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Panel

Migration and (Non-) Citizenship in Arab Gulf States: Policies, Practices, and Negotiation

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Participants

Paper presenters

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Chair

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Panel Outline

The six members of the Gulf Cooperation Council (GCC) –Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, United Arab Emirates– share as a common feature a high dependency on a foreign workforce and a persistently high and, in most cases, growing proportion of non-nationals in the resident population. The GCC's uniqueness, however, does not lie in the high level of immigration as much as in the persistence over time of a high proportion of non-citizens. Insisting on GCC uniqueness may lead to the wrong notion that the migration it receives is entirely different from migration to other countries in the world with regard to its causes and consequences. As in many countries with a guest-workers system, in the GCC the number of non-working foreign nationals has continuously grown as a result of family reunification leading to immigration of: non-national spouses and children; children born in the GCC from non-nationals; and foreign nationals retiring in the GCC countries where they spent their active life. In other words, the GCC countries are experiencing that many guest-workers turn out to be immigrants, but governments do not (yet) formally acknowledge this fact. Far from being unique, the GCC countries are subject to similar demographic, economic, social, political and legal challenges as other countries that experience significant immigration. In this panel is argued that in explaining population and migration specificities of the GCC states one should look at policies –policies that were adopted or were consciously not adopted– and at their intended and unintended consequences. This panel looks at one particular policy domain: citizenship. The GCC countries are extremely restrictive in granting citizenship, especially if compared to other countries of large immigration. This panel seeks to map the existing legal regulations for granting citizenship and analyse them in political, social, legal and historical context, as much as possible adopting a comparative perspective. The panel uses a variety of research methods, ranging from legal analyses of legislation and naturalization decrees to an historical perspective of how and why initial expansive naturalization policies changed over the past decades; ranging from a politico-strategic analysis of a particular GCC country to an anthropological analysis of a large historical non-national community in another. The papers not only show the complexity of the relationship between citizenship and migration in

the GCC countries, but also its usefulness in explaining past decisions and present options for GCC polities and societies vis-à-vis its foreign populations.

Zahra Babar

Inclusion/Exclusion: Citizens and Migrants in the State of Qatar

Qatar's ruling elites, with their immense access to external rents and a small citizen population, have been well placed to engage extensively in distributional politics. With burgeoning funds from recent investments in a host of natural gas-related enterprises, Qatar has spent increasingly on its own citizenry over the past decade, thereby ensuring the regime's continued legitimacy, popularity, and stability. In addition to the particular circumstances of being a high rent-earning state, Qatar reflects another mark of singularity in terms of its demography. Qatar hosts an astonishingly high number of foreign residents in proportion to its own citizens. Almost 85% of the total population of Qatar is non-national, comprising of smaller numbers of highly skilled foreigners, to very high numbers of migrant workers who populate lower skilled level jobs. Fears over the "imbalance" of nationals compared to foreigners have led to a general consensus among Qatari policymakers and social actors alike that migrants must only be allowed to spend only limited periods of time within the country and have minimal rights to integration or participation.

The manner in which concepts of citizenship evolve within a particular polity is intrinsically linked to the development of migration policy and governance. Citizenship and nationality laws filter out those who are not eligible, and create levels of exclusion which impact on migration governance. While the state builds citizenship around norms of inclusion, in reality the process is just as potent for creating norms of exclusion. In Qatar processes of constructing citizenship have been strongly state-derived and state-driven over the past four decades. A normative creation of national citizenship has evolved alongside a legal framework with stringent criteria of eligibility. This paper reviews the primary influences on Qatari citizenship laws, including historical and contemporary social contexts which have impacted on the development of relevant legislation. The paper argues that the evolving processes of restrictive citizenship are inexorably intertwined with existing patterns of regional migration. It further posits that the existing financial privileges of Qatari citizenship as well as the presence of a dominant non-national population have led to an ever more restrictive legal environment around access to citizenship.

Noora Lori

State Formation and the Construction of "Citizens" and "Noncitizens" in the United Arab Emirates

Why are naturalization policies in the Gulf so restrictive? And have they always been that way? This research traces how naturalization policies in the UAE have changed over time. Employing primary archival and interview data (collected in the UAE and UK), this paper examines the early stages of the formation of the UAE's citizenship regime. The research finds that the different stages of the expansion and restriction of citizenship regimes are a reflection of elites' changing political, economic, and security calculations. The early state modernizers and their British allies played a central role in formalizing the citizenship regime and creating categories of non-citizens, especially from the 1950s onwards. Crucially, state building led to the standardization of identification materials that impacted the Arab and non-Arab populations who were already residing in these territories. Those individuals who could document and trace their patrilineage to tribes present in the UAE since at least 1925 were granted "family books" or "Khulasaat al Gaid," marking them as 'full' citizens. Those who could not trace their lineage to the specific tribes found that their mobility and access to jobs, goods, and services was being increasingly hampered as their status was formalized into the new "non-citizen" categories of 'guest-workers' or 'illegal immigrants' or 'bidoon' (stateless). This paper thus finds that the consolidation of federal power and the standardization and security concerns of the Ministry of Interior (at both the federal and Emirate levels) have not only led to the legal creation of "citizens," but also constructed and formalized new categories of "non-citizens."

The first contribution of this paper is that it challenges the scholarly and popular treatment of patrilineal and genealogical citizenship regimes as natural outcomes of "Arab culture" and "tribal mentality." These primordial explanations are challenged by the fact that rulers of competing tribes often encouraged the immigration and integration of (Arab and non-Arab) groups prior to the 1970s. The second contribution of this paper is that it challenges the widely-held assumption that the populations in the territories of Trucial Oman were ethnically homogenous. Rather, it treats the construction of this racial "purity" of citizens as an outcome of the standardization of identities that accompanied nation and state-building projects in the

region. The key function of this paper is thus to show how certain populations were privileged and while others were excluded as tribal power was being consolidated and translated into territorial political units.

Gianluca Parolin

(Non-)Naturalization Policies in the GCC Member States

Naturalization policies, rather: non-naturalization policies, in the GCC member states are predicated on the alleged uniqueness of their migration phenomenon. GCC member states base this alleged uniqueness on the “high level of immigration” and its “guest-worker patterns.” By challenging this assumed uniqueness, the panel provides the ideal backdrop for an assessment of the (non-)naturalization policies, which my paper intends to analyze. Policies of civic inclusion and exclusion, I argue, are the real unique element of GCC member states migration and its management strategies.

The paper employs comparative and critical legal analysis to consider both the legislative policies on citizenship in the GCC member states, and their current (non-)naturalization practices. Legislative policies, on the one hand, will be analyzed on the basis of the fundamental conceptualizations of citizenship in the region, and their strategic amendments openly acknowledging exclusionary goals. (Non-)naturalization practices, on the other hand, will provide a wind-tunnel for the implementation of legislative policies and offer insights into the use of legal discourse in the service of restrictive management strategies. The analysis will be based on existing legislation and legal literature for the first section, and naturalization decrees for the second.

My contribution to the panel sits at the intersection of law and migration. The broader horizon of the paper is on the one hand conceptualizations and practices of citizenship in the region, and on the other hand governance structures in the GCC member states. While naturalizations are portrayed as almost automatic applications of citizenship legislation when requirements are met, the arbitrary use of naturalizations by political authorities tells a different story. Plunging into the heart of the polity, naturalization strategies are often politically divisive (Lebanon being just the epitome of such divisiveness), but the definition of (looser or stricter) legal requirements in the legislation boosts the conflict during the defining stage, but defuses it in the times of ordinary politics. In the Gulf, naturalization requirements and procedures are set high to allow for the exclusion of unwanted foreign nationals, but also occasionally bent for the inclusion of expectedly loyal supporters (as in the case of “political naturalizations” in Bahrain).

Neha Vora

Indians in Dubai: Impossible Citizens

In this paper, I examine citizenship and belonging in Dubai among those I argue are its most “typical” residents—the middle-class, working-class, and, to some extent, elite Indians who populate the downtown neighborhoods of the city but are mostly erased in contemporary accounts of the emirate’s rise and fall. Dubai, and particularly the downtown neighborhoods on which I focus in this paper, is predominantly South Asian, as is indexed by the linguistic, religious, sartorial, and commercial forms visible in the city, as well as by its demography—the majority of Dubai residents hail from South Asia, and of this population Indians form the largest national group. Additionally, South Asians comprise the main workforce of the private and public sectors of the city, at every level of skill set, salary, and education. They remain however, despite in some cases many uninterrupted decades and even generations of living in the Gulf, reliant on visas supplied by individual Emirati citizen-sponsors, or kafeels. Thus, naturalization and even secure permanent residency are mostly unavailable to them. Many urban anthropologists have explored how citizenship is produced through the process of moving around within the city, through everyday interactions with and within urban space—not only through a legally prescribed relationship with the state. Citizenship at the scale of urban belonging, however, is not something that is legitimized either by the Emirati state or by most scholarly accounts of belonging within Gulf cities. While their legal status places them squarely outside of the Emirati nation, my ethnographic research among Dubai’s Indian population from 2004-2011 shows that Dubai Indians are integral to the operation of governance, to national identity and citizenship, and to the functioning of Dubai’s liberalized and globalized market forms. They are, therefore, as I explore in this paper, impossible citizens.