Working Papers

Paper 125, January 2016

Stateless Kurds and their multiple diaspora

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The IMI Working Papers Series

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- analyse migration as part of broader global change

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Abstract

This article argues for a new approach to understanding statelessness. It explores the limits of international laws on statelessness and the relationships between statelessness, diaspora and nationalism. It discusses how the condition of statelessness has affected Kurds, and how statelessness has been constructed and experienced at an individual and collective level in the diaspora. It argues for an expanded definition of the international laws of 'stateless' person: adding to the accepted *de jure* and highly contested *de facto* definitions, by also suggesting a third, new, category of 'socially stateless' people. The article examines the concept of diaspora itself from the perspective of Kurdish interviewees and explores how, for stateless groups like Kurds, 'living in diaspora' can mean more than one place, including their land of origin. It will suggest the concept of 'double' or 'multiple' diasporas, where stateless people do not feel that they belong either to their country of origin or to the country in which they now live. This article discusses that when an ethnic community is stateless, then even those individuals who have an official nationality, citizenship or passport, may often describe themselves as stateless. The relationship between statelessness, diaspora and nationalism is highlighted; and the impact of this on diaspora involvement in homeland politics, conflict and peace is explored. The article also argues that the lack of protection which international law(s) offer around statelessness paradoxically create new forms of nationalism.

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1 Introduction

In August 2014, Yazidis in Shengal, a Kurdish ethnic minority from a Kurdish city in Iraq, faced a genocide attempt by the Islamic State of Iraq and Syria (ISIS). Hundreds of thousands of Kurds fled to the mountains in an attempt to save their lives; thousands were killed, died of starvation, or were raped or sold into slavery. Just a month later, in September 2014, ISIS captured hundreds of Kurdish villages in northern Syria. Thousands more Kurds were killed and more than 200,000 were forced from their homes to seek safety. The majority of the city of Kobane was controlled by ISIS for months before being liberated by Kurdish forces at the end of January 2015. Eighty per cent of Kobane was, however, destroyed by ISIS's heavy weapons and coalition airstrikes. The city was left with no access to electricity, water supply or sanitation. Food supplies continue to be insufficient and everyday basic services were, and still are, severely limited. As has occurred repeatedly through the twentieth and twenty-first centuries, these ongoing massacres have forced thousands of Kurdish refugees to flee their Middle East homelands in an attempt to secure safety across the borders of the Middle East and further outside the region. At the same time, thousands of Kurds from the diaspora and Turkey crossed into Syria and Iraq to fight for and with the Kurds there, to try to stop the massacres escalating further.

This article discusses how the condition of statelessness has affected Kurds, and how statelessness has been constructed and experienced both at an individual and collective level in the diaspora by Kurdish migrants. The Greek origins of the word 'diaspora' refer to both forced and voluntary migrations (Cohen 1995, Al-Ali 2007a and 2007b). The concept was used for a long time to refer to stateless Jews living outside of Palestine (Cohen 1995 and 1997, Sheffer 2002). Later, it has been used to describe many displaced and under-theorised communities (Cohen 1997), including Armenians, Palestinians, Roma and, more recently, Kurds and Tamils. This article examines the concept of diaspora from the perspective of Kurdish interviewees. It explores how, for stateless groups like Kurds, 'diaspora' can mean more than one place – including their land of origin. It will suggest the concept of double or multiple diasporas, where stateless people do not feel that they 'belong' to their country of origin or to the country in which they now live. For them, both places represent a diaspora. Many of the concepts explored here may be applicable to other stateless peoples.

This article will explain that even those members of stateless ethnic communities who have an official nationality, citizenship or passport can be described as stateless. The discussion presented in this article moves beyond the individual level of statelessness posited under current international law, for which citizenship might be identified as a potential solution. Instead, it focuses on a collective entity which the existing international laws fail to grasp: of social statelessness. Either national self-determination or a form of citizenship which is protected by new or different international laws is arguably needed to 'resolve' the situation of statelessness. The complex interactions between statelessness, diaspora and nationalism, whether that be 'weak' or 'strong' nationalism; and diaspora involvement in homeland politics, conflict and peace are therefore also highlighted.

This article primarily examines the experiences of the Kurdish diaspora living in the UK and Germany, tracing their experiences of displacement and dispossession in their original homeland, as they move into, and within, diasporas. Their mobilisation, immigration and citizenship experiences are also highlighted throughout this article. The article also argues that the lack of protection which international law(s) offer around statelessness paradoxically create new forms of nationalism.

In order to explore Kurdish individuals' and families' experiences of statelessness and diasporic identity and their involvement in homeland politics, the research was carried out between April 2014 and May 2015. There were five focus groups and in-depth, open-ended qualitative interviews with 40 individuals; in total, research was conducted with 67 Kurdish adults, of whom 32 were women, and 35

were men. In addition, participant observation took place by following community activities and events in the UK and Germany throughout this period, using a multi-sited ethnographic approach (see Marcus 1995 and Fiddian-Qasmiyeh 2013). Media coverage about conflicts in the different Kurdish regions in the Middle East was followed on a daily basis, and modern communication technology, such as social networks, was also used and regularly monitored.

2 First definition of statelessness: *de jure*

Since the establishment of nation states and the introduction of citizenship, passports and legal documents, statelessness has been recognized to be a major legal and political problem for many people around the world. Currently, stateless groups include denationalised Kurds in Syria and other Middle Eastern countries; many Palestinians; the Roma in central and south-east Europe; Tamils in Sri Lanka; the Bidun in Kuwait and around the Middle East; Biharis in Bangladesh; Haitians in the Dominican Republic; and several ethnic and social groups from the former Soviet bloc, including the Russian minority in the Baltic states (Lynch 2005, Southwick and Lynch 2009, Molnar 2012). In Europe today, there are estimated to be around 640,000 stateless people, without any formal citizenship (Hammarberg 2008). All of these stateless people suffer from discrimination. In practice, if not in theory, they live in a legal limbo because of state laws which not only regulate marriage and birth registration, but can expel people from their own territory following political changes.

The concept of statelessness has been part of both political and academic debates in recent years. Within the context of the global North, for instance, members of some stateless groups who moved to live in Western countries have been mobilising to lobby for their rights, trying to raise awareness for their situation, both at home and abroad. For example, they have highlighted the extent to which they have been culturally, legally, and politically oppressed by the dominant ideology of the nation states which exclude them from the body politic.

Today, more than 10 million people around the world are described as stateless according to the legal definition of statelessness. However, this number only includes those who are described as *de jure* 'stateless persons' under international agreements. There are no Europe-wide regulations or agreed definition for statelessness within the European Union (EU); rather, different EU member states have different regulations on this matter. For example, the UK, France, Italy, Spain, Hungary, and Latvia have all developed separate national legislation regarding statelessness. The definition of statelessness is therefore unclear: it is described differently by international and national legislation, and also by academics and practitioners. In practice, there are two conceptual approaches to statelessness.

The first applies to those who do not have any legal documents to prove their citizenship, including those who at one point did have these documents but lost them for political or other reasons. According to Article 1 of the 1954 United Nations Convention relating to the status of stateless persons, 'a person who is not considered as a national by any State under the operation of its law' is described as a stateless person. These people can be considered as *de jure* stateless persons, although the term *de jure* is not used in the Convention itself, but was later used in the UN Guidelines on Statelessness.

Some Kurds are 'legally' considered to be stateless persons under the 1954 UN Convention's definition. More than 300,000 Kurds living in Syria today were stripped of their citizenship following Law No. 93, which was issued in August 1962 and which ordered an exceptional census to be carried out in the Hasakeh governorate, northeastern Syria. The official government rationale for this census was to establish how many people had crossed the border illegally from Turkish Kurdistan after 1945 and to identify 'alien infiltrators'. In reality, this law affected people whose families had lived on the spot for hundreds of years, if they could not provide formal proof of residence (Human Rights Watch

1996). Following the census, all of these denationalised people were designated as 'foreigners' under Syrian law and this situation continued under subsequent Syrian governments. The affected people were not only labeled as foreigners, but became undocumented and 'invisible'.

Officially, 120,000 Kurds – or 20 per cent of the Syrian Kurdish population – lost their citizenship as part of this regional programme, which was deeply implicated with the state-sponsored process of Arabization. This aimed to exclude non-Arab minorities from the nation-state. In reality, more than double this number were affected. Natural population growth has meant that this number has in fact increased, so that in 2011, it was estimated that around 750,000 Syrian Kurds were without citizenship (Altug 2011). Ironically, the initial withdrawal of Syrian citizenship occurred just one year after the 1954 UN Convention came into force in 1961. Without any documents, these stateless Kurds are unable to move anywhere and are locked into a 'prison-like existence'. They did not benefit from the most basic rights of freedom of travel, education, political participation, legal marriage, or property ownership. They lived without official existence and as their children grow up, the next generations have to face similar issues. While children typically inherit their parents' and grandparents' statelessness, many families were divided, with some family members – often with the help of bribes to Syrian government officials – managing to gain citizenship, while others did not (Lynch and Ali 2006). Some Syrian-born Kurdish children were accorded Syrian nationality; while other members of their family and other relatives continued to be stateless aliens, suffering without any nationality and with their rights forever challenged. Human Rights Watch (1996:3) states that '[b]rothers from the same family, born in the same Syrian village, were classified differently. Fathers became foreigners while their sons remained citizens. The number of stateless Kurds grew with time as descendants of those who lost citizenship in 1962 multiplied.'

The UN and other international organisations did not press the Syrian state to resolve this issue until very recently. They maintained political and economic relations with successive Syrian governments, even though these governments refused to follow international agreements. This is an example of how international legislation, such as the 1954 UN Convention, has not been applied in practice. Consequently, as other countries realise how ineffective international laws are in practice, they have often followed suit with similar procedures to deny citizenship rights to specific ethnic minority communities. For instance, approximately 100,000 Kurds residing in Lebanon do not have Lebanese citizenship today (Southwick and Lynch 2009). Thousands of Feili Kurds, who were denationalised and expelled from Saddam Hussein's Iraq during the 1970s and now live in Iran, are without any nationality or legal protection (Tan 2008). Furthermore, the 1980s Kurdish uprisings in Turkey, Iraq and Iran meant that many more Kurds have lost their citizenship due to the changing political environment and local conflicts.

With this long history of denaturalisation and marginalisation in mind, it is notable that at the beginning of the 2011 Syrian civil war, the Bashar Al-Assad regime granted a form of limited citizenship to many – but not all – of the Kurds who had been stateless in Syria for decades. This was not because the Syrian state had fundamentally changed its view of the Kurds. Rather, Al-Assad urgently needed support for his regime and wanted help from secular Kurds for his war against various religious groups, including the so called 'Free Syrian Army', ISIS, Al-Nusra and Al-Qaeda. However, the 'new' Kurdish citizens of Syria have still not been granted even minimal minority rights, such as cultural or language rights. According to individuals interviewed for this project and who had formerly lived in Syria before arriving in the UK or Germany, Kurds – whether they have technically become a Syrian 'citizen' or not – find it especially difficult to start a business, to buy or rent a property or car, and inherit or transfer their wealth to their children. Even those Syrian Kurds who have now obtained official papers still find it difficult to travel abroad: many countries are unwilling to issue the necessary

visas usually required by Syrian passport-holders. Since Syria currently verges on becoming a failed state, Kurds and some other minorities living in that country do not have access to effective healthcare, education or employment.

The ongoing discrimination and lack of political, social or economic rights provide at least a partial explanation of why Kurds do not trust any of the factions in Syria, Turkey or elsewhere in the region and want to create their own independent, or at least autonomous, region.

Although Kurdish political parties have until recently stayed at arms-length from those parties participating in the Syrian civil war, since 2011 Kurds in the Rojava region of northern Syria have taken advantage of their new *de facto* autonomous status, however limited it may be. They have aimed to create a pluralistic, canton-based 'autonomous' region where they can exert their own cultural, linguistic and legal rights, much like their Kurdish brethren in northern Iraq. The city of Kobane, which changed international attitudes about Kurds after the local struggle received so much media coverage for so many months, is in one of the cantons of Rojava region.

Syrian Kurds are mostly Sunni Muslims. However, they are generally recognised to be moderate and secular – and they have built their autonomous region on the basis of legal and political pluralism (Tas 2014, Romano 2014). However, this new development by Kurds in Syria is considered by the Turkish government and religious groups such as ISIS to be a dangerous development which challenges their own existence.

3 *De facto* statelessness

In light of the ongoing discrimination and persecution experienced by Kurds whose citizenship was recently reinstated by Al-Assad, it could be argued that these Kurds remain *de facto* stateless. The notion of *de facto* statelessless refers to individuals who, formally, hold citizenship of a given country, but feel they cannot rely on that country to meaningfully guarantee and protect their rights. In 2010, UNHCR, at an Expert Meeting for the Concept of Stateless Persons under International Law, stated:

> *de facto* stateless persons are persons outside the country of their nationality who are unable or, for valid reasons, are unwilling to avail themselves of the protection of that country. Protection in this sense refers to the right of diplomatic protection exercised by a State of nationality in order to remedy an internationally wrongful act against one of its nationals, as well as diplomatic and consular protection and assistance generally, including in relation to return to the State of nationality.

However, this definition is not recognised by any international agreements and *de facto* stateless persons are not protected in the same way as those who are *de jure* stateless. Under the 1951 Refugee Convention, some people who are either *de facto* or *de jure* stateless may be eligible for international protection as refugees. However, the Convention does not address the concept or practical situation of *de facto* statelessness and does not cover all situations where there is a lack of national protection.

Indeed, when the status of stateless persons was discussed in the 1954 UN Statelessness Convention, then instead of expanding the definition of statelessness to include those who are *de facto* stateless, law makers limited the rule to *de jure* stateless persons and left the decision to nation states as to whether to extend its benefits to *de facto* stateless persons in the Final Act. This stated that:

> [T]he Conference recommends that each Contracting State, when it recognises as valid the reasons for which a person has renounced the protection of the State

of which he is a national, consider sympathetically the possibility of according
to that person the treatment which the Convention accords to stateless persons.

Many academics and legal practitioners agree that, in practice, it may be difficult to include *de facto* stateless persons under the 1954 UN Convention. For that reason, 'de facto stateless persons… may fail to receive any protection guaranteed under the 1954 Convention.'

During my research with Kurds in the UK, I interviewed several members of the community who officially have Turkish, Iranian or Syrian nationality, but who are unable to return to these countries because of their political views. Some, but not all, of these people may be considered to be refugees under the Refugee Convention, and yet none of them are eligible to benefit from their stateless status because they still hold Turkish, Iranian or Syrian nationality. Although these Kurdish people are still citizens of these states, they can be considered to be *de facto* stateless persons given that they are unable to use their legal right to return to their homeland; their citizenship rights are ineffective and unequal to those of other citizens of the same state. They cannot rely upon formal connections for any of the usual protections afforded by nationality. Perhaps most fundamentally, they do not regard themselves as Turkish, Iranian or Syrian citizens. For all of these reasons, they are the victim of multiple violations of their basic human rights. As *de facto* stateless people, they are, however, not protected under the Convention's definition of statelessness. This is not just a problem for Kurds, but affects millions of people around the world, including Tamils, Palestinians, Roma, Bidun, Chechens and many more. In recent years, UNHCR has also recognised this lack of legal protection, stating that a 'recommendation was included on behalf of de facto stateless persons who, technically, still hold a nationality but do not receive any of the benefits generally associated with nationality, notably national protection.' However, *de facto* statelessness, as Van Waas (2008:27) states, 'may be counterproductive since it has no legal significance. Moreover, ongoing disagreement on the scope of the term "statelessness" can have a highly disruptive impact on the implementation of the relevant international standards.'

De facto stateless persons do not have to leave their country of birth or lose their nationality to 'become' *de facto* stateless. Kurdish people living in the almost failed states of Syria and Iraq are a good example of this. When Kurds were attacked by ISIS in both countries in 2014, they were not defended by either state. Their nationality rights are certainly limited, unprotected and weak – as they all too clearly know. Paul Weis (1962), speaking at a United Nations Conference on the Elimination or Reduction of Future Statelessness more than fifty years ago concluded: 'The borderline between what is commonly called *de jure* statelessness and *de facto* statelessness is sometimes difficult to draw.'

4   Diaspora and a third definition of statelessness: social statelessness

Especially in the last half of the twentieth century, 'the movement of people – both individuals and larger communities – has become more frequent… than at any other time in history' (Tas 2014:18). Most of this movement is the result of individuals experiencing social and economic difficulties, particularly following conflict and war. Some of these people may feel able to return to their original homes when peace returns, bringing with it security, as well as improved social and economic opportunities. However, people from ethnic groups who consider themselves to be stateless, who have been de-territorialised, and who continue to face conflict with their state of origin, feel that they are living in a diaspora regardless of where they now reside. Not having a state of their own may be one of the main reasons why many people move to different parts of the world and create a transnational identity. Experiences of alienation, depression and being regarded as the 'other' are very similar wherever they live.

For that reason, this article suggests a third category of statelessness: social statelessness. *De jure* and *de facto* statelessness are both focused on the legal connections between individuals and the state. However, statelessness is not just an individual problem. For members of some ethnic minority groups, especially those who consider themselves stateless, even legal connections with a state and formal citizenship may not be enough to feel part of that state, with secure nationality. For these people, statelessness is a social fact, and a collective or community problem. That is why the terms *de jure* and *de facto* are not enough to explain the loose citizenship relations that some communities or minority groups have with a state. When individuals or families have insecure relations with the state of their birth, this may be a key reason to move abroad to live in the diaspora. They then often also have a weak connection with their new host country, even when they have legal documents or citizenship. There are many examples of states removing individuals' citizenship when they do not like their behaviour or if he or she has different political views or criticises a government. Since there is no strong international protection which would ensure that the citizenship of a nation state is secure, increasing numbers of people feel unsafe and as though they are living in diaspora conditions.

For stateless people, though, the diaspora is not just a new home away from an old home. For them, their 'old home', the place they or their family come from, was not comfortable, let alone 'homely'. We are not talking simply about voluntary emigration to a diaspora. Many stateless people have been subjected to forced migrations, displacement, and social and political marginalisation in the many places they have lived. According to several of my Kurdish interviewees, because of their statelessness, they do not feel fully in control of their lives, wherever they are. Sometimes, London or Berlin can actually feel more comfortable for Kurds than Istanbul, Antalya or even Diyarbakir. At least in the West, Kurds may often act more freely.

People who are in the condition of being socially stateless live in double or even multiple diasporas. Some of these socially stateless people feel that they need to mobilise against the dominant, majoritarian regime so that their stateless condition can be addressed. They do not feel safe or have a sense of belonging. This is not simply a personal choice – but a response to how they see themselves being regarded as 'other' by both the majoritarian public and by governments. This may affect social, economic and legal connections between these individuals and communities and the state where they live. As my previous research showed, individuals and communities in these circumstances create alternative organisations, which fulfil some of the functions of states, to satisfy their own needs (Tas 2014).

Statelessness and life in the diaspora link with and feed into each other. Kurds living in the diaspora in Europe, including those in the UK and Germany, are there not only because of their legal, political and economic reasons, but also – and perhaps primarily – because of their and their families' stateless condition in their country of origin, including Turkey, Syria, Iraq, and Iran. Of course, some people with secure citizenship also move to live in a diaspora. However, for those individuals and families, such movements are often voluntary in nature, and individuals can usually use their passports to return to their original nation state whenever they choose. For socially stateless people, however, the situation is different. Even if they want to, they usually cannot return because of their lack of official documents, or legal and political disconnections with their homeland state. To formally have citizenship may not change the feelings of people who consider themselves to be stateless.

During my fieldwork with Kurds in the UK and Germany, the majority of my interviewees described themselves as being stateless, despite holding one or more citizenships. They find it difficult to see these legal connections as a guarantee for continuity in their day-to-day life. Rather, they describe themselves as not having any nation state that they can feel is their own. They either do not have any

legal and political connections with any state; or those who do have connections, cannot return to their homeland. One of my interviews from south (Iraqi) Kurdistan described this situation as follows:

> Stateless people are not important for the state they live in. They are always seen as a little object. Stateless people need to have their own state to end this. There is no state for us today. Saddam attacked Kurds brutally. The Turkish, Iranian and Syrian states have been similarly brutal to the Kurds. Most recently ISIS slaughtered thousands of Kurdish civilians in Iraq and Syria, but the world has just watched, and goes on watching. They may give a little attention, but they forget us very quickly. Kurds are an easily forgotten people.

Conflicts over the past thirty years in the Middle East have increased the feelings of alienation and a sense of living in limbo for many Kurds. This 'stateless condition' is clearly associated with the absence of a state, and not merely the absence of citizenship (Fiddian-Qasmiyeh 2014). According to Salih Muslim, the leader of the Kurds in Syria, not having a state of their own, creates 'inhuman' conditions and little chance for Kurds to oppose their attackers.

'Where are you from?' or 'Where is home?' are therefore two of the most difficult and disturbing questions for stateless people to answer. If asked by someone from the same ethnic group as themselves, they may name the city where they originally came from. If someone of another nationality, for example a British person, asks similar questions, a Kurd from Turkey may say that they are from Istanbul even if this is not the case. People from Iraqi Kurdistan usually say that they are from Kurdistan. People from Syria now name their homeland as Rojova (the northern region of Syria where many Kurds live). The aim of using all these different descriptions or imagined names is to avoid mentioning the state's name, even though they may still have a legal connection with it. This distinctive local name is purposely not the same as that of the state. One of my Kurdish interviewees from Turkey explained that he does not have any positive memories of the Turkish state where he was born and so never wants to hear its name. He continues:

> When my birthday comes and my friends celebrate it, it makes me sad. I hate my birthday because it reminds me of where and in which condition I was born. It reminds me how powerless I was, without my own identity and without my own language. It reminds me of the assimilation policies of the Turkish state. It reminds me of my statelessness in my own land. I wish I was not born there. I wish I'd never spoken their language. I want to get rid of all the discrimination I faced there. I want to forget, and create new memories. But it is not possible. I carry these bad memories, these burdens, with me. Sadly, my child will learn some of them from me and he will hate the Turkish state too.

Struggling with these issues, stateless people create and re-invent collective memories and myths about their homeland (Safran 1991, Fiddian-Qasmiyeh 2013). These memories migrate with individuals and families and, as noted by my interviewees, they are passed between generations. Even when migrants live in Western countries, and even if they hold a citizenship of a Western state, they often still feel stateless. They do not feel secure, let alone comfortable. They may have exaggerated or otherwise inaccurate memories of their original homeland and politics, which are further transformed with each re-telling of the stories into new myths and mystical atmospheres. These continue to reshape and multiply representations of the past. Zerubavel (1995:214) describes how there are 'multiple representations of the past over time or by different groups… [W]hile some aspects of the past are uncovered or shift from the margins to the centre of our historical consciousness, other aspects of the past are marginalized or fade into oblivion.' Novel hybrid or selective homeland 'memories' or myths are extremely important for political activity and other acts of mobilisation. Said (2000:185) suggested

that 'collective memory is not an inert and passive thing, but a field of activity in which past events are selected, reconstructed, maintained, modified, and endowed with political meaning.' One of my interviewees explained that:

> I am from South Kurdistan and I am British now. I don't have any other citizenship. I do have an Iraqi passport. But that doesn't count. It's the passport of a failed state. I'm like a Jew in Germany in the 1930s. They were there for centuries, but it didn't save them. If the UK cancels my citizenship, gets rid of people like me, then I don't have anywhere else to go. Even if everything goes perfectly, I'm never going to be equal to my white British friends. Nobody asks where they are from, but even though I arrived here when I was a little baby, grew up and was educated here, and speak perfect English without any accent, I'm still asked where I am from. I'm not really part of here. And my children won't be either. We're stuck in limbo. And this shows that we are stateless. I don't feel that any state is going to guarantee or protect my rights. If they want to get rid of Turks, Chinese or Russians, these people have a place to go. But I don't. Where can I go? My land is ruled by others. I am a stranger and stateless in my own land. If ISIS catches me, the British government is not going to protect me like they would if I was white and really British.

Beliefs like this show that statelessness is not simply a legal issue. It represents a social and emotional disconnection with the state where individuals and families live or used to live. There may be strong 'travelling' memories (Fiddian-Qasmiyeh 2012). However, the official lack of a homeland or state, and the weak connections with any real place, shape daily life, culture and identity for many stateless people. When even holding official British papers does not make a stateless person feel comfortable, this represents a strong barrier to integration. Even if they want to assimilate, research with Kurds and Palestinians alike indicates that stateless people often do not feel as though they are fully accepted into a new identity. This underlines how assimilation or integration has to work both ways: the incomer has to be ready to accept the culture of their new home – and those living in the host state have to be ready to positively accept, rather than merely tolerate, the migrant. Both processes have to happen if assimilation or integration is to be successful. Otherwise the migrant will stay on the edge of life in their new country, while remaining emotionally connected to a mythical version of their homeland.

5 The politics of diasporic identity: conflict and peace

When I asked a Kurdish woman in London how being stateless and living in the diaspora has affected her daily life, she answered me with another question: 'Which diaspora do you mean?' When I changed my question to ask: 'What does diaspora mean to you?' she answered:

> We [Kurds] have several diasporas. The place where I was born belonged to me, belongs to Kurds, but I didn't have any rights there as a Kurd. We were under a strict state regime and they could do whatever they liked to us. It was a terrible time. That was a diaspora for me. My life was not safe. I was not happy. I didn't have any power over my own life. I had no freedom. I couldn't even speak my own language. Then when I moved from Dersim [a city in eastern Turkey] to Istanbul, I faced the same issues all over again. Members of my family, my father, my brother and my sister, went to jail several times because of their Kurdishness. All of this happened because we don't have our own state. We don't rule ourselves. I was ruled by others in my own land and home. Istanbul was another diaspora, a double diaspora, for me. And coming to UK meant yet another diaspora. To be honest it was less harsh than what I faced in Turkey. Ok, I did not have my legal documents or any papers for a long time. I

did not have an ambassador [i.e. a Kurdish diplomat] to help me. I was stuck in limbo, in another diaspora, for what felt like forever. But at least I know, this is not my land and I am a guest here, it is a *gurbet* [diaspora] for me. I will be in the *gurbet* until I have my own state. Diaspora is part of our skin; it follows us wherever we go, where we live. Until we have our own state.

Another interviewee, a Kurdish political activist from Turkey, explained to me:

[S]tateless people are the orphans of the world. They do not have a real home. They do not belong anywhere. They are born in a diaspora and they will die in a diaspora. Everywhere is diaspora for them. It doesn't make any difference where they are.

These two respondents' comments show that many Kurds are adding a new dimension to the way the word 'diaspora' is usually understood, and thereby stretching the concept. Another Kurdish man from Turkey asked: 'Is there any diaspora for British, German, American, Canadian or Russian people who, like us stateless people [Kurds] are full of sadness, loneliness and betrayal?' He then answered his own question: 'No, I have not heard of any Americans living in the diaspora of Turkey or England who are sad and lonely, and who queue on state borders to save their own lives.' He continued:

Gurbet [diaspora] is for people like us, for the stateless, for people who are alone and powerless. Tamils, Roma, Palestinians and Kurds, who don't have their own state, their freedom, who die every day for their basic rights, they live in the *gurbet*. But an English person, who lives in another country, for example in Turkey or Dubai, they are not in a *gurbet*. What is he missing? Nothing! He has his freedom. He has a strong state behind him. He may miss cheddar cheese or teabags, but that is it. That is the only thing missing from their life. But we, stateless people, cannot even move over borders freely. I wanted to attend my father's funeral in Turkey. But I couldn't. Because I am a political refugee here and if I went they could arrest me. Look, I couldn't even show my respects to my dad. It's a basic human right. My homeland is ruled by others, so it can't be a homeland for me. Today my identity is forced. My nationality too. I am even not allowed to speak my own language and give my own child the name of my choice in my own land. *Gurbet* is our destiny today.

Gurbet is the Kurdish and Turkish term for the diaspora, the place where someone is living for a short or long time that is not their original homeland. As explained eloquently by this interviewee, the word implies sadness, loneliness and emotions related to the alienation and foreignness felt in a 'temporary' host location, especially when it is not known how long the exile may last. Many of my interviewees talked about their experiences of *gurbet* instead of diaspora, since the former refers more specifically to the community to which one belongs abroad (Tas 2013a, 2013b, 2014). Indeed, 'diaspora' does not mean the same for Kurds or other stateless groups as it does for Turkish, Irish or Chinese individuals and families who live outside their states of origin. Rather than referring to the Kurdish diaspora, it might therefore be more appropriate to refer to a *gurbet* for Kurds who are away from home especially since, as Werbner (2002) argues, each diaspora is unique. It might therefore be better to describe this uniqueness with a culture-specific concept. I have argued elsewhere that 'as for other diaspora communities, many Kurds – even those born in the UK and Germany or who have lived here for decades – feel that their real home is not in the *gurbet* and imagine returning to their homeland "when conditions are right" as they simultaneously develop new identities within their new place of settlement' (Tas 2014: 70).

Furthermore, it can be argued that people do not have to physically cross a border to be in a diaspora. They can feel as if they are living in exile conditions, and can experience trauma and nostalgia, even while living in their homeland if they are forced to follow the rules and culture of others and do not feel safe about their nationality. In a situation like this – a situation of dispossession, marginalisation and oppression – it can be hard to establish where diaspora or exile begins or ends. There is an active process in people's lives and memory which is akin to the feeling of statelessness. As individuals and families move to new places, they inhabit double, or multiple, diasporas.

6 Statelessness, diaspora and nationalism

In such contexts of dispossession and oppression, it can be argued that statelessness, diaspora and nationalism are strongly connected in so far as statelessness and diaspora can be seen to feed nationalism. The 'weak' nationalism of stateless people, including Kurds, has been part of academic debate in recent years. Many Kurds believe that Kurdish people, both as individuals and as a community, have not been 'strong' enough nationalists, because they have not been successful at establishing their own state. A common perception amongst Kurds is that, since they don't have a strong religious identity, they need to strengthen their nationalism. Ismail Besikci, a well-known Turkish academic who has researched Kurdish issues for decades, has asserted that: "Kurds are not good enough nationalists. They should not be as democratic as they are today. It's too much. It is not Kurds' business to make Turkey a more democratic country. They need their own state first. So for that reason Kurds should be more nationalist if they want to end their statelessness." In contrast, some other Kurds argue against stronger nationalism, worrying that it may easily become narcissistic nationalism and that this could be worse than so-called fundamental religion. Instead, they believe that Kurds need to become more democratic than they are currently. For example, when Abbas Vali, another well-known Kurdish academic, commented on my presentation at SOAS (24 April 2015) of Besikci's statement, he said that "I have to fundamentally disagree with Besikci. Kurds are not democratic enough." Kurds who want to promote a more advanced form of democracy are especially concerned about the rights of women and other powerless groups. Kurds like Abbas Vali even want to champion the right to be heard for those people who hold political views in direct opposition to their own.

Abdullah Ocalan, the leader of the Kurdistan Workers' Party (PKK), who has been imprisoned by Turkey since 1999, has called on all Kurdish people around the world to unite, to show resistance, and to increase their national solidarity against their enemies. He said: "Not only the people of Rojova [western or Syrian Kurdistan], but also everyone in the north [Turkey] and other parts of Kurdistan should act accordingly" (Letsch 2014). Kurds who have left the various imagined homelands of Kurdistan, often take such a call for national solidarity especially seriously. They may act very quickly and emotionally. The ISIS attack on Kobane, which has cost thousands of lives and caused suffering to hundreds of thousands of people, is the first time in history that Kurds from different parts of the world have joined together to fight for the same cause. As part of this, and in spite of its internal heterogeneity, the Kurdish nation has declared a joint day of national remembrance for the timeless suffering they have and continue to endure. Kurds have declared 1st November to be 'World Kobane Day'. These efforts demonstrate a shift in Kurdish nationalism, from localized and weak nationalism to a collective, stronger form of nationalism.

In recent years, diaspora have been one of the most important engines of Kurdish nationalism, driving Kurds onwards to create a Kurdish state and end their statelessness. Living in different diasporas and not having formal or strong nationality links with any one country has meant that many Kurds have put their energy into working towards a future Kurdish 'virtual' state, and have remained focused on the politics of this goal. This is one of the reasons underpinning the re-shaping and re-sharpening

collective against the rules and governments in the dominant states they have migrated from. The diaspora is seen as a safe environment within which to organize – creating "long-distance nationalists" (Anderson 1998, Sheffer 2002, Schiller et al. 2001 and Schiller 2005) influenced by homeland conflict and policies, and the prospect of peace – as they carry on with their everyday lives.

As noted above, this research was conducted during the period when Kurds were under attack by ISIS in Iraq and Syria, and therefore at a time when emotions were running particularly high. While they were talking with me, most of my interviewees and focus group members were simultaneously, and very frequently, checking their smartphones, following the news on Twitter and Facebook, and either re-tweeting or sharing Facebook messages, pictures and YouTube videos that they considered important. A spokesman for Syria's Kurdish Democratic Union, Nawaf Khalil, described the ISIS attempts as an extraordinarily violent action against the Kurdish people (Aljazeera 2014). This was not even the first 'inhuman' or genocide attempt on the Kurds: a Yazidi community leader in Europe has listed 73 earlier genocides. According to Yazidi lawmaker Vian Dakhil, between August and October 2014, more than 25,000 Yazidi Kurdish girls were abducted by ISIS to be raped and sold. The Kurdish Regional Government (KRG) Representative in the UK, Bayan Sami Abdul Rahman, also noted that in the last 30 years, especially since the 1980s, there have been several genocide attempts against Kurds, for example at Halabja, Iraq. According to Sami Abdul Rahman, in August 2014 alone, more than 500,000 Kurds were displaced in Iraq and Syria. Tears flowed from the eyes of another of my interviewees when she answered my question about the experiences of Kurds in the contemporary Middle East:

> The whole of Kurdistan is burning. Look at Shengal. Look at Kobane. Kurdish people are left alone with no proper help. Our women are raped, our children are beheaded. The whole world stands by and watches this inhuman situation. Turkey, Iran, Iraq and Syria don't want an end to the stateless condition of Kurds. They want Kurds to remain in a weak and desperate condition.

Sad emotions, anger and victim psychology does not only refer to the current situation. Stateless people like the Kurds are only too aware of their long history of oppression: this is part of the 'travelling memories' already discussed as being continually re-imagined. One of my interviewees indicated:

> Stateless people do not have any friends. No-one will help them or even care much about their plight. Even the International Community does not care much about stateless people. Look at how Turkey is helping ISIS. They give them tanks and heavy weapons. Of course Turkey likes to do this. For at least a hundred years they have been doing to Kurds what ISIS is doing now. Turkey and other Arab countries are the masters of ISIS. Nobody is stopping them. We [Kurds] are trying to protect ourselves with very small guns, against very brutal machines. We have to remove all borders to help each other. We cannot trust others to help us; we should create our own state and pull down all the borders that divide us.

Kurdish political and protest movements in Europe, especially in the UK, are one of the most significant transnational movements attempting to end the misery in the homeland. They have made the world aware of the effects of ISIS attacks against Kurds in Shengal in Iraq, as well as in Kobane, Syria. In part of my ethnographic research with Kurds, I was told that several hundred young Kurdish men and women have travelled to Turkey and Syria from London and Berlin to fight, to help the Kurds. Many of these people are well-educated or work in well-paid professions.

People from the diaspora who cannot go to fight instead organise fundraising events, and take part in lobbying activities and demonstrations with the aim of persuading British and European politicians to help the Kurdish movements in Turkey, Iraq, Syria and Iran. To demonstrate their solidarity with Kurds, around 160 scholars working on Kurdish issues, many living in the diaspora, sent a joint statement to the world media in October 2014. In September and October 2014, some London-based Kurds even began a hunger strike for the Kurdish cause. Benedict Anderson (1998:74) is wrong when he claims that members of diaspora communities try to influence what is going on in their homeland without being physically involved in destructive conflicts. Members of Kurdish diaspora have left comfortable middle-class lives in London and Berlin to fight alongside other Kurds in Kobane (in Rojova, Syria), Kandil Mountains (in Iraqi Kurdistan), or Cudi Mountains (Kurdish regions in Turkey). Some of these men and women have already sacrificed their lives. The families left behind often do not even get the chance to bury the bodies – when these are destroyed in explosions. Instead, holding only photos of their loved ones, bereaved families remain active supporters of the Kurdish cause. Some bereaved individuals even go to join the physical fight. Statelessness is one of the factors reinforcing this cycle of violence.

In a diverse range of ways, individuals therefore try to establish a common movement influencing homeland politics. As they work together, they at least work within an imagined, virtual Kurdish state, even if the latter does not materialise in other concrete ways. However, it may be difficult to claim that all Kurds in the diaspora are similarly aware of what is going on in their homeland. As Menski (2011) says, there is a 'plurality of pluralities (POP)' within small groups such as Kurds. Age, gender and class are of course important, but even within one subgroup of migrants, there can be a variation in understanding of global issues, and a range of 'factors and diverse motivations, prompting people to become involved in similar activities' (Al-Ali and Koser 2002). Different assimilation policies in different countries will increase this diversity.

Referring to the close links within extended families, Kurds have been described as living in a 'tribal' community. Most diaspora Kurds, especially the early arrivals, came from small villages or towns without any strong educational or intellectual background. This plays an important role in the continuation of kinship and tribal type of social life, including marriage and business relations in the diaspora (Tas 2013, 2014). As Craig Calhoun agrees, when people know each other well within a local community, they can create strong traditions and customs. This makes for a strong bond between local people and the locality (Eliassi 2013:62). Individuals and families who have these sorts of bonds may be able continue a pluralistic society – with local traditions, customs, and languages – for a long time. However, it may also mean they have strong barriers against creating the sort of strong national identity and community which would have helped them to create their own state, and to end their statelessness. Without 'an imagined political community' (Anderson 2006), including strong solidarity 'in the name of nation' (Brubaker 2004), it is difficult to create a meaningful modern nation state. A Kurdish man in London, originally from the Turkish part of the Kurdish regions said:

> Stateless people are largely responsible for their statelessness. It is our fault. All stateless people, whether they be Tamils, Palestinians, Roma or of course Kurds, are not good enough nationalists. Nationalism is very important and necessary for us, for stateless people. We need to know our enemies and we must come together to make a strong national claim against our enemies.

Since Kurds have no unitary religious or linguistic identity, then many Kurds have claimed that the only way forward is to become much more nationalistic, and that unity through nationalism can be the only way to end their statelessness. As part of one of my focus group discussions in Berlin, one female participant claimed that:

Most Kurds still live a tribal or village life. This continues whether they are in Diyarbakır, Istanbul or London and Berlin. This is one of the main reasons why Kurds remain stateless. Kurds in the *gurbet* have very small village-type views, imaginations and dreams. We [Kurds] should come together around our national aims. Nationalism makes you care about all of your people, to dream about others, to imagine the big picture of your nation, and to create a strong state.

As we have seen from individual interviews and focus group discussions, many Kurds do not consider their nationalism 'good' enough to end their statelessness. The social experience of statelessness is now driving some diaspora groups to become more nationalistic, to create stronger and sharper views. Although the 'travelling memories' of forced migration, suffering, and victimisation and the feelings associated with this are affected and sometimes amplified by those experiences, those memories do energise today's ethno-political nationalism. Nationalism is therefore an important connecting and mobilising ideology for stateless diaspora communities like Kurds.

The diaspora populations can easily become the driving engine for politics, a nationalist movement, and conflict in the original homeland. They can also become an agent of change towards peace. This has been the case with the 'peace process' between the PKK and Turkish state representatives, especially the Turkish National Intelligence Service. Initial negotiations were brokered during 2009 with the help of diaspora representatives in Oslo. This example demonstrates that the Kurdish stateless diaspora has already been an active, influential actor in policies affecting its homeland (Tas 2015). As one of my interviewees said: 'If there is going to be peace, it will be down to the diaspora. And that's true for conflict too. We are becoming as strong as the Armenian and Jewish diaspora. Assimilated Kurds in Turkey cannot make peace – or war – without us. We have suffered. And we will decide.'

The imprisoned Kurdish leader, Ocalan, understands this. He has repeatedly asked the diaspora both to organise events to discuss the peace process and to contribute to its development, and also to involve European institutions and governments. With this in mind, two conferences were organised in Brussels by the Kurdish National Congress in the Diaspora (KNK) during December 2013 and December 2014. The Turkish President Recep Tayyip Erdogan has also pointed out in many speeches how different Kurdish power-holders, and especially diasporas, play a crucial role in the ongoing conflict and its resolution. The Kurdish diaspora is therefore recognised as an important influencing factor by both sides of the conflict (Tas 2015). Members of the diaspora can easily be 'peace-makers or peace-wreckers' (Al-Ali 2007b, Smith and Stares 2007). As we have discussed above, Kurdish diaspora has followed a 'strong' nationalism in recent years and they have actively contributed to the ongoing conflict. This may be an important barrier for Kurdish leaders to overcome if they are going to make peace. Even thinking that there might be a solution is perhaps an even more formidable barrier.

7 Conclusions

Individuals who are stateless suffer important violations of personal rights. They are unable to feel safe in a world of modern nation states. To be, or to feel, stateless is therefore one of the main rationales for migration and for the consequent increase in diaspora communities. As discussed above, diaspora has different meanings for different people. It does not only describe an exiled community living in a new host country: it can also refer to communities living in their original homeland, when they live under the rule of a dominant state and do not feel safe. For that reason, we can talk about the existence of double or multiple diasporas for stateless people. Kurdish diaspora communities are not only the result of, but also key actors in, conflict. Fuelled by increasing nationalism, they act not only as an important driving engine for homeland politics and conflict, but also as the way forward to peace.

There are no comprehensive answers to the important issue of statelessness from within existing international laws. Legislation focuses on the limited individual level of statelessness when it proposes the granting of nationality or citizenship as the 'solution' to statelessness. But protection following current legal definitions is not only very limited for individuals, it also does not cover many of the ethnic groups and communities who feel themselves to be, and act as if they were, *de facto* or socially stateless. Political solutions like the granting of self-determination or, at least, the sensitive recognition of diversity are required to tackle group or ethnic levels of statelessness.

Of course, statelessness does not only affect Kurds. Statelessness and its consequences have created and are still creating important challenges across the modern world. The current global political climate means that, as well as well-known groups like Kurds, Tamils, Palestinians and Roma, there are increasing numbers of people who may be less well-defined in ethnic terms, but who face the same loss of connection with any nation state. Current events in the Middle East and the continuing disintegration of the former Soviet bloc are all contributing to a worldwide crisis of migrants or refugees. Existing national borders are increasingly being challenged. Calls for types of local citizenship and nationality may sound new, but actually hark back as far as the city-states of Ancient Greece. Turkey, Iraq, Iran, and Syria are on the frontline here, but many European states are grappling not only with the direct consequences of the alienation of many socially, economically and legally excluded populations, but also with the failure of their attempts to enforce a unitary identity on their plural society.

This research is confined to one single obviously stateless group. Further research needs to start to grapple with the increasing breadth of modern social statelessness. For example, migrants are not only legally but also economically excluded. Understanding the importance of this will be important in future research. It may be that the determination and entrepreneurial characteristics that helped migrants escape one nation state may help them thrive in another. If their economic status improves, their self-definition as outsiders may change too. Alternatively, if they stay poor, they may feel even more alienated. Migration and statelessness affects not only the migrants themselves, but also the host community. Understanding this will be key if migrants and host communities are to co-exist peacefully. The current global increase in inequality means that host populations are increasingly dissatisfied with life under austerity, and increasingly disconnected from the states within which they had previously felt secure. Paradoxically, even the super-rich – with their aversion to the taxes of nation states, and their private jet mobility – are also increasingly socially stateless. Both the rich and poor are increasingly disinterested in the results of democratic voting. This all shows how deep the failure of citizenship is, in a world of nation states – and how fundamental the challenges are to nationalism, conflict and peace.

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