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Citizenship and Human Rights: The Path to Reparation

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Citizenship and Human Rights: The Path to Reparation

A thesis submitted in partial fulfillment
of the requirements for the degree of
Master of Arts in Political Science

by

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University of Arkansas
Bachelor of Arts in International Studies, 2020

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This thesis is approved for recommendation to the Graduate Council.

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Abstract

Human rights and citizenship are strictly tied together. Without citizenship to a country, one cannot have their human rights guaranteed. In the framework of reparative citizenship, and methodology of feminist political philosophy, I search for solutions for the statelessness and citizenship issues in India and Ukraine. I offer an analysis of the differences and similarities between both cases while going through both countries' colonial histories and understanding their impacts on the issues they are facing today.

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Dedication

To those who do not have the same privileges I enjoy. For equality and human rights for all.

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Chapter One: Introduction

Without citizenship, one is unable to have their fundamental human rights guaranteed. Both happen within the state framework – citizenship is provided by the state and by the state alone. (Howard-Hassmann and Walton-Roberts 2015) As a Brazilian international student with a background in International Studies, I have found a keen interest in human rights and citizenship studies over the years of my higher education. Although I am far from home, it is by my choice and privilege that I am able to legally reside and study in the United States, and still be a Brazilian citizen to the fullest extent of my Constitution. I am able to vote, I have the means to obtain free education and free healthcare in my home country, I can attain a marriage license, I am able to freely move within and outside of my homeland. Sadly, not everyone enjoys the same privileges I do. But why? And how can this issue be fixed?

In this endeavor, I yearn to find a short-term – if not immediate – solution for citizenship issues. The main obstacle is that without citizenship, there can be no guarantee of one's human rights, as citizenship is provided by the state and so are human rights guarantees. (Arendt 1951) Without citizenship, people are unable to exercise basic freedoms, and thus, unable to live a truly full life. In my readings, I have found that a vast majority of the citizenship studies scholars have argued that borders inherently entail racist, exclusivist ideas, with which I agree. (de Noronha 2022) However, at the end of essays I am left with little to no concrete solutions to an increasing statelessness problem and an even larger humanitarian one. I rely on Amanda Frost's concept of reparative citizenship to search for solutions for Indians and Ukrainians who are having their citizenship contested currently.

The present thesis rests largely on Amanda Frost's article *The Rise of Reparative Citizenship* from 2022. According to the author, "(...) reparative citizenship initiatives

acknowledge that citizenship is not always a privilege to be earned by the noncitizen, but rather a status that can be owed by the nation state as a compensation and apology for its past misconduct.” (Frost 2022) While Frost recognizes the scarce implementation of reparative citizenship initiatives – particularly in the United States –, she brings attention to the new ways in which citizenship can be understood and attained and concludes the paper with a hopeful glimpse into the future of reparative citizenship.

The case of Assam in India sparked my attention as I read that nearly two million residents of the area were excluded from a list of citizens in 2019, most of whom serve the Muslim faith. (Al Jazeera 2019) As I looked back on the history of the development of the Indian state, deeply intermingled with Great Britain, Pakistan, and Bangladesh, I realized the importance of the maturing of the nation-state to the study of citizenship and human rights. The citizenship crisis in Assam has been the effect of an even larger crisis in national identity amongst Indians, Bengalis, Bangladeshis, and Pakistanis, which is a result of a colonial history. (Rahman et al. 2018)

As for the Ukrainian case, it presents distinct historical turns related to the USSR bloc, but it shows similar traits to India when it comes to the delayed development of a nation, which, in turn, reflects on Ukraine’s limited ability to guarantee human rights to its people. Ukrainian citizens have undergone a passportization process by Russia, in an attempt to change the demographics of the nation and gain more control from the inside out. (Burkhardt et al. 2020) This has, in turn, made Ukrainians vulnerable in their own homeland, all the while not fully Russian citizens either. (Burkhardt et al. 2022)

In the research process, I argue that eliminating borders is quite utopian – and if feasible, it would take far too long to be achieved. (Isin and Saward 2013) Luke de Noronha and Gracie Mae Bradley (2022) take a firm stance on the abolition of borders, emphasizing their harmful,

capitalist, and inherently exclusivist nature as they call for the challenging of all social structures that reinforce the permanence of borders. In this regard, the authors are not wrong. But they boldly defend the dismantling of “(...) the most visible manifestations of borders: towering walls, detention centres, mass deportation flights.” (Bradley and De Noronha 2022) While the authors acknowledge it is a long fight, they seem far too optimistic on the feasibility of such tearing down in their lifetimes. And while I believe rethinking borders is a necessary endeavor to take on, I argue that it is not a solution for immediate problems concerning citizenship and the movement of people, as borders are firm institutions, the international system is bound to meet them with some resistance.

Eliminating borders may not be the answer to fighting racism and other human rights violations. Not necessarily, at least. The answer, then, would be in fighting those violations within the border structure that is in place already, rather than trying to dismantle it altogether. I see a lack of scholarly work willing and able to translate ideas into concrete policy in the short term. Germany has successfully implemented reparative citizenship for Holocaust victim descendants, renaturalizing them through a new law. (Basic Law 2022) However, that policy was only enacted after decades of the human rights disaster and mass genocide that was the Holocaust.

I begin this thesis with the reasoning that reparative citizenship is one way of immediate action that can take place now, within the contemporary state system. Another way to work towards a more pervasive protection of human rights through citizenship involves the notions of cooperative citizenship paired with cosmopolitanism, a connection that came to me as I researched acts of citizenship. (Isin 2013 and Bell 2014) Acts of citizenship entail, but are not limited to, a spectrum of actions that are not necessarily tied to one specific nation, but flow regardless of it. (Isin 2008) Examples of acts of citizenship include the feminist and the civil rights movements,

which took place in a multitude of distinct networks and “(...) transformed subjects into claimants of rights (...) through various acts that were symbolically and materially constructive.” (Isin 2008) In a cosmopolitan world, where borders – while still present – are less important than the threads that link people together, acts of citizenship and cooperative citizenship are indicators of a bond formed between an individual and the land where they reside.

Through an extensive literature review and a comprehensive research of the background of the respective histories of India and Ukraine, I conclude that reparative citizenship is, unfortunately, not a feasible path to the contemporary citizenship issues at hand. I find that India and Ukraine, being recent cases, have not had the time to undergo the strictly necessary process I outline next. The underlying preconditions that reparative citizenship enactment requires: i. an understanding of a wrongdoing (in this case, citizenship deprivation) by part of the state or one of its branches, ii. a recognition that such was wrong and negatively affected a multitude of people and, finally, iii. the willingness to repair – or attempts to – the citizenship deprivation in question. Since the case studies selected are still developing and are extremely recent in historical terms, the nations at issue have not had the time to undergo this process, and, thus, reparative citizenship becomes categorically impossible for the time being.

In what follows, I analyze how reparative citizenship has potential for the future, but also how it lacks in the present. I add the concept of national identity to survey how reparative citizenship impacts statelessness and other citizenship issues. The current study is motivated by an omnipresent statelessness problem I see in the modern world, to which I found no scholarly, practical, immediate solutions. As “(...) citizenship is a legal status through which the individual can access rights and goods in the state of her nationality or nationalities” (Howard-Hassmann 2015), the ultimate goal of this study is, then, to find a way to grant citizenship to the stateless, to

the deported, and to the ones who are suffering human rights violations at this very moment. As ambitious as it is, I lean on authors before me that discuss acts of citizenship (Engin Isin); the concept of reparative citizenship (Amanda Frost); ideas on cooperative citizenship (Duncan Bell); the crossover between race and citizenship (Ralph Ellison); and the innate connection between the state and citizenship (Rhoda E. Howard-Hassmann and Margaret Walton-Roberts, Hannah Arendt). With the support of their scholarship, I hope to pave the way for future scholars to keep inquiring about injustices in this world, and to push for equality for all. Reparative citizenship was the notion that inspired this entire work. Upon reading Amanda Frost's article (2022), with haste I wanted to apply it everywhere as a one-size-fits-all solution. I was confronted with constraints that made me question statehood, colonialism, and race relations in India and Ukraine, as well as the development of each nations' respective national identities. In the search for solutions to statelessness, I was drawn to Bell's (2014) use of cooperative citizenship and how it can give a new idea of belonging regardless of nationality.

I figure I unconsciously selected the case studies above in a reflection of my own sense of urgency when it comes to citizenship issues. I am frustrated for the millions of Indians and Ukrainians who are suffering at this very moment, vulnerable to a number of human rights violations. Additionally, the present case studies are important as they represent a larger model, one that includes nations facing statelessness concerns in the modern age. This means that whatever solution is found to India and Ukraine could potentially be adapted to other countries undergoing similar affairs, at a similar time frame.

In this thesis, I then intend to compare two case studies: Assam, in India and Ukraine. I will offer background information on how the citizenship crisis emerged, similarities and differences between both cases, and prospects for future research in citizenship studies. By the end

of this thesis, I am left with a different set of queries than the ones I began with. If my initial goal was to find a pathway to resolve citizenship issues in these two countries, now I am certain that reparative citizenship is not the answer to these specific cases of India and Ukraine, given the number of pre-requisites that will be further detailed in the sections to follow. I believe exterminating borders is problematic and it is not the answer. Instead, I argue that elements of colonialism and national identity must be considered when coming up with a prospect of reparation for India and Ukraine. I offer and encourage continuous criticism of statehood when it comes to citizenship – and beyond.

Much like Susan Neiman in her book, *Learning from the Germans: Race and the Memory of Evil*, in this thesis, I do not intend to answer all the questions raised in this research. Neiman (2019) questions “(...) how things ought to be.” Comparing Hitler’s Germany and the racist Deep South, she dives into citizens’ responsibilities to their national past and how exactly should reparations be made: “How should children be educated, monuments built or removed, reparations for injustice organized, political cultures constructed?” (Neiman 2019) Scholars, myself included, should keep questioning elements of the state that do not align with the guarantee of fundamental human rights. By expanding the field on citizenship, statelessness, and human rights in a broad discussion that spills over academia, advocates across the globe will become empowered to examine and fight structures of oppression in order to promote significant, feasible, and lasting change.

In this thesis, the methodology came to be in a very organic manner. As I wrote and critiqued the institution of the state, the Feminist political philosophy slowly appeared between the lines. (McAfee and Howard 2022) In what follows, I will look for ways in which people are excluded from citizenship and critique how the state proceeds with exclusion, all while offering

new ways to reconfigure borders and rethink national identities. While gender relations are not explicitly analyzed in this thesis, the feminist political philosophy still applies in examining the state and its role in the reproduction of inequalities and the potential for addressing them. (Watson 2013)

In the following sections, I expose a literature review on citizenship, human rights, and statehood including its limitations. Drawing from Nikita Dhawan and Jurgen Habermas, I explore different narratives that collide and take my stance with cosmopolitanism, as it is a way for people to connect beyond the state level and demand rights in a supranational level. I then dive into two case studies: the Indian State of Assam and Ukraine, taking the reader through the historical roots of conflicts and citizenship struggles in both areas. I conclude this thesis with remarks on why reparative citizenship is not a viable option for either case, and how reparative citizenship can be expanded in future research so as to include more recent case studies like the ones I selected for this research.

Literature Review

I.

The article entitled “Skeptically self-governed citizens: the ‘volunteer!’ injunction as a predicament of neoliberal life” studies the complicity of the volunteer and the contemporary practice of active citizenship within a horizon of governmentality where any skeptical engagement is not necessarily devoid of social hope.

Carlos Palacios looks into a Foucauldian analysis of active citizenship in the Australian concept. He talks about how volunteering is a compelling normative call to young adults. Young adults have to travel internationally and volunteer to get a sense of better employment in the future.

The author does not focus on whether volunteering is good or bad, but on the power it holds over people with a non-subjective strategy. (Palacios 2022) From Palacios's text, I notice that one does not need to be physically within the borders of their homeland to exercise active citizenship. The example of Palacios's volunteers traveling abroad shows a sense of consciousness and helping that goes beyond Australia, much like in cosmopolitanism, which we will dive into later. For now, Cosmopolitanism is an international relations theory where borders have less meaning, and the focus is shifted to the individuals and their actions. Active citizenship is a compelling idea because, again, it reinforces civic actions over something as arbitrary as place of birth. Active citizens build connections to their homeland (whether they were born there or not) that make for new ways of belonging and of bonding with their countrymen.

When it comes to collective consciousness, Ralph Ellison takes the concept further by attaching it to race and inquiring on the implications of that connection. The article *The Color of Memory: Reading Race with Ralph Ellison* emphasizes the memory attached to race. How different people recall different events and how they are viewed years, decades later. Memory is not unusually what happened in fact, but rather how we experience it with our own notions and living considered. I find that interesting because when we contextualize human rights law to who it actually pertains, those who write the laws are hardly ever living in the skin of those who are deprived of said human rights. The author explains that "(...) color, memory, and identity together belong to the struggle over racial justice in this country, a battle in part to recognize the past, of which color is the visible reminder." (Ellison 2008) Drawing heavily from Ralph Ellison's *The Invisible Man*, W. James Booth dives into the connection between race, memory, history, past, and present.

Americans seem to be conveniently forgetful of injustice. Ellison says Americans tend to forget the events that got them to this very moment in time, and the struggles that ensued back then, as part of an optimism. According to Booth, the core problem of American identity, then, is its unjust incompleteness with the past of race and injustice. This can be contextualized with movements of recent years such as Black Lives Matter and the several responses to racism within police and police brutality aimed at people of color. The article stresses that justice should be sought through meticulous attention to daily life, not only through the institutions of democracy.

Author Susan Neiman analyzes and compares how Germans and Americans have dealt with their pasts. For Germans, the Holocaust, for Americans – more specifically in the Deep South – blatant, wide-open racism and segregation. Influenced by her own life as a white, Jewish American who grew up in the South during in the Civil Rights era, Neiman later in life found herself conducting research in Germany, which has given her a unique view on how distinct are the collective memories of Americans and Germans to their respective histories. She sees how the Germans have fought long and hard to come to terms with the Holocaust and have made reparations, and she also sees how Americans seem to have forgotten about the atrocities that took place in the segregated South. (Neiman 2019)

In the book *Cultures, Citizenship, and Human Rights* by Rosemarie Buikema, Antoine Buyse, and Antonius C.G.M. Robben, the authors pose and answer several questions, including:

Sovereignty: how are the borders between the rights of individuals, states, and supranational bodies defined and when do they shift? Do new forms of governance generate new notions and practices of citizenship? How have cultural habits informed the discourse and exercise of human rights, especially of vulnerable people? New ways of governance indeed create new

forms of citizenship, according to Barbara Oomen (2021), materializing in so-called “cities of refuge.”

Oomen writes a chapter in the book about new forms of citizenship in these cities of refuge, where local authorities develop an independent stance from the state and go as far as challenging it. (Oomen 2021) One of the examples she refers to is when former president Donald Trump backed out of the Climate Agreement by saying he was elected to represent the citizens of Pittsburgh, not Paris. The mayor of Pittsburgh then tweeted that he was committed to following the guidelines of Paris for his people and their future. (Oomen 2021) These sanctuary cities “(...) increasingly claim de facto sovereignty over what was once a clear national competence. Cities, in the context of networks (...), contribute to the international development of refuge law and policy, at times even openly defying their national governments in doing so.” (Oomen 2021)

This defiance enacted by refuge cities is part of a larger scheme of shifting borders and redefining sovereignty in their own terms. Oomen (2021) argues against the theoretical framework of sovereignty where the state is the center of all transactions, and places it on cities in what she calls “citizenship”, where local cultures of welcome are coupled with cosmopolitan human rights.

I shall focus more extensively on the second part of the book, which takes a look at sovereignty and citizenship as interrelated elements that share a relation to authority. Are sovereignty and citizenship strictly tied to one another? Can one exercise citizenship outside of state boundaries? I believe scholar Carlos Palacios would think so, as someone from, in his example, Australia, may travel outside their home country to volunteer abroad. Tension rises between these two concepts: the free, sovereign individual but also the citizen bound by the rules of their nation. Conflict between these two spheres inevitably emerge in modern societies (and archaic ones alike). Here we say “free” individual, but later on another text we will see that this

lack of connection to a nation will render an individual a prisoner of their own statelessness, without any guarantee to the most basic human rights.

On the second part, chapter 6 talks about post-secular pacification efforts in Rio de Janeiro, Brazil. More specifically, at the favelas in the years between 2008 and 2016. They go over the concept of “fragmented sovereignty”, coined by Diane Davis, which “denotes the state’s limited capacity to monopolize the means of coercion in the face of irregular and private armed organizations.” (Oosterbaan and Machado 2021) With that, in the case of the favelas in Rio, gets mixed the religiosity of Pentecostalism in calling military operations of takeover religious names (Operation Archangel, as the main example). This fragmentation of state sovereignty can be problematic and dangerous. A gap in power can lead to the rise of violent militias, illegal activities, and even civil war as was the case in Libya, for instance. The authors would then, indirectly, disagree with the dismantling of the state structure altogether, as it would cause more harm than good in historical terms. This text corroborates with empirical evidence the necessity of the state, while maintaining that the institution is imperfect, but not having it at all would be far worse for everyone, especially more vulnerable individuals.

The arguments in the chapter are based on two academic discussions: one focused on the militarization of urban life and the other on post-secular urbanism. Authors argue that the two should be fused together for a good understanding of current power and rule in the city of Rio de Janeiro through the study of Pacification Policy and its effects.

The militarization in RJ occurs to “shape a specific model of the neoliberal city” by violent means as well as by controlling and governing the poor, while businesses and rich minorities reap the benefits of flowing capital. The ruling powers claim private parties are better equipped to serve the community, so instead of investing in healthcare and social programs, the neoliberal state

protects the interests of the wealthy few while being violent to the poor in order to keep the city “under control”.

The concept of post-secular urbanism has to do with a new approach, where religion is included and seen as a “constructive force of modernity.” (Oosterbaan and Machado 2021) While I personally do not agree with that necessity of religion in secular life, I acknowledge that it does play an important role in Brazil, as I know first-hand. Perhaps even more than it should, in the public realm. The same is the case in India, as it is technically – as written in its Constitution – a secular state, all while the Hindu-Muslim dynamics play a large role in politics and citizenship struggles. According to the authors, “a post secular perspective brings attention to the recent changes in the relations between state and religious institutions and the ways in which these relations are perceived and represented (in popular media and in scholarly reflections).” (Oosterbaan and Machado 2021) The concept gets interesting when looked at through a lens of public aid. Often times states look for these religious organizations for help. We can see churches helping locally by providing meals to people in poor areas, relief after a disaster such as a tornado, or raise money for other charities as well. The state often relies on these organizations then to do its job. This is explained in the chapter as “an attempt to regulate social life.” (Oosterbaan and Machado 2021) These would fit into the category of active citizenship, where regardless of nationality, individuals are making claims in benefit of the greater good.

Furthermore, authors use the example of the UN peacekeeping mission in Haiti to show that those practices demand more than just resources (weapons and soldiers) and enemy identification, but they also rely on “symbolic, cultural and political devices to secure and control occupied territories.” (Oosterbaan and Machado 2021) Then Brazil’s military along with the Pentecostal church began sponsoring events in the favelas, in order to get immersed in the culture.

By no means did the military become religious, but both parties saw an opportunity in working together at Operation Archangel.

The authors rely on Steven Graham's "new military urbanism" concept, which is self-explanatory, but they expand the idea by including religion as a variable. In the article, they were able to prove the threat of religion when paired with the military in urban Rio de Janeiro. "While Graham recurrently pictures religion as something that stands outside military urbanism or as something 'threatening' that fuels its emergence, the developments in Rio de Janeiro in the past decade show that in many cases we are actually dealing with something we might better call religious-military urbanism." (Oosterbaan and Machado 202)

The book *The Human Right to Citizenship: A Slippery Concept* – edited by Rhoda E. Howard-Hassmann and Margaret Walton-Roberts goes over the utter powerlessness of immigrants who don't have papers. Reminds me of what pulled me to be interested in this matter in the first place, being an immigrant myself. I recognize my immense privileges in this place anyway – having the support of my family, being able to afford health insurance and being in a legal status, under a student visa with prestige. Not all immigrants enjoy the same benefits and privileges I do.

The authors write that "In order to enjoy what later in international law became universal human rights, an individual must first enjoy his right to a nationality, that is, to formal and complete nationality in at least one country." (Howard-Hassmann and Walton-Roberts 2015) In other words, human rights become meaningless once an individual has no citizenship. There is an array of everyday things that are restricted to those who are citizens of a state. Without citizenship, one will have trouble obtaining a marriage license, having the right to a trial before a judge before being convicted of any crime, acquiring property, or travelling. (Howard-Hassmann and Walton-Roberts 2015) The urgency of finding a solution for statelessness and other citizenship issues is

then clear, as it affects people's everyday lives, keeping them from exercising basic, crucial life events. Much of the scholarly work on citizenship proposes great ideas on rethinking the layout of the state, however, I found little – if any – immediate or short-term solutions.

As “(...) citizenship is a legal status through which the individual can access rights and goods in the state of her nationality or nationalities.” (Howard-Hassmann and Walton-Roberts 2015), the ultimate goal of this study is, then, to find a way to grant citizenship to the stateless, to the deported, to the ones who are suffering human rights violations. As ambitious as it is, I lean on authors before me and hope to pave the way for future scholars to keep inquiring about injustices in this world, and to push for equality for all.

The book is focused on the legal aspects of citizenship, which are important to demarcate who is a citizen, who is not, and categories in between – immigrants and refugees, for instance. The authors introduce the ideas of hard and soft citizenship. Hard citizenship relates to both *de jure* and *de facto* citizenship, most common in wealthy, democratic countries in the first world. Soft citizenship, on the other hand, is a much grayer area to define. The book not only covers the disparities in citizenship between democratic and non-democratic countries, but within sections of society as well. “(...) vulnerable social categories such as minority ethnic groups, women, children, and persons of minority sexual orientation enjoy fewer citizenship rights than adult heterosexual males.” (Howard-Hassmann and Walton-Roberts 2015) Soft citizenship, I argue, is expressed through acts of citizenship.

The chapters go over a large range of issues and in-betweens that I had never considered before, such as children who lack a birth registration and thus are rendered stateless immediately upon entry into the world. There is no shortage of discrimination when it comes to citizenship and human rights, or any other category for that matter. People are kept from the citizenship they

should be entitled to because of where they come from, who they love, who their parents love, the god they worship, the color of their skin, how much (or little) money they have, and the list goes on.

Engin F. Isin and Michael Saward talk about *Enacting European Citizenship*. The authors believe conceptual frameworks should hold values as much as possible, so as to challenge the hegemonic powers and bring to light the actual social relations that take place in modern society. In chapter two the author asks the question “What makes an act an act of citizenship?” And how to separate overall acts in general from acts of citizenship specifically? They start by saying an act is defined through its enactment, which sounds redundant, but it means not what it is, but how it is done, or who does it, or even in which circumstances it is done.

The term is quite complex, but in my understanding, it has something to do with a break in the expected, colonialist, and exclusivist norm. It is – or rather, it can be – a demand for justice from the oppressed. In the book, also, the authors believe citizenship is a subject matter, to which I agree. In the topic of European citizenship, it does not necessarily mean someone who holds legal status within the European Continent, but rather someone who has ties with the territory, even if they are an alien, migrant, refugee, a state and so on. (Isin and Saward 2013)

I find the movement of people especially interesting. According to the Article 13 of the UDHR “Everyone has the right to freedom of movement and residence within the borders of each State [and] everyone has the right to leave any country, including his own, and to return to his country”. We know now that not everyone can enjoy these rights. Authors Rhoda E. Howard-Hassmann and Margaret Walton-Roberts (2015) express that “The passport is a two-edged sword that facilitates the crossing of borders at the same time as it renders surveillance, state control, and restriction over individuals’ movements easier, giving the nation-state a ‘monopoly over the

legitimate means of movement””. With surveillance tactics becoming increasingly more sophisticated, immigrants all over the world find themselves at a bind. In the case study of Russian passportization in Ukraine, it will become clear how Russia weaponized passports, quickly issued to Ukrainian citizens, in order to obtain increasingly more control over Ukraine and later justify a violent war that has been killing and displacing Ukrainians by the thousands.

On the topic of migrants, Ayelet Shachar sets forth a proposal of a *jus nexi* citizenship, from children of undocumented immigrants that came to the United States. This citizenship stems from a connection to the country (U.S., in this case). Imagine a child who was brought to the United States as a baby or as a toddler, someone who was socialized here and considers America home. Their country of birth is of no significance to them, or at least not nearly as much as the United States. It would be illegal to deport a child who does not know any other life than the one they have in the U.S. A similar event is taking place in Ukraine as Russia has been issuing Russian passports to Ukrainian citizens, who have little to no connection to Russia.

The authors use the term slippery in the title of their work to show how citizenship is a hard concept to grasp. How it is extremely nuanced and how it changes not only over time but also once several different variables come into play (like aforementioned race, creed, gender, provenance, geographic location, etc). There seems to be a trend in the international system where nations ratify and abide by human rights norms and agreements as a façade to get better trade deals and more financial support from other countries. There is little to do with the actual protection and provision of human rights. Scholars call it the “paradox of empty promises” – “This is one example of the evasiveness and slipperiness of states that exploit international conventions to advance their own interests, rather than the rights of their own citizens. Under current conditions, despite the willingness of many nations to sign human rights agreements, compliance remains a concern.”

(Howard-Hassmann and Walton-Roberts 2015) Still, I maintain that it is better to have some compliance to human rights norms, regardless of the motive behind it, than to have no compliance at all. Political scientists like myself must accept what we cannot change and work within the system, making whatever social improvements are possible in the current context.

II.

As individuals are marginalized based on their nationality and citizenship, several are, too, victims of racism. Rinaldo Walcott, in his book called *The Long Emancipation: Moving Towards Black Freedom*, discusses the lack of freedom black people still suffer in a post-slavery, post-colonial world. The author argues that black people are not yet completely free, that they are in a moment of emancipation still. The concept of freedom used by Walcott is one where logics and ideas founded in racism and colonialism are no longer. It is a different way of thinking to me, which really shows me another facet of racial differences. Although technically there is no more segregation in the United States, for example, by law, we still see deeply segregated towns across the country. We still see black folk getting shot by the police for going on a run in a white neighborhood, for no other reason than the color of his skin. We still see people of color getting dirty looks in stores or supermarkets. This puts in evidence the fact that human rights violations are not only infringed on the stateless, non-citizen. African Americans are under protected and often reduced to second-class citizens, regardless of the law expressing they are equal to their white counterparts. Citizenship issues arise within borders and among those who are considered citizens, but are not all treated equally. This to say I hope this paper overflows the citizenship spectrum and aids policymakers to be more inclusive with the full population they seek to represent. Citizenship should be for everyone, but so should minority rights.

By the end of the book, Walcott shows several ways in which “(...) postemancipation acts of Black life have been consistently interdicted, therefore preempting and often violently preventing Black life from authorizing its own desires for bodily autonomy” (Walcott 2021). One of the examples found in the book are the sagging pants as they relate to the lack of bodily autonomy experienced by black folk. Rinaldo explains in the conclusion that the term *the long emancipation* is not to say Black people are still enslaved – which a lot are, but that is beside the point of this book – but rather to reinforce the idea that black people are “continually prohibited and interdicted from authorizing what exactly freedom might look like and mean for them collectively.” (Walcott 2021)

This book speaks to freedom in a deeper sense, looking for meaning in black lives which can be transferred over to other people of color and other minorities overall. Much is said in the United States about freedom, but little about who can actually enjoy such a privilege in its truest, purest form. Walcott’s rhetoric can be translated into the current analysis as the social gap between individuals within one nation become so prominent that a portion of citizens are expelled. That is the case in India’s northeastern state of Assam, where almost 2 million people were excluded from the citizenship list published in 2019, most of whom follow the Muslim faith in a widely Hindu state.

Larios’s text on precarious reproductive citizenship brings in the idea of acts of citizenship already in the abstract. The paper is based in two central literatures: “(1) theories of reproductive citizenship and justice and (2) socio-legal conceptualizations of the differential inclusion of migrants.” (Larios 2022) Precarious status migrants have certain conditions under which they may have their rights granted. If they don’t meet the criteria (which a lot of them do not), they are deprived from those rights. The criteria are usually market-related and analyze the insertion of the

migrant into the work force in what is called neoliberal citizenship. Under the standard neoliberal citizenship model, the ideal citizen, one who can control their body and choices completely, has access to healthcare only in relation to their economic contributions.

This author is one more among those who critique citizenship centered around the nation-state. The framework has been getting broader in the recent decades, including acts of citizenship apart from the belonging to a nation. Larios, however, does not advocate for the extermination of the state structure.

On Hierarchies of Membership and the Management of Global Population: Reflections on Citizenship and Racial Ordering, Luke de Noronha talks about racism and citizenship – or lack thereof. The author defends that racism is going to generate a hierarchy on (non)citizenship, and, thus, he defends politics of border abolition. (De Noronha 2022)

Black and brown people – as well as other people of color – have long been on the margins of society. They have been more vulnerable to poverty, hunger, unemployment, police brutality, and so on. Unfortunately, it does not come as a surprise that people of color are also in the margins of a nation's borders, being more likely to be deported than their white counterparts. This part of the text stood out to me: “Again, we see the close connection between racism and citizenship, and between second-class citizenship and non-citizenship: internal enemies are turned into migrants so that they can be legally and spatially expelled.” (De Noronha 2022) This sneaky way in which the state works to kick black people out of their own land is evil and speaks to how lose the rules of the game are, changing according to the color of one's skin. In my research, I have seen the same happen to other communities of second-class citizens, such as Muslims residing in Assam, India.

Luke de Noronha interviews Jamaican people in the UK who had their friends and/or family deported and who, as a result of that, live with a constant fear that they, too, may get their status revoked at any minute. “Mythic social contract origin stories work to gloss over always violent and contested histories of state-formation and nation-building, and citizenship thus operates as a tool of colonial forgetting. Mapping hierarchies of citizenship in global perspective should be the starting point for acts of remembering.” (de Noronha 2022) I agree with this quote and I also agree that this mapping is a good starting point in theory, however Luke de Noronha (2022) leaves us wanting more. The article lacks an exemplification or a further explanation of how scholars or policymakers could go about this mapping.

I agree with De Noronha (2022) that borders entail racist ideas. But so does the majority of things in a modern western society that suffers from structural racism across borders. That is to say, this issue, although very much real, is not going to be solved by eliminating borders. White supremacy will just find another way to keep people of color in the margins. Eliminating borders may not be the answer to fighting racism. Not necessarily, at least. The answer, then, would be in fighting racism within the border structure that is in place already, rather than trying to dismantle it altogether. Furthermore, a borderless world seems utopian and problematic.

It is reasonable to trace boundary studies back to the Treaty of Westphalia. The Westphalian state has been in place since the signing of the treaty in 1648, after the Thirty Year’s War. (Medvedev 1999) Although contested by scholars who argue Westphalia is an Eurocentric approach to statehood, and that ideas of sovereignty were enabled by Eastern influences through what the author calls “Oriental globalization.” (Hobson 2009) A historic moment in international relations and political science, Westphalia officially inaugurated what we know today as the sovereign nation, thanks to the influence from Eastern nations leading up to the treaty. The treaty

of Westphalia outlined the rights and duties of the state and it established legal, territorial boundaries between countries, thus asserting their sovereignty. (Okhonmina 2017) While borders existed long before the peace of Westphalia, the treaty was instrumental to the delimitation of a nation's powers to its own territory.

Some three centuries later, the 1978 Helsinki Conference on Security and Cooperation in Europe furthered the notion of borders and emphasized the inviolability of frontiers, as “(...) warfare to change borders became illegitimate and thus the durability of borders seemed further reinforced.” (Medvedev 1999) Some boundaries are geographically and physically present in mountains, rivers, oceans, and landscapes, but not all. Sergei Medvedev intelligently points out the constructed nature of borders. Borders are not innate, but rather they are produced according to a juridico-political notion, thus subject to “(...) changing discourses of power, identities, and patterns of interaction”.

In this sense, Bradley and De Noronha are not off in their anti-border manifesto. It is a possibility, however long it may take. My point is precisely the waiting time. I suggest a multi-level approach to citizenship issues that happen in the short-medium term, all while working on the rethinking of borders simultaneously. In the post-Westphalian state system, it is premature to expect borders to vanish completely, but they can be transformed according to new forms of territoriality. (Medvedev 1999) Restructuring the borders of Ukraine at this fragile moment may cause more harm than good, given the need for structure at times of conflict. As for India, at this footing, rethinking borders – while the country is amidst what I later agree as a national identity crisis –, will yield negative effects, likely further excluding Muslim immigrants from the territory.

Duncan Bell sets forth an asymmetry problem with J. Tully's theoretical orientation on colonialism. The author seeks to assess Tully's project and challenge it as well. In Tully's view,

citizenship is a legal status granted to those comprised in a complex array of governing institutions. And Tully further contends that modern citizenship integrally includes the past and the present of “Western imperialism” (Bell, 2014). To remedy that, Tully proposes a cooperative citizenship, where citizenship goes from being a legal status to an ethos – much like acts of citizenship. Cooperative citizenship will now involve practices related to governance. Tully lacks focus on the more formal side of citizenship law and focuses on virtue, moral, and ethics.

Bell then criticizes Tully – which I agree – to a reoccurring theme in citizenship studies: his naivité. Tully’s account presupposes a body of cooperative citizens already in existence, which is not the case. Bell says there should be an ethico-political education taking place around the world in order to slowly build this cooperative citizenship in fact, which I – like Bell himself - also believe to be unlikely. If nations around the world are unable to cooperate around urgent matters that would affect everyone (to some degree or another) like environmental distress, how can countries and cultures across the globe agree on one type of education to ensure cooperative citizenship? This may be a pessimistic view, or realistic to some, but the answer cannot possibly be that.

All this criticism is not to say Tully’s work has been useless. He was a great way to see this continued form of imperialism operating in the modern world, still. There is freedom in old colonies, but only to a certain degree. Nations that were once colonized and are now free still have a disadvantage coming from decades and centuries of exploitation, disadvantages that do not just go away. Tully, according to Bell, lacks on several aspects of his analysis but he also does a great job at connecting imperialism past and present. Going forward he should now elaborate on more concrete ways to fight this imperial order.

Scholars Rudabeh Shahid and Joe Turner analyze the deprivation of citizenship as colonial violence in the context of Assam, India's northeastern state. At first glance this text already broadens the dialogue with Luke de Noronha's concept of hierarchies of (non)citizenship. A few differences come into play for example as de Noronha studied Jamaican natives who were later made citizens by the UK and Shahid and Turner are analyzing people that moved to Assam after 1971, and still lost their citizenship, which equally wrong but even more shocking. Shahid and Turner, then, broaden de Noronha's line of thought by arguing that "the deprivation of citizenship is less an aberration of citizenship and instead a part of the structure of citizenship." (Rudabeh, Turner 2022)

By now it is safe to say that post-colonial does not mean colonialism is completely gone. Quite the opposite: it is still so deeply ingrained in the institutions across nations that it takes extra brainpower to pinpoint the origin of certain structures. Shahid and Turner then introduce Vergara-Figueroa's (2018) concept of deracination, which is a process of taking people away from their lands, community, and humanity through colonial ruling. The scholars find that there is a pattern in some locations of constant deracination through time, over and over again, making those family lines or people who live in a certain location more prone to these acts of state violence.

Rudabeh Shahid and Joe Turner do a good job in the case study as they analyze citizenship deprivation and state violence in a section of India, and that work alone is already beneficial to bring more awareness to the nature of this issue. However, it left me wanting more concrete solutions to combat this and ensure citizens can remain citizens, having their rights firmly safeguarded.

Kallio, Hakli, and Backlund explore participatory policy and citizenship beyond the borders of the state, similarly to de Noronha. They propose "a regrounding of lived citizenship in

both topological and topographical terms as an improvement in theoretical understanding of mundane political agency and as a step towards more proficient participatory policies.” (Kallio et al. 2020)

Drawing from the work of different scholars, including Engin Isin with acts of citizenship beyond borders. I am not sure if the authors believe in a completely borderless world, but I agree with the inclusion of social relations in citizenship, like they propose. This makes for a broader set of people with secured rights, who participate – or not – in decisions pertaining to where they live or call home, where they are rooted, and where they belong. By the end of the article, the authors encourage online forums to bring people together to discuss citizenship and policy, and although that is a great idea, I have a hard time seeing where else that would get those in the margins.

In the discussion of border and boundaries, Suad Joseph (2022) offers a refreshing idea, reminding us that borders are concrete as of recently, but they are a result of categorical thinking. The author defines categorical thinking as “the assembling of items, events, situations, people, things into groups which are presumed to have common characteristics in opposition to other groups”. Of course, this would be “natural” boundaries. If we think of the African continent as a whole, for example, that concept can be easily dismantled. Those boundaries maybe are not legitimate, as they were imposed to those tribes by the British, French, Portuguese, their colonizers. But this concept of boundaries is nonetheless helpful.

Maybe the solution – or an ease to the citizenship and belonging issue – is then to rethink borders. To go back to their origins and see who belongs where, rather than eliminating borders altogether. Joseph expands her reasoning by adding that citizenship is another form of categorical thinking: “a form of boundary created, necessitated, by modern states.” (Joseph 2022) But rethinking borders alone is not enough, as new developments may happen within a territory forcing

migration, for instance. Then there must also be citizenship for the refugees. This would integrate well with Aihwa Ong's cultural citizenship. Ong coins the term – or rather, reshapes it – as a “dual process of self-making and being-made within webs of power linked to the nation-state and civil society.” (Ong 1996)

III.

The article that inspired this entire thesis was *The rise of reparative citizenship*, by Amanda Frost (2022), who finally started shedding some light into concrete ideas towards granting citizenship to those who were deprived from it for so long. She says “Typically, citizenship is bestowed on those who fit within pre-existing categories established at the sole discretion of the state. In contrast, reparative citizenship initiatives acknowledge that citizenship is not always a privilege to be *earned* by the noncitizen, but rather a status that can be *owed* by the nation state as compensation and apology for its past misconduct.” (Frost 2022)

This emerging characteristic of the state owing citizenship as compensation for past transgressions connects a colonial and racist past to a future of amends between the state and its people. Frost is careful in her analysis and already makes a disclaimer of the issues that come with the initiative: who then gets to judge those who are “deserving” or “underserving” of said reparation? Once again, we find ourselves constrained by the figure of the state. The decision of granting citizenship exclusively belongs to the nation granting it. It seems to me nonetheless a good place to start, with justice to those who have been wronged for so long.

Amanda Frost's article on reparative citizenship left me with questions regarding the nature of this reparation. At the end of the day, I find my research once again constrained by the figure of the state, which holds the power to decide who gets citizenship, and thus, human rights that come (or should) attached to it and who does not. That is an issue raised by author Yoon as she

studies the case of several North Korean women who are trafficked in China. The Chinese government refused to recognize those women as refugees, claiming they came to the country in search of a better financial life, for economic reasons rather than fleeing a state that abused them in a number of different ways. (Yoon 2020)

Barnard-Naudé remarks that a reparation needs to be taken in a specific approach, definitely not the “business-as-usual” approach which takes into consideration what one can add to the state in often economic terms. (Barnard-Naudé 2016) As he studies a post-apartheid South Africa, the author reminds readers that reparative citizenship is an aporia, meaning it is impossible to truly repair in the real sense of the word. As no one is able to go back in time, he writes: “At best, reparation can be viewed as involving acts and gestures of which the wager is that it provides the possibility of making the breach as it exists irreparably, less unbearable.” (Barnard-Naudé 2016) This realization does not completely dismiss reparation, though; quite the opposite. It is still an acknowledgement of the pain caused to groups of people, along with an invitation to a better life than the one they were living before.

Barnard-Naudé says “Reparative citizenship will understand that the ‘now’ of the post-apartheid is not equal to presence, that presence as the time of reparation depends on an appreciation of the precariousness of the now. It will understand that the post-apartheid now as irreparable stands in urgent need of a ‘technique productive of presence’ that would bring forth, give birth, to a future that will live up to the promise of ‘never again’” (Barnard-Naudé, 2016). The author and I both share the same sense of urgency when it comes to reparation of citizenship. No more time can go on without leaders taking a stance to stop this continued violence through generations.

The author uses literature to further dive into the variable of reparative citizenship, associating it with civic friendship, where “(...) reconciliation could come to be, by asserting that all (...) beneficiaries, victims, and perpetrators, must work together to create a climate of reconciliation.” (Barnard-Naudé 2016) That immediately brought cooperative citizenship to the forefront of my mind, where plurality plays a major role. The effort starts with the people, from the bottom up, within the modern socio-economic context. Civic friendship, here, entails the idea of an acknowledgement of coexistence between parties, both inhabiting this world simultaneously (Barnard-Naudé, 2016). Author Martha Stortz writes that “civic friendship of all sorts emphasizes the interdependence of citizens in public life. It articulates a horizontal understanding of citizenship, which prizes the relationship to another citizen and places that relationship at the centre of civic life.” (Stortz 1994)

Cooperative citizenship, as a medium-long term approach, can be taught in schools to raise active citizens, young adults who are prepared to engage in societal matters having had the appropriate tools for such. Authors Johnson and Johnson set forth a detailed plan on how to get schools to nurture cooperative learning, however, once again, it takes time. I call this a medium-long term approach due to the fact that it would require a somewhat standardized educational reform all around, across borders. Not only would it take time for nations to come to an agreement and implement the reform, but, internally, once implemented, it would also take time to raise those democracy-aware children into adults who stand up for their communities. Aside from that, this approach is, again, limited by the democratic model, thus excluding a large section of the world that will still very much need a solution to the aggressions happening on their territories.

Authors Johnson and Johnson (2016) underline the importance of a cooperative education in different spheres of society and within the children themselves, giving examples of some of the

outcomes of this education: “With moral inclusion comes the related values of fairness, equality, and humanitarianism. Cooperators tend to see all of humanity as being entitled to fair treatment, justice, and help and may even extend moral inclusion and the scope of justice to other species and life forms” (Johnson and Johnson, 2016). This cooperative mindset, I believe, brings hope for a more just system in terms of access to citizenship and thus the basic human rights that come attached to it. However, if cooperative learning is “(...) a microcosm of a democracy” (Johnson and Johnson 2016), how can this cooperative education be extended into non-democratic states? Is that possible?

I argue that, in order to move towards a more equalitarian citizenship across the world, we must work alongside the transnational movement and scholarship. Cosmopolitanism does just that, as it has been developing an idea of a less border-centric world for decades now. (Rorty and Schmidt 2009) Author Nikita Dhawan, drawing from cosmopolitan scholars like Immanuel Kant and Jürgen Habermas, emphasizes the importance of cosmopolitanism as it fosters broader, supranational identities that can be helpful in advocating for human rights across borders. Something can be learned from the theory as we evolve the idea of rethinking borders.

Cosmopolitanism, much like Tully’s cooperative citizenship, sets forth an ethos that we are all “citizens of the world”, connected beyond borders to similarities that makes us all human. The new cosmopolitanism considers the Eurocentric character of its predecessor, emphasizing “(...) empathy, toleration and respect for other cultures and values [and] (...) reaching out across cultural differences through dialogue, aesthetic enjoyment, and respect; of living together with difference.” (Werbner 2008) Although the theory gets backlash due to its ambiguity and lack of actual evidence in the real world, rather than a few scattered believers here and there, I understand

it can be of use when put into play with cooperative citizenship in expanding the level of discussion and advocacy.

“Promoting sociality and humanity, cosmopolitanism symbolizes a transcultural competence of negotiating cultural difference, a move beyond narrowly territorial understandings of identity and belonging. Irrespective of national, religious, ethnic, and gender differences, people appear as belonging to a single global community based on their shared pasts and entangled futures.” (Dhawan 2013) Cosmopolitanism is not antipatriotic and it does not deny nor does it attempt to dismantle the institution of the state, rather it aims to elevate individual social identities to include a larger, supranational body where humans find similarities with one another independently of where they were born or what god they bow to. (Dhawan 2013) Cosmopolitanism includes a multitude of identities in one individual, ranging from more personal identities such as a daughter, a student, a citizen to more universal identities such as human – one that binds us all together. Once a common ground is found between individuals that never met, a larger conversation can be fostered centered around the promotion of universal human rights. This aligns directly with acts of citizenship, and what makes people belong to the country they reside in.

Critics of cosmopolitanism are wary of where it stands with culture. David Miller (2002) argues that cosmopolitanism has an imperialist character in that cosmopolitanism would nullify or privatize cultural distinctions. Again, the idea behind cosmopolitanism is not an attempt to make an even world where everyone is the same culturally, but to find ever-present similarities *in spite* of all the differences between people. Although I argue in favor of cosmopolitanism, it is a fact that the ideal lacks feasibility in the real world, even with globalization working in its favor. Cosmopolitanism, as surgically pointed out by Nikita Dhawan, “(...) disregards the connection between the well-off ‘here’ and the impoverished ‘elsewhere’.” (Dhawan 2013) It is indeed

difficult to imagine someone from the first world connecting to the struggles faced routinely by somebody else in an underdeveloped or even developing country, even with a heightened sensibility for certain issues.

Nikita Dhawan, along with Gayatri Chakravorty Spivak, invites us to lean into the gap between advocates of global justice and those they seek to protect while keeping in mind what Dhawan calls “space of difference.” (Dhawan 2013) The author explains that the subaltern classes have been marginalized from the public sphere and have little to no agency, and there must be an effort to return them to the public sphere as we (scholars and intellectuals) are encouraged to think beyond ourselves. Through Spivak, Dhawan calls for an epistemic change in transnational relations, keeping in mind the colonial characteristics of the Enlightenment, but using its ideals nonetheless (cosmopolitanism). (Dhawan 2013)

In order to create epistemic change, one must first acknowledge their complicity with the system, where they “(...) need to interrogate the processes that convert us into dispensers of justice and rights.” (Dhawan 2013) Dhawan (2013) further extends the idea of cosmopolitanism by stating that “(...) we must undo the rupture between the privileged classes and the gendered subaltern, and this will not be done through top-down solidarity politics.” In order to be truly a postcolonial advocate, there ought to be supplementary education. Dhawan brilliantly states that “We, as transnational elites, urgently need to rethink and reimagine our understanding of politics by examining how, despite our best efforts, subaltern groups remain the objects of benevolence and not the agents of transformation.” (Dhawan 2013) The author points out the thin line between democratization and decolonization, and shows the reader how difficult it is to implement positive change despite having the best of intentions. Until these subaltern groups have not been fully included, any transformation will still be imposed on them.

In an article entitled *The Death of Leviathan: Feminist Dilemmas and State Phobia*, Nikita Dhawan addresses the political costs of evacuating the state and examines the risk of state phobia in the field of postcolonial queer-feminist politics, which can be translated just as well into statelessness and the dismantling of the state institution. Dhawan asks an important question: “Can the demand for equality through law enable changes in the state’s relation to vulnerable citizens and noncitizens?” (Dhawan 2021) She warns the reader about the risks in renouncing state intervention on behalf of vulnerable groups as she explains that – although there is a gap between law and justice – separating justice from law by informalizing mechanisms of justice or dismantling the state altogether does not guarantee nonviolent politics of contestation. (Dhawan 2021) Here lies the danger in ending the state as a whole. While scholars on either side can agree that the state has caused and continues to cause harm to individuals in the margins, there can be no guarantee that tearing down the state will be effective or beneficial to anyone, especially vulnerable groups.

“One of the biggest dangers of anti-statist positions is that it ignores the enabling role of the state while foregrounding exclusively the regulatory aspects.” (Dhawan 2021) To that point, author Timothy Snyder (2015) writes about the Holocaust and reflects on the presence – and at times, absence – of the state and how it affected the escalation of the panic in Germany driven by Hitler, ultimately culminating in the mass murder of millions of Jews among other minority groups. Snyder calls the reader to pay closer attention to the condition of the state institutions at the time atrocities happen around the globe: “(...) the Holocaust spread insofar as states were weakened, but no further.” (Snyder 2015) The quick spread of Hitler’s ideals and the Holocaust took place because of a serial weakening of state institutions, and where those institutions remained in place, civilians were able to help Jews escape from the atrocities of the Fuhrer. (Snyder 2015)

Furthermore, Timothy Snyder reflects on the importance of the state to mitigating the tragedy that was the Holocaust, pointing out that Hitler's murderous tactics only worked up until the neighboring nations' conventional state institutions were up and running.

Drawing from Foucault's more recent works, Dhawan elicits that neoliberal anti-state individuals ignore that the state is an unfinished project, ever-evolving, and that it can be "(...)" both poison and medicine." (Dhawan 2021) The state institution does not have to necessarily be evil, but colonialism is (Snyder 2015) A colonial past has effects that reverberate in contemporary India and Ukraine, as the reader will see in the next chapters. The state is, in an ambivalent fashion, capable of coercion and protection. It would be a disservice to dismantle the state. The goal is, according to Dhawan (2021), to transform poison into medicine as we rethink the relation of subalterns to law and the state, "which goes beyond statephobic rhetoric and politics." State, power, and law all involve tricky, double-edged discussions, but the solution must be found within this disposition.

Author Sil Yoon uses cosmopolitanism in the context of stateless North Korean women residing in China, who were victims of human trafficking. She specifically undertakes Seyla Benhabib's notion of cosmopolitanism, where she "(...)" argues for a cosmopolitan vision of justice that respects every human being as a moral agent whose rights should be claimed and protected." (Yoon 2020) Yoon (2020) remarks that this version of cosmopolitanism transcends global capitalism and ethnocentrism.

In the interviews Sil Yoon conducted with North Korean women who were trafficked, she found that forced or consensual marriage and trafficking into forced labor were the most common amongst them, being powered by China's refusal to recognize them – and many more – as refugees. (Yoon, 2020). These women's statelessness is a vulnerability that their (forced) husbands and

bosses take advantage of, by threatening to expose them and thus risking repatriation or deportation back to North Korea. In a stateless conundrum, they find themselves in risky situations trying to secure food and shelter away from the country that first abused them and violated their rights.

Cosmopolitanism comes into play as it can urge the global community to set forth institutional changes and new norms with judicial implementation, where every citizen can be a social participant in the international community. (Yoon 2020) The author ends her article by pointing out some challenges of implementing a more cosmopolitan society, such as China's acceptance of these women as refugees and the cooperation needed from different players in the international scenario, which is still, we should be reminded, state-centric. In facing these challenges, non-governmental organizations can play a key role in rallying world leaders, interest groups, and domestic citizens towards a vision of global citizenship where everyone has their human rights secured.

Along with the proposals from Yoon, Melissa Schnyder in the 22nd chapter of *Statelessness, Governance, and the Problem of Citizenship* (2021) analyzes norm-based strategies in order to end statelessness in a quite ambitious plan from the United Nations High Commissioner for Refugees (UNHCR): The Global Action Plan to End Statelessness. These strategies involve either creating norms from scratch or reframing pre-existing norms to an ever-changing context. Both involve a disruption in the status quo, which is why I refer to them as ambitious, but they have shown to build some momentum within the international community. In reading the chapter, I noticed how the plans are optimistic and a little oblivious to the fact that not everyone is abiding by the norms being put in place, but is it nonetheless a great way to move forward. Norms leave more room for interpretation by each individual country, and are by definition not legally binding. The more

parameters a norm possesses, the easier it is for nations to interpret them in favor of justifying violation. (Shannon 2000)

Having read, analyzed, and interconnected many texts on and adjacent to citizenship, I would challenge the current mainstream scholars in citizenship studies to seek solutions that are, if not immediate, at least quick, seen as the issues at hand demand something be done now. These solutions should ideally i. be feasible within the current international configuration context, ii. incorporate the notion of cooperative citizenship, and iii. build on the ultimate goal of a world with reconfigured borders.

The third step is one that will take time, as it would shake the status quo so dearly protected by the wealthy hegemony, however, seeking an urgent solution to citizenship issues should be worked on from the bottom up, all while keeping that goal in mind. The objective here is to build a world in which every last person is granted their most basic human rights, regardless of where they come from or where they are going. I see reparative citizenship as a solid starting point, however, in order to keep the flow going, there must be other permanent ways in which to achieve this. We must be reminded that reparation alone is not the answer. Reparation must be done to the harms already caused, who cannot be undone. In addition to it, there should be a new responsibility – in the hands of the states – to cease causing pain and suffering, a genuine attempt to do better for the generations to come.

Chapter Three: Case Studies

I. Assam, India

The northeastern Indian state of Assam recently published a list containing those who are perceived by the nation as citizens, leaving out almost two million residents, most of whom are Muslim. (Al Jazeera 2019) The list, called National Register of Citizens (NRC), is a census-like mechanism that looks into the number of members in a household, their respective jobs, ages, marital status, names, sex, level of education, and religion – among other categories. (Government of Assam 2014)

In the end of 2019, both chambers of the Indian Parliament passed a Citizenship Amendment Bill, which included religions and specific areas from which people could enter India and become citizens. (Congressional Research Service 2022) The bill excluded Muslims and directly violated both human rights treaties but the Indian Constitution as well. Part II, article 15 of the Constitution states that “the State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.” (The Constitution of India 2022)

The almost 5% of Assam residents who were excluded from the list of citizens then had months to prove their ancestors were of Indian citizenship before the stipulated date of March 25, 1971, which is “(...) when Bangladesh gained independence from Pakistan and large numbers of Bengalis illegally crossed into India.” (Congressional Research Service 2022) India has been making efforts to Hinduize its population by depriving people of their citizenship, which, again, goes directly against India’s own constitution.

The United Kingdom and France are examples of precedence in revoking citizenship under the blanket excuse of protecting their people against “terrorism”, for example. (Fargues 2016) There is a fine line in these protective measures, because they strip the potential offender (who, by

the way, is supposed to be innocent until proven guilty) of benefits and rights attached to their citizenship. It must be reiterated: without nationality and a state to belong, one cannot have their human rights secured. The fear of terrorism is a delicate issue. It stems from racism as it quickly tends to associate the Islamic religion with terrorism, which is by no means true. Terrorism is defined as “politically motivated violence perpetrated in a clandestine manner against non-combatants” (Ruby 2002), a rather broad term. These British and French policies – which are targeted at naturalized individuals or dual citizens (those with “foreign background”) – uphold a conditionality of citizenship. Said conditionality implies that citizenship is something to be earned and can be taken away, thus “(...) emphasizing the idea that there is no right to it.” (Fargues 2017) The Indian case of Assam is very similar to the British and French ones, in that the state holds the arbitrary power to revoke one’s citizenship status practically on a (racist, religiously intolerant) whim. This case deserves attention because it shows how the state can sometimes act in unfair and arbitrary ways to exclude parts of its own people.

The relationship between India and Pakistan has proven bumpy since the two nations were born in 1947, following the partition of British India. The division left a legacy of hatred and mistrust as the leaders of both new states sought vengeance and believed the worst in one another’s motives. As a result, “two months after winning their precious freedom, India and Pakistan embarked on their first war, over the former state of Jammu and Kashmir.” (Wolpert, 2010) I shall take a glance at the historical roots of the troubled relationship between India and Pakistan, as well as the religious elements that shaped each nation and reverberates into the citizenship issues seen today in Assam.

It is important to refer back to the roots of migration issues in India and its surrounding areas in order to understand the identity issues that culminate in the fear of the other, and in the

subsequent violence directed at those who are foreign, or viewed as such. The events happening currently in India regarding citizenship – or lack thereof – are a result of the historical past involving colonialism, the Partition, ethnic wars, and displacement of people. All these events will be analyzed in light of theories of citizenship, considering how India got to where it is today.

In the colonial period, Great Britain took on the “divide and rule” strategy with the intent to create hostility between Hindus and Muslims. (Rahman et al. 2018) The British strategy was meant to provoke division within the Indian territory and among the people there. The reasoning behind that was: the less cohesive a nation is (or its people), the easier it is to control and exploit. The British established policies to breed more division, including propaganda against the Hindu constitution. (Rahman et al. 2018) Muslims were opposed to the British colonialism, which only made them more alienated by the British themselves, as they were seen as threats to the status quo of the colonial structure. Scholars Aziz Rahman, Moshin Ali, and Saad Kahn (2018) point out that, for example, the English education policy set in place by Great Britain for Hindus excluded Muslims.

This colonial exploitation from the divide and rule method reverberates in contemporary India and its surroundings alike. The disparities planted in colonial India among different casts, religions, and cultural backgrounds created a fertile soil for a lack of national identity from the earliest moments on India, long before it was a consolidated nation. As a result of the divide and rule strategy, contemporary India, Pakistan, and Bangladesh are permeated with hostility. In India, Muslims are marginalized; in Pakistan and Bangladesh, Hindus are vilified. (Rahman et al. 2018) British colonialism left deep scars when it comes to national identity, as well as the fear of the other, which contributes to the migration.

After the Partition, West and East Pakistan separated in 1971, as the latter became Bangladesh. (Ranjan 2021) In this context, distinct social and cultural backgrounds clashed, and have caused several problems between these two countries. Among these issues, illegal migration from Bangladesh to India and innumerable Bangladeshi refugees staying in India is the biggest concern of conflict. (Kumar 2009) Having a large section of the India-Bangladesh border wide open, thousands of Bangladeshis left for India. The main reasons being religious persecution of Hindus in Bangladesh as well as political persecution. (Kumar 2009) This mass migration came to be in earlier periods, though, long before the country of Bangladesh came to be.

Some accounts of migration in the area date back to the early 1800s, when tea plantations took on a large scale in Assam, attracting workers from other parts of the country as well as Bengal. (Ranjan 2021) As for accounts of forced migration, over a century ago, with the partition of Bengal in 1905, the nation was divided into Hindus and Muslims and “(...) it led towards the birth of communal feelings among them.” (Kumar 2009) Those feelings culminated in riots on either side of the spectrum: for and against the division. (Kumar 2009) From the riots, forced migration began and has yet to end. Displacement and forced migration run deep in the roots of India, Pakistan, and Bangladesh alike, raising citizenship concerns for millions of people in the area.

As India is inherently Hindu, it is important to glance at the religious dynamics that come with a stunted process of an attempt at secularization. Kumar (2009) argues that religious affiliations in India are markers for the establishment of racialized identities of imagined communities, referring to the religious-based caste system. If that is the case, how can India claim to be a secular state when it so clearly still relies on the hierarchical caste system as the base of its society?

In 1971, the civil war breaking out in East Pakistan resulted in millions of refugees migrating to India, mostly landing in Assam. (Ranjan 2021) The Assam accord, which was signed in August of 1985 made it a point to exclude those who came into India after March of 1971 from the citizenship list (The Assam Accord, n.d.), although “(...) there were disagreements between the groups in Assam and the central government over the cut-off date to recognize the foreigners.” (Ranjan 2021)

Aside from the first conflict, three other wars were waged between India and Pakistan over the Kashmir territory, culminating in the development of nuclear weapons. (Bhat 2019) The two nations have yet to come to a peaceful agreement. The long-lasting friction gets aggravated by the fact that India and Pakistan have distinct, irreconcilable ethno-cultural backgrounds: “(...) India's democratic and secular identity and Pakistan's nonsecular, Islamic, and authoritarian identity are key to the rivalry's endurance.” (Paul 2010) Furthermore, the religious differences also play a role in the Indo-Pakistani conflict, and clearly played a role in the key event in this case study, where a majority of Muslims were excluded from India's citizenship list back in 2019.

Racism is viewed as something white people direct at people of color. In the Indo-Pakistani case (as well as within India itself), the prejudice is denominated “communalism.” (Baber 2004) Contrary to what one may think, the word communalism in this case does not entail a positive, community-driven activity, nor is it marked by cooperation and mutual tolerance. The counterintuitive term is “(...) a legacy of India's anti-colonial struggle for national independence.” (Singh 2015) Scholar Zaheer Baber (2004) believes the communalism originated in a vacuum of identity created by India's secularization once the nation parted ways with its British colonizers. Baber (2004) argues that there is a “racialization” of India's communal identities, which has

resulted in recurring conflicts that share structural and ideological similarities with those of racial conflicts across the globe.

Scholar Pritam Singh (2015) uses the term “institutional communalism”, referring back to institutional racism seen in Britain referring to the context of racism within the police force, and later expanded to the systematic racism in different institutions throughout white-dominated societies. The author argues that “(...) institutional communalism in India represents the dominant power status of India’s majority religious community, that is, Hindus.” (Singh 2015) India’s largest minority religious group are the Muslims (Tausch et al. 2009), representing around 14% of the country’s population as of 2020. (Kramer 2021) For comparison, at the same time, about 79% of Indians identify as Hindu, a whopping majority over other religions. (Kramer 2021) Muslims in India have suffered discrimination in employment, housing, and educational matters alike. (Basant 2007) Today, Indian followers of the Muslim faith are still facing diminished rights when compared to their Hindu counterparts.

Assam, a Northeastern state in India, has experienced a complicated structure of several contradictions over the decade that followed India’s independence. The area is populated by a variety of ethnic groups without once single, solid national identity. Ethnicity can be understood as “(...) the cultural ties of the community that stand out as a potent and dynamic source of reference to generate identity.” (Bharadwaj 2016) Furthermore, ethnicity involves – but is not necessarily all-inclusive of – a shared sense of culture, descent, history, religion, beliefs, and practices. (Bharadwaj 2016) Since the partition, Northeastern India, including the state of Assam, there has been a citizenship controversy around differentiating who is a citizen of India and who is an alien.

Out of this fear for the foreign, along with a lack of shared national identity, emerged the Assam Movement. The movement, which lasted six years, is critical to the understanding of the contemporary issues faced by the Assamese. (Baruah 1986) Led by young students, but also including their mentors and older scholars, the Assam Movement was ushered by India's All Assam Students' Union (AASU), aiming for the expulsion of illegal immigrants. (Dutta 2012) "For a year before the movement, the Assamese press has been hysterical with reports of huge influx of Bangladeshis and their assorted crimes." (Gohain 1982) This gave locals the idea of danger, as those immigrants had been participating in political life. Assamese citizens began to see that as a threat to their cultural identity, or what little they understood about it. The movement started peaceful, but it quickly took a violent turn, with bombings and targeted killings. (Dutta 2012) The movement later culminated in the aforementioned Assam Accord. Marking the end of the six-year-long ethnic conflict, the Assam Accord was signed in August 15, 1985 "(...) between Prime Minister Rajiv Gandhi and leaders of the movement that demanded the expulsion and disenfranchisement of 'foreigners'." (Baruah 1986) The Assam Accord thus sets precedent for the NRC to exclude several individuals from the list of Indian citizens, as it happened in 2019.

The northeastern Indian state of Assam recently published a list containing those who are perceived by the nation as citizens, leaving out almost 2 million residents, most of whom are Muslim (Al Jazeera, 2019). The list, called National Register of Citizens (NRC), is a census-like mechanism that looks into the number of members in a household, their respective jobs, ages, marital status, names, sex, level of education, and religion – among other categories. (Government of Assam 2014)

At the end of 2017, "(...) the first draft of the NRC was published and the second was released on 30 July 2018 at Guwahati, capital of Assam. The last draft has declared more than 28.9

million out of about 32.9 million applicants from Assam as ‘eligible for Indian citizenship’ and left out the names of more than four million applicants from different communities.” (Ranjan 2021) In addition, the NRC was not final: the names that did get included in it, were subject to further reviews. It must be noted that none of the two drafts mentioned religion, although the majority of those who were left out were Muslim. (Ranjan 2021) The NRC contained multiple drafts as lawmakers found it difficult to agree on specific issues, such as the time frame to be considered the cut-off for the arrival of immigrants.

In the end of 2019, both chambers of the Indian Parliament passed a Citizenship Amendment Bill, which included religions and specific areas from which people could enter India and become citizens. (Congressional Research Service 2022) The bill excluded Muslims and directly violated both human rights treaties but the Indian Constitution as well. Part II, article 15 of the Constitution states that “the State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.” (The Constitution of India 2022)

The almost 5% of Assam residents who were excluded from the list of citizens had months to prove their ancestors were of Indian citizenship before March 25, 1971, “(...) when Bangladesh gained independence from Pakistan and large numbers of Bengalis illegally crossed into India.” (Congressional Research Service 2022) Said exclusion of residents from the citizenship list shows how India has been making efforts to Hinduize its population by depriving people of their citizenship, which goes directly against India’s own constitution. It must be reinforced that India is technically supposed to be a secular state, although empirically it shows trends that lean much too far into Hindu religion – or against other faiths.

In contextualizing the study of reparative citizenship to this case, it seems unlikely to be a success in the foreseeable future. Reparative citizenship inherently brings in the idea that the State

recognizes where it fell short and is willing to make it right for those who it made stateless in the past. As Barnard-Naudé and Frost would agree, reparation involved the acknowledgement of pain inflicted, and the gesture of making it better. But this deprivation caused by the NRC is much too recent. In this instance, I do not see how the State, still with the very same structure that violated the rights of millions, would be willing to see its mistake so soon and take it back. I believe that, in order for these almost 2 million people to get their citizenship secured by the state of India, there needs to be a movement within the nation's identity to translate that into actions in order to protect the rights of its people. People who, although foreigners at first, made Assam – and India – their home. People who were participating in political life and contributing to the economy, although doing so from its margins, without the ever-important “birth right” to India. Perhaps reparative citizenship needs to be incorporated in institutional and organizational change both within the State of India, as well as within the collective reasoning of its citizens.

The citizenship crisis in Assam has been the effect of an even larger crisis in national identity amongst Indians, Bengalis, Bangladeshis, and Pakistanis, which is a result of an overarching colonial history. The divide and rule strategy taken on by the British left a disastrous and destructive legacy of “fear of the other”, which has caused millions of people to be excluded from their Indian citizenship, culminating in a hateful environment, filled with tension and civic unrest. As the NRC so recently denied individual's citizenship, I do not see a likelihood for the organization to change its track so completely in order to include everyone back, with their deserved documentation, any time soon. All in all, in order for reparative citizenship to take effect, there must be a change in government institutions to first and most importantly, recognize its shortcomings and only then act to repair those. It has been discouraging to study so much and not have an immediate answer for those who are suffering at this very moment.

It is important, nonetheless, to investigate citizenship and migration issues as they are rising on a global scale and as statelessness deprives people of their fundamental human rights. As mentioned already, I have seen a gap in academia regarding statelessness, human rights, and the real-world, short-term solutions for these rampant, contemporary issues. I hope this thesis lays the groundwork for scholars – myself included – to keep incrementally reading, studying, and attempting to understand social dynamics within the states that make for such a hostile environment towards the foreign. Perhaps rethinking state borders is much needed after all, while I maintain that that is a long-term solution and should be pushed simultaneously with more immediate responses for those who are enduring statelessness at this very moment.

II. Ukraine

The following case study of statelessness in Ukraine is also a complex one, permeated by the national identity issues that come with the still recent birth of a new nation, descendant of the old Soviet Union. I shall compare how a lack of national identity along with a history of colonization affects citizenship and statelessness issues in the modern world and more specifically, in Ukraine. Ukraine, much like India, has undergone transformations as a country which shaped its national identity, influenced by colonialism.

The dissolution of the Union of Soviet Socialist Republics (USSR) was a long process. The six-year-long journey took several referendums and outlined a number of conditions under which the union republics were entitled to secession, such as the referendums, popular petitions, and specific time frames. (Barry 1992) In August of 1991, while Mikhail Gorbachev was away on vacation with his family, several of his ministers took power into their hands with the intent to stop the USSR from turning into a confederation. (Zubok 2009) The coup was attempted by KGB

leaders alongside and it put the Soviet Union in an unprecedented crisis, which was a catalyst for national-separatist movements. However, it lacked organization as the leaders of the coup even failed to arrest Boris Yeltsin, the first popularly elected president of the Russian Federation. (Zubok 2009) After the coup attempt in Moscow in 1991, Ukraine decided to separate from the USSR on December 1 of the same year. This decision came from 90 per cent of the voter population in the republic, making Ukraine an independent nation. (Liber 1998)

As the Soviet bloc came to a sudden vanishing, the highly contested Ukrainian territory was one with diverse cultures, languages, and ethnicities. Several parts of Ukraine “experienced long-term Russification and Sovietization and their populations entered the Soviet Union with a low level of national consciousness.” (Liber 1998) Because of this issue in Ukrainian national identity, independence alone was unable to champion an integrated, well-structured nation. Understandably so, as Russian and Ukrainian socio-cultural identities have been so historically interconnected: “(...) [Russians and Ukrainians] are racially indistinguishable; their languages are distinct but mutually comprehensible; their cultures and histories are closely intertwined; and their religious affiliations, where applicable, are both Christian in orientation.” (Bremmer 1994) Ukraine’s post-independence challenge was set: nation-building.

The western section of Ukraine was more Ukrainian, while the eastern portion was more Russified. (Liber 1998) These distinctions within the Ukrainian territory are indicators of, once again, a lack of unified state identity. In his research, Liber looks into the ethnic, social, and political cleavages between different areas of Ukraine by analyzing public opinion polls taken in 1991 and 1994. The polls presented how citizens in Ukraine are divided between Ukrainian-speakers in the west and Russian-speakers in the east and south, finding that “economic and political preferences in these regions nearly coincide with linguistic divisions.” (Liber 1998)

Through the differences, upon closer observation, one concept remains true across Ukraine: citizens share a common yearning for peace and stability beyond their regional disparities. (Liber 1998) Could that be an optimistic sign for Ukraine integration and the development of a national identity?

George Liber (1998) argues the fragility of the new Ukrainian state can be traced back to the years when the Soviet Union was under Stalin, as the dictator destroyed cultural institutions that would otherwise have built and established an integrated “imagined” community for Ukrainians. Furthermore, Stalin implemented widespread famine in Ukraine between 1932 and 1933 that claimed over six million peasant lives. (Bilinsky 1999) Polish scholar and juror Lemkin wrote on the Ukraine famine and referred to it as genocide as he depicted the waves in which Stalin sought to destroy Ukrainian national identity. He points out how the USSR’s attack came to be, divided in four steps: “the first blow is aimed at intelligentsia, the national brain, so as to paralyze the rest of the body.” (Lemkin 1953) On this first wave of attacks, teachers, writers, political activists, and leaders were squandered, imprisoned or deported. What followed was an offensive that targeted churches and members of the clergy, as Lemkin called them, the “soul” of Ukraine, with the destruction of sacred buildings and the death of 10.000 clerics. (Lemkin 1953) There is a noteworthy connection between the first and second attacks, as the Ukrainian Catholic Church ran schools and raised scholars, also serving as the Brain.

The famine period came as the third strike of the Soviet plan, targeting farmers and peasants between 1932 and 1933. Starvation ensued when the Kremlin set unusually high taxes to be paid with grains that were stored by government officials until they decided how to allocate it. The grains ended up being exported and families migrated to the larger cities, where they would be sent back to the fields and eventually die of cruel starvation. (Lemkin 1953) Interestingly, the

fourth and final prong in the process of fragmenting Ukraine was dispersion. Looking to annihilate ethnic unity, Stalin had hundreds of thousands of Ukrainians deported throughout Eastern Europe. (Lemkin 1953) Raphael Lemkin insightfully wrote that “(...) if the intelligentsia, the priests and the peasants can be eliminated, Ukraine will be as dead as if every Ukrainian were killed, for it will have lost that part of which has kept and developed its culture, its beliefs, its common ideas, which have guided it and given it a soul, which, in short, made it a nation rather than a mass of people.” (Lemkin 1953) All in all, I strongly believe that Ukraine has developed a sense of unity as a nation, which was no small task given the path of destruction left by the Soviet regime.

Further evidence of Ukraine’s national identity is traced back to the Orange Revolution of 2004, when a wave of civic non-violent protests against election fraud and corruption took place. The revolution began in November of 2004, as nonpartisan exit polls during the runoff election between Yushchenko and Prime Minister Viktor Yanukovich showed a 52 percent lead for the former, but official results later gave Yanukovich a victory with a 2.5 percent margin. In the following days, voter turnout figures “magically” skyrocketed between 9 to even 40 percentage points. (Karatnycky 2005) Ukrainians went to the streets in a sea of orange, urging the state to put an end to such blatant corruption.

A few weeks later, the Orange Revolution had a successful end with the triumph of opposition leader Viktor Yushchenko’s election. (Karatnycky 2005) The Revolution is a testament to the developing national consciousness of Ukrainians, as they organized and rallied around a shared goal towards democracy. Additionally, Ukrainians underwent a transformation in core values and organizational skills that emerged with a new generation of educated, well-traveled individuals who were exposed to Western ideas. (Beissinger 2013) The Orange Revolution paved

the way for a Ukrainian collective imaginary to be restored after a long time of being subjugated by attacks on its national identity.

In 2022, Russia invaded Ukraine under the premise that Ukrainians are really Russians, and have no identity of their own. In July of 2021, a few months before the invasion, Russian president Vladimir Putin published an article on the Kremlin website entitled “On the Historical Unity of Russians and Ukrainians”. On the article, Putin expresses that Russians and Ukrainians are one, sharing history, language, and culture. The authoritarian leader weaponized these similarities to later invade Ukrainian territory: “I am confident that true sovereignty of Ukraine is possible only in partnership with Russia. (...) Our kinship has been transmitted from generation to generation. (...) For we are only one people.” (Putin 2021) However, there is evidence of Ukraine’s national identity beyond the moment in 1991 when the country came together in an overwhelming majority and voted in unison to leave the USSR. Further proof that Ukrainians have indeed developed a shared identity, however late, lies in their fight for their home, throughout Russian deadly attacks in the recent years. Throughout this section, I have made a strong case for Ukrainian national identity dating back to the Orange Revolution, showing the emergence of a new era in the rebirth of Ukrainian identity. Russians have for decades attempted to annihilate Ukrainian unity, and Ukrainians have time and again stood together to fight back these attacks. President Putin appears to have missed this aspect of Ukrainian history when he argues that Ukraine can only thrive under his rule.

It is clear that Ukraine had its challenges when forming a national identity, and it is understood as well that its history overlaps with that of Russia. The two nations’ intertwined histories are inherently a result of the bloc that used to be the Soviet Union. As for Ukraine’s challenge in developing a national identity, it stems precisely from the old USSR’s intervention in

the republic, leaving a gap in the collective national consciousness of Ukraine. Where do they belong and under whom? All things considered, a weak state identity alone should not be a reason for a nation's sovereignty to be undermined.

The War

As previously mentioned, in 2022 Russia invaded Ukraine and officially started a war with the nation that was once the second largest in the old Soviet Union, under the disguise that Russians and Ukrainians are one, and Ukraine can truly only be sovereign under Putin's rule. (Putin 2021) Since then, the war has gained widespread international attention. Very recently, on March 17, 2023, International Criminal Court (ICC) judges issued arrest warrants for Russian President Vladimir Putin for war crimes due to his involvement on unlawful abductions of children from Ukraine. (ICC 2023) Between 900,000 and 1.6 million Ukrainian citizens have been forcibly deported by Russian authorities from their homes to Russia, including 260,000 children. This is an attempt by Russia to change the demographics in parts of Ukraine, by confiscating Ukrainian passports and issuing Russian passports. (Blinken 2022) In these "filtration" operations, children are being separated from their parents and there are reports of torture by the Russian authorities. The Ukrainian crisis is not only a concern for citizenship and statelessness, but also for grave war crimes.

Russia's attempt to change the demographics of Ukraine did not start with the war. The so-called "passportization" is far from new. A controversial policy, passportization refers to the mass extra-territorial naturalization, meaning the issuing country seeks to control contested territories from the inside out, by claiming those citizens as its own. (Burkhardt 2020) Russia has been using passportization as a tool to, once again, justify its interference with Ukrainian sovereignty and tamper with the already fragile Minsk peace. (Burkhardt 2020) For context, the Minsk agreements

originated from the hostilities between Russian and separatist forces and Ukrainian government forces in eastern Ukraine in 2014, more specifically, in the Donbas region. (Åtland 2020) The Minsk Protocol was a ceasefire agreement that temporarily worked in subsiding violence, and was followed by Minsk II, another set of points to reinforce its predecessor agreement. (Åtland 2020)

In another attempt to erase Ukrainian national identity, Russia's passportization operations in Ukraine have yet to be successful. These passports do not entail full Russian citizenship – the Ukrainian holders of fast-tracked Russian passports are considered second-class citizens and cannot fully participate in Russian civic life, for example, in local elections, due to the fact that they are not residents of Russia. (Burkhardt et al. 2022) Further issues arise as Ukraine fights Russia's passportization. Ukraine does not recognize dual citizenship, therefore, Ukrainians that were issued a Russian passport are still considered Ukrainians and Ukrainians alone. Authors Burkhardt, Rabinovych, Wittke, and Bescotti explain: "This dual status of nominally being a Russian citizen while lacking residence on the state territory of the Russian Federation is the foundation for this new form of 'diminished citizenship'. This is because residence on the territory of the Russian Federation documented as a place of residence is the precondition for many rights and duties associated with Russian citizenship." (Burkhardt et al. 2022) So, not only are Ukrainians being "poached" by the Russian government, but they are also being demoted to second-class Russians, who are unable to fully participate in Russian political life.

Author Natalia Ishchuk (2022) says Ukrainians are often compared to bees: "In peacetime, they are calm and hard-working, busy arranging their own hive. In times of threat, they turn into a cohesive swarm." Ukrainians have experienced hardship as a nation for longer than this thesis has accounted for. They have faced challenges in developing a national identity time and again. Yet, there are still signs that Ukraine has indeed an identity, as demonstrated with the Orange

Revolution. Having written all this, where does Ukraine fit into the theme of reparative citizenship? What can be done with all those who had their Ukrainian passports switched for Russian ones? Ukraine still recognizes all its citizens, but where do we move from here? I have more questions than answers, but, once again, until there is a regime change paired with a revolution in the collective imaginary of a citizenry, reparative citizenship cannot be fully implemented. I see reparative citizenship working in the medium-long term, rather than the immediate response I was hoping to find for Ukrainians and Indians alike.

Throughout this chapter I have analyzed the citizenship crisis caused by Russia's invasion of Ukraine, and by the end, I hoped to come up with an answer for those crippling issues via Amanda Frost's (2022) concept of reparative citizenship. What I failed to consider, and I intend to fix that error now, was that reparative citizenship inherently needs change in the political environment in question. The famous success case of reparative citizenship is one enacted by Germany in 2020, where victims of the Nazi regime who were forcibly deprived of their German nationality, and their descendants, are now able to be renaturalized as citizens of Germany (Basic Law... 2022).

Upon my first encounter with the idea of reparative citizenship, I was filled with hope for justice for so many people affected by the deprivation of citizenship, and, consequently, the lack of security in the guarantee of their fundamental human rights. I thought "why isn't everyone talking about this? Why do I not see more policies with reparative citizenship in mind?", but after extensive research I now understand underlying factors that are paramount to the implementation of policies like the one Germany enacted. Between the fall of Hitler and the liberation of concentration camps, and 2020, when the renaturalization law was fulfilled, Germany underwent a comprehensive, deep resignification of its national identity.

I failed to understand this early on, and strived to study the execution of reparative citizenship policies to cases in Assam, India, and in Ukraine. My mistake was setting out to apply reparative citizenship to cases that are much too recent to fulfil certain preconditions, which only later I came to realize were paramount to reparative citizenship. As I demonstrated in this chapter, in order to repair citizenship issues, through the figure of the state, there must be an understanding of i. a wrongdoing (in this case, citizenship deprivation) by part of the state or one of its branches, ii. a recognition that such was wrong and negatively affected a multitude of people and, finally, iii. the willingness to repair – or attempts to – the citizenship deprivation in question.

Chapter Four: Concluding Remarks

Without citizenship, one cannot have their basic human rights secured. Without state institutions, those rights cannot be guaranteed either. A great volume of scholarship has been published on the crossover between citizenship and human rights, but by the end of those, the policy recommendations are utopian (de Noronha 2022, de Noronha and Bradley 2022) and unfeasible, proposing the extermination of the state. De Noronha and Bradley fail to recognize that, although the state has its evils, it also provides social security, citizenship, and human rights. (Dhawan 2021) Dhawan (2021) emphasizes how the state is capable of coercion and protection, and how it would be a disservice to dissolve it. Henceforth, I argue that attempting to eliminate the state will do more harm than good. Further, I maintain that scholars should search for feasible solutions to citizenship deprivation within the state framework, while still criticizing state misconduct when appropriate.

Through extensive reading, I demonstrate that reparative citizenship initiatives can only be successful under certain circumstances, through: i. an understanding of a wrongdoing (in this case,

citizenship deprivation) by part of the state or one of its branches, ii. a recognition that such negatively affected a multitude of people and, finally, iii. the willingness to repair – or attempts to – the citizenship deprivation in question.

All in all, my findings demonstrate that authors should shift their focus from aspiring to dismantle the state and concentrate on finding ways to advocate for the stateless, within state institutions. Future research shall implement ideas of cosmopolitanism and active citizenship to set forth a comprehensive assurance of human rights to vulnerable populations. Authors should still maintain a critical view of the state, when pertinent. Ultimately, this thesis is intended to denounce citizenship deprivation, and to produce favorable conditions to reparations.

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