects important progress, especially for stateless women who have finally been able to join fellow fighters in devastating wars and in administrative institutions. One of the *Maktoum* female interviewees who is the co-chair of a commune highlighted this point:

Given stateless people's circumstances and in the tribal setting of norms in Syria, I, and many like me had no chance to use our abilities. We were tied up. Now as a woman, I am working in the public for our village.

Aside from their organisational affiliations and their representation in councils, residents of the AANES, regardless of their status, have the opportunity to participate in meetings in open assemblies. In the list of commune activities, building networks and links with other residents is a mechanism to include and engage every person. Commune members visit families, uncover problems or needs and collectively look for solutions. Communes discuss issues directly with the people who experience them and make decisions alongside them. Many social and ethnic conflicts are sorted out inside the community with the cooperation of its members. Some stateless interviewees reported instances where they were asked to participate in the making of decisions to address social problems. Indeed, it is this variety of both passive and active practices of political and social participation that make self-organisation possible. The self-administration in Rojava contributes to forms of political agency and subjectivity that develop new modalities of citizenship.

Amid substantial participatory activities and social engagement, a sense of belonging is enhanced. Previously, stateless Kurds were at the lowest level in the hierarchy of inclusion by the Syrian State and shared the least attachment to the Syrian community. Although stateless Kurds continue to suffer exclusion from the Syrian State, they have been able to obtain a sense of belonging to their local community, which they can have a part in building. It is pertinent to note that this sense of belonging originates from two sources: the first being the sense of connection stateless Kurds now have with other members of their community and the second being the sense of belonging they now experience from being part of a 'Kurdish' autonomous polity. In this respect, they feel that residents are equally responsible for constructing and preserving their community. From the respondents' stories, it appears that they have a clear sense of belonging and dedication to organising their collective lives in war conditions. The interviewees' frequent emphasis on their devotion to the Rojava political unit signifies that, for the stateless respondents, a sense of belonging is the critical element of citizenship

⁷⁸ Military services are obligatory for citizens, and making these groups prohibited is a kind of exclusion from citizenship affiliations to the state.

and membership to a community, rather than, for example, the holding of an ID card.

While detachment from the State that denied and victimised stateless Kurds had led to social distance between them and their former fellow citizens, after the implementation of the self-administrative system, the concept of belonging underwent a conceptual transformation. The conventional understanding of citizenship views belonging to a nation-state as closely linked to the state's territorial delimitation and the historical-cultural imagination of the nation. In contrast, in Rojava, a conception of belonging has developed that is neither territorial nor historical-cultural, rather, belonging is nurtured through participation in and commitment to the community. This community-based conception of belonging provides the foundation for stateless people to negotiate, intervene in and make claims to citizenship. This has important implications for citizenship, as Claire Rasmussen and Michael Brown confirm: '[C]itizenship [is] not to be considered an identity possessed by subjects but [is] an activity that constructs identity.'⁷⁹

Other issues essential to the experience of citizenship by the stateless people in Rojava are identity and recognition. The interviewees' statements reflect that citizenship, above all else, is about being recognised as an equal member of the community. In the Syrian Arab Republic, ethnicity has been the criterion used to draw the boundaries of citizenship. Kurdish identity has been denied and the Kurdish people have been recognised as 'outsiders' by the Syrian State. Due to their identity, Kurds have not been accepted and included as citizens and they have lost the chance to be recognised as equal members of Syrian society. Kurds confronted discrimination, exclusion and suppression. Sobhi says:

We were isolated objects in a prison. As Kurds and as *Maktoum* we suffered multiple deprivations. If you want to know the truth ... we went through all this misery because we are Kurds.

The Syrian State's exclusionary treatment of Kurdish people is a citizenship policy of discrimination based on ethnicity. In this respect, Brubaker correctly thinks that '[t]he politics of citizenship today is first and foremost a politics of nationhood'.⁸⁰ He explains that in modern nation-states, citizenship is more of an institutionalised instrument, permanently under construction, used to define boundaries of national identity. In contestations about citizenship, the imperative question is not 'who gets what?' but 'who is what?'⁸¹

In the AANES, the identity barriers of state-defined boundaries are eliminated. Democratic confederalism defines citizenship not as a fixed identity in relation to a state which allows a particular group to have privileges, but as an activity which can be performed by everyone with any background. In this project, individual and collective identities are not debilitated but recoupled in a horizontal setting to include all members in the organising of the community. This allows individuals and groups to claim their rights without losing their identity.

⁷⁹ Rasmussen and Brown (n 45) 182.

⁸⁰ Brubaker, *Citizenship and Nationhood* (n 62) 182.

⁸¹ *ibid* (emphasis omitted).

VIII RELOCATED CITIZENSHIP

As the sociologically informed analysis in this study demonstrates, in the context of Rojava, citizenship is no longer confined to rights provided by the state and obligations owed to it, but is rather expressed through the participatory self-organisation of the community. In this system, the top-down organisation of power in the nation-state model is replaced with horizontal administrative blocks of people organising their own lives according to their needs and the social composition of the community. The horizontal arrangement of the social government in the AANES offers an alternative way of rethinking citizenship by disconnecting it from an individual's relation to the state. The democratic autonomy conceptualisation of citizenship is based on the idea that individuals are social subjects and, as such, individual members stand equally in relation to each other and actively engage in governing their collective. Recentring citizenship in such a way problematises the narrow and limited understanding of citizenship as only granting legal status, and brings a new democratic perception of citizenship to the fore.

This reimagining and recentring of citizenship inspires the reshaping of relationships between individuals and institutions to subsequently create new social and political landscapes which facilitate the inclusion of all groups, including stateless persons. This group practices citizenship through activities aiming to reach the explicit goals of community survival, equality, community invigoration and self-government.

Nevertheless, data collected in this study confirms that as long as citizenship continues to originate from Syria's existing ethnic hierarchy and continues to distinguish and exclude non-citizens on that basis, the struggles for stateless people will remain unbridled. Given the fact that the AANES, as an unrecognised federal part of Syria, adheres to state regulations of citizenship, evidence collated in this study exposes a highly controversial situation as it brings out the conflict between the nature of the statist citizenship implemented by the Damascus Government and the non-statist membership of the Rojava system. In the internationally accepted system of nation-states, the state is the only sovereign site of citizenship legislation in terms of granting citizenship status and associated rights to citizens. The AANES exists as a political sub-state subject to the Syrian nation-state, with the latter's ethno-national regulations over citizenship affecting all aspects of the everyday lives of those falling outside of its boundaries.

IX CONCLUSION

Right after independence, Syria introduced itself as an Arab nation-state and designed rules specifically to exclude Kurds from citizenship. A great number of Kurds in northern Syria were stripped of their citizenship owing to a poorly implemented registration process. Individuals lacking citizenship status were classified into two groups: the *Ajanib* and the *Maktoumin*. This study looked at the lived experiences and perceptions of citizenship by stateless Kurds in Rojava before and after the establishment of the AANES. This empirical research study aimed to explore how the individual and social living situations of stateless Kurds have been shaped by two distinct political systems: the Syrian State and the AANES. Data was collected through conducting online semi-structured interviews. I illustrated a picture of the historical formation of statelessness in

Syria before providing an overview of the ideological background of democratic confederalism as a form of stateless democracy and its implementation in northern and eastern Syria. Contrary to conventional understandings of citizenship, which associate it with an individual's already settled relationship with the state, the democratic autonomous model of citizenship abolishes the monopoly of the state over citizenship. It was, however, necessary to answer the question of what citizenship as a concept means. Consequently, this study has theoretically examined the conceptualisation of citizenship as its core question. This was followed by a brief discussion on how citizenship has been characterised and historically connected to the nation-state.

Stateless Kurds, for several generations, have been denied many rights that their fellow citizens enjoy. These have included political rights, such as the right to vote, and civil rights, such as the rights to own property and to legally register marriages. The deprivation of education was the most remarked upon exclusion by the respondents. Both *Ajanib* and *Maktoumin* reported a wide range of exclusionary treatments, although the *Ajanib* had a slightly better position as they had the opportunity to claim citizenship status.

The focus of this analysis subsequently shifted to the democratic confederalist experience of citizenship which is about participatory community organisation and the development of a sense of belonging. It was discussed that when the Social Contract in Rojava disconnected citizenship from the State and reformulated it in terms of relationships among people, diverse groups obtained the opportunity to reposition themselves within society. They engaged in the political and social building of their community regardless of their status. Membership was redefined by decoupling it from state boundaries and connecting it to heterogenic relations within the community. By evoking the active side of citizenship and promoting non-conditional participation to the polity, belonging was expanded beyond official state recognition. It should, however, be borne in mind that Rojava, whilst still within the framework of the Syrian nation-state, continues to lack sovereign power over citizenship. The central government in Syria controls citizenship boundaries and distributes rights in accordance with these boundaries. As such, this continues to be an area of exclusionary statist acts which keeps stateless people in a precarious situation.