

ROUNDTABLE

The Absurd Injunction to Not Belong and the *Bidūn* in Kuwait

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HAMM: *We're not beginning to . . . to . . . mean something?*

CLOV: *Mean something! You and I, mean something! (Brief laugh.) Ah that's a good one!*¹

In a tweet posted on 29 March 2018, a *bidūn* activist—who was later jailed from July 2019 to January 2020 for peacefully protesting against the inhumane conditions under which the *bidūn* are living—shared a video.² The brief video zooms in closely on an ID card, recognizable as one of those issued to the *bidūn*, or long-term residents of Kuwait who are in contention with the state regarding their legal status.³ More precisely, the mobile phone camera focuses on the back of the ID card, on one line with a special mention added by the Central System (*al-jihāz al-markazī*), the administration in charge of *bidūn* affairs.⁴ Other magnetic strip cards hide the personal data written above and below it. A male voice can be heard saying that he will read this additional remark, but before even doing so he bursts into laughter. The faceless voice goes on to read out the label in an unrestrained laugh: “*ladayh qarīb . . . ladayh qarīna . . . dālla ‘alā al-jinsiyya al-‘Irāqiyya*” (he has a relative . . . who has presumptive evidence . . . suggesting an Iraqi nationality). The video shakes as the result of a contagious laugh that grows in intensity. In the Kuwaiti dialect, the voice continues commenting: “*Uqsim bil-Allāh, ga’adt sā’a ufakkir shinū ma’anāt hal-ḥatchī*” (I swear by God, it took me an hour to figure out the meaning of this nonsense), before reading the sentence again, stopping and guffawing, and asking if he should “repeat it a third time,” expressing amazement at its absurdity. The tweet, addressed to the head of the Central System (mentioned in the hashtag #*faḍīḥat Sāliḥ al-Faḍāla*, or #scandal Salih al-Fadala), reads: *In lam tastahī fa-’ktub mā sha’t* (Don’t bother, write what you want).

The scene is comedic, but also extremely meaningful. Laughter and humor are to be taken seriously when it comes to their political meaning. Humor lays bare the absurdity of the situation the subjugated are forced to suffer. It can signify a refusal to submit to processes of subjugation.⁵ Humor and laughter can be understood as transgressive acts because, when out of place or contrary to the reaction of fear and cowering expected in the face of oppression, they destabilize existing social hierarchies and disavow the power they are faced with. In the above clip, the scene poking fun at the *bidūn* ID delivered by the Central System in Kuwait sheds light on the potential of humor to question the rationalizations for injustice and

¹Samuel Beckett, *Endgame: A Play in One Act* (London: Faber and Faber, 1958), 26.

²Yusif al-Bāshiq (Būbāshiq) @bobashiq, Twitter post, 29 March 2018, <https://twitter.com/bobashiq/status/979440149854654465>.

³*Bidūn*, an Arabic word meaning “without,” is used as a shorthand for the expression “without nationality” (*bidūn jinsiyya*). It refers to people who have been excluded from citizenship since the 1960s initially as a result of inconsistent policies. Since then, they have been in contention with the state of Kuwait over their entitlement to nationality. The state has regarded them as illegal on its territory since a 1986 decree.

⁴The Central System is short for the official name, the Central System for the Remedy of the Situations of the Illegal Residents (*al-jihāz al-markazī li-mu’ālatat awḍā’ al-muqīmīn bi-ṣūra ghayr qānūniyya*).

⁵See, in the Palestinian context of precarity and occupation, the excellent piece of Lisa Bhungalia, “Laughing at Power: Humor, Transgression, and the Politics of Refusal in Palestine,” *Environment and Planning C: Politics and Space* 38, no. 3 (2020): 387–404.

the absurdity of a life-world produced by decades-long policies that deny rights, policies that sometimes contradict each other.

To capture this feeling of absurdity, I do an intellectual detour outside of my original discipline, political science. I borrow a concept from literary techniques and draw on modes of thought that belong to the social sciences, literary critique, and literature itself, moving beyond a somewhat arbitrary separation. I use the lens of the absurd to emphasize human and emotional depth in the face of aberrant and incomprehensible mechanisms of power and injustice, mechanisms that have metaphysical dimensions. I understand absurd here both in its everyday meaning of nonsensical and in the broader sense of an expansive category of literary strategies and methods that highlight feelings of incongruity or incongruous realities.⁶ This effect is achieved by the following extract from Mahmoud Darwish's *Journal of an Ordinary Grief*, which was inspired by the author's own experience.

You despair of the passport and ask for a laissez-passer. You find that you are not a resident of Israel because you have no certificate of residence. You think this is a joke and rush to tell to your lawyer friend: "Here I'm not a citizen, and I'm not a resident either. Then where and whom am I? You are surprised to find that the law is on their side, and you must prove you exist. You ask the Ministry of the Interior, "Am I here, or am I absent? Give me an expert in philosophy, so that I can prove to him I exist."

Then you realize that philosophically you exist but legally you do not.⁷

What matters in the absurd is not the pessimistic vision of humanity as a whole, struggling vainly to find a purpose. What matters is the nonsensical, as experienced by individuals such as, for instance, the main character in Kafka's *The Trial*, a novel in which the judicial process turns into a farce, mixing tragedy and comedy, emotions of anxiety and derision. The nonsensical in the lives of the *bidūn* takes the form of not knowing what the rules of the naturalization or regularization game are, of having to repeat procedures with no idea of where they stand in the process, having lost sight of the outcome, and above all of being told who they are in contradiction to who they feel they are. Resorting to this literary concept illuminates fundamental elements of the lived experience of the *bidūn* that more conventional approaches to their life fail to account for, namely the opacity and contradictions of their administrative situation and temporary condition and the painful dislocation of identity defined by both tragedy and farce. It also takes into account the complexity of the metaphysical anguish and resilience that results from these social processes and takes an invisible toll on *bidūn* individuals. It brings the *bidūn* experience away from the victim narrative toward subjects that use derision, metaphorically transgressing norms and their condition.

Albeit underexplored, the transgressive power of laughter lies in the fact that it calls into question the normative rationalizations that the Central System has developed. In particular, it challenges the norms, narratives, and basic reasoning drawn from principles of nationalism and sovereignty that the Central System takes to extremes. Here, the tenuous conjecture by which nationality is attributed to the *bidūn* fosters laughter and a comic tone. Power is disavowed in the sense that helplessness has changed sides. Laughter is not a coping strategy but a response to an oppressive political structure.

Questioning the Rationalizations of Nationality Attribution

The protracted struggle of the *bidūn* has lasted for decades. The first decades of Kuwait's independence (1960s–1980s) were marked by uncertain and inconsistent policies toward those who later fit this category. During the 1990s and early 2000s, the government gradually manufactured a category for all

⁶As a reminder, the concept of absurd was coined originally to refer to a nonorganized literary movement and specifically but not exclusively to playwrights such as Samuel Beckett, Eugene Ionesco, and Jean Genet. The literary critic Martin Esslin, who described the theory, noted common points between playwrights that primarily conveyed a sense of incomprehension and even despair in the face of what was felt as a lack of consistency and cohesion in the world. The plays are characterized by incomprehensible plots that seem to start and end arbitrarily and are propelled by unmotivated actions and meaningless dialogues; *Penguin Plays: Absurd Drama* (Harmondsworth, UK: Penguin, 1965), 12. Here the concept of absurd is understood more broadly than in the definition of the "theater of the absurd."

⁷Mahmoud Darwish, *Journal of an Ordinary Grief*, trans. Ibrahim Muhawi (New York: Archipelago, 2018), 66.

individuals of undetermined status called “illegal residents” (*muqīmūn bi-ṣūra ghayr qānūniyya*), per official wording in the administrative policy. In a performative way, this policy stripped its members from their rights. It contributed to the pauperization of the group, estranging them from more privileged citizens, who were increasingly defined in classist and materialist terms. At the same time, special committees were mandated with the task of “uncovering the true origins” of *bidūn* claimants. Over the past two decades, the government has tried two administrative approaches to ascertain the alien status of the group: a genealogical conjecturing approach and a resort to genetic testing, deemed scientifically infallible but never practically implemented. Since 2010, the Central System is the entity responsible for the genealogical searches. Yet after decades of policies designed to pressure the *bidūn* into claiming other nationalities as their “true” ones, the tenuous conjecture on which the Central System relies eventually suggests a desperate absence of solution. The spontaneous laughter it triggers, exemplified in the tweet which opened this paper, if not clearly oppositional, is a form of defiance. It lays bare the tacit admission of impotence on the part of power.

Genealogical Trees and The Impossible Rooting

Since 1993, six years after a secret decree imposed the label of “illegal residents” on all individuals of undetermined status, the Kuwaiti Ministry of Interior has tasked special committees with registration and follow-up of the *bidūn* files. These administrative entities have established figures and collected data by centralizing scattered information across various state ministries and institutions. Officially, this practice of cross-checking data seeks to “uncover the true origins” of the claimants. The Central System was set up in November 2010 as an independent entity that, contrary to previous committees, was distinct from the Ministry of the Interior. It was endowed with a five-year mandate to resolve once and for all the issue of *bidūn* claiming Kuwaiti nationality. But its mandate was renewed in 2015 for want of reaching its stated goal and, renewed again for one year in November 2020.

The Central System works to identify and ascertain the national origin of the *bidūn* on the basis of secret gathering of information, drawn from the institution’s own genealogical research or from data held by other government agencies. *Bidūn* are assigned a foreign nationality and foreign identity, based on the Central System’s reconstitution of their family history. Yet, as Rashid Hamad al-Anezi, a Kuwaiti academic and lawyer specializing in nationality, stated, “There is here a fundamental misunderstanding between *nationality*, the official state recognition, and *origin*, inferred from stated documentations.”⁸ The state’s inference of origin is no more than a presumption, obtained by deduction.

In Kuwait, as in most Gulf states, nationality law is premised on the idea that nationals must prove the purity of their lineage (as in being “original” or “pure”—*aṣli* in Arabic) and their pre-oil presence in the emirate.⁹ Nationality gives entitlement to benefit from the bounty of the soil and a share in the hydrocarbon wealth drawn from it, and, by extension, forms the basis to the right to own property, whereas aliens, until recently, could not. On the contrary, those who are deemed from dubious genealogical lineage and portrayed as post-oil migrants or latecomers are denied nationality. Their supposedly foreign origins exclude them from the bounties of the land.

During the last decade, the Central System has issued documents supplemented with “presumptions of nationality.” Here are some examples of what these documents include. The official English translation is often “presumptive evidence of [say] Iraqi nationality” but the Arabic varies and reads, for instance, *ladā al-āb/ al-jadd ladayh qarīna dālla ‘alā al-jinsiyya al-‘Irāqiyya* (the father/grand-father has presumptive evidence suggesting an Iraqi nationality) or *‘Irāqī al-jinsiyya tab’an li-‘amm al-āb* (Iraqi due to father’s paternal uncle). The Arabic word used, *qarīna* (presumption), is the same one as in “presumption of innocence.” This is far from providing evidence or proof; it merely serves to blur the cardholder’s identity (Fig. 1). During my fieldwork, for instance, I recall one *bidūn* mentioning that his family was considered “of Syrian origin” on the basis of a neighbor’s testimony stating that his paternal uncle came to register in Kuwait in 1975.

⁸Claire Beaugrand, *Stateless in the Gulf: Migration, Nationality and Society in Kuwait* (London: I. B. Tauris, 2018), 128, emphasis mine.

⁹Kuwaitis by origin are legally defined as persons and their descendants who are able to prove their continued presence since 1920 in “Kuwait,” a yet to be defined sovereign territory at the time.



Figure 1. Blurred identity. ID issued by the Central System with the designation “*Ladā al-ākh qarīna dālla ‘alā al-jinsiyya al-‘Irāqiyya*” (The brother has presumptive evidence suggesting an Iraqi nationality) or “presumptive evidence of Iraqi nationality”.

These attributions of forced identities have been gradually systematized since 2010 but were practiced before that. In January 2007, as the government eased access to temporary driving licenses, a large number of *bidūn* refused to register for the document. They pointed to the fact that the nationality field was prefilled with the designation “*muqīm bi-šūra ghayr qānūniyya*” (illegal resident). Likewise, other *bidūn* denounced the fact that the Ministry of Health issued birth certificates with the nationality fields of parents arbitrarily filled in with foreign nationalities. When *bidūn* resorted to the court to get married, the court would detain files under their names with the note, for instance, “*min uṣūl ‘Irāqiyya,*” (of Iraqi origin).

The bone of contention is that the *bidūn* refuse to formally acknowledge a forced, attributed origin that erases their lifelong experience in Kuwait. Any acknowledgment would tacitly mean a formal drop of their claims to citizenship. In the face of their rejection of this forced identity, the practice of the Central System is tantamount to blackmail. It forces *bidūn* to accept un-belonging to acquire identification papers, without which they cannot interact with the rest of Kuwait’s government bodies. They cannot register their children in schools or access health services. In recent years, *bidūn* were allegedly requested to sign a form that certified the correctness of the information written on their identity card *before* the card was actually handed over to them. According to the 2018 US State Department’s *Human Rights Report*, *bidūn* also were asked to write their signature on a blank sheet of paper, on which the Central System would later embed a letter. In the letter, the signatory “confessed” his or her “true” nationality, be it Jordanian, Syrian, Iraqi, Saudi, or Iranian. This instantly rendered the *bidūn* ineligible for recognition as *bidūn* and the accompanying “facilities” granted by the Central System.¹⁰

The continued belonging of the *bidūn* is paradoxically conditioned on their formal un-belonging. The Central System’s main objective is to release a series of figures that support the gradual diminishment of their numbers, no matter how. From an already-underestimated official number of around 106,000 in 2010, the *bidūn* reportedly numbered only 88,000 eight years later, even though no large numbers of naturalization had occurred. On the contrary, *bidūn* have joined other refugees on deadly routes to seek asylum abroad. The Central System excels at statistics; yet the Kuwaiti state and society have yet to engage in reflection on access to nationality as a longer-term process of regulating presence and identity.

¹⁰US Department of State, *Kuwait 2018 Human Rights Report*, 16, <https://www.state.gov/wp-content/uploads/2019/03/KUWAIT-2018.pdf>.

Biology Instead of Politics: Genetics as the Solution?

Following the same genealogical logic, the government of Kuwait also considered the idea of resorting to genetic tests to help arbitrate its contention with this population. Just like alien status can be inferred from a father's paternal uncle, the genetically proven affiliation with a Kuwaiti citizen could support cases for naturalization. Many Kuwaitis believe, out of weariness with the protracted *bidūn* issue, that resorting to DNA could provide an incontestable scientific arbitration. It would establish the truth, where politics and political authority fail to act decisively.

The obsession with ascertaining truth through genetics is linked to the idea of preserving purity.¹¹ The *bidūn* existence at the margins of Kuwait's society challenges the myth of original purity as a pillar of the definition of a citizen. In September 1998, the Kuwaiti government announced that genetic tests would be required from all *bidūn* to prove their claims to Kuwaiti nationality through family lineage or through kinship to a Kuwaiti mother, father, or other relative. Yet the use of biology as a criterion to determine the fate of the *bidūn*, rather than the duration of their residence or their feeling of belonging or cultural affinity with Kuwait, was never applied, despite being proposed several times. It remained at the stage of functioning as a threat to pressure *bidūn* into designing their own alternative and often desperate solutions to their administrative conundrum. Using the naïve belief in the infallibility of science, the state's threat to use genetic testing sought to unmask "fraudulent" claims, that is, those not supported by a genealogy defined as pure.

The Absurd: Between Tragedy and Farce

Those laughing in and with the video mentioned at the outset of this essay also denounce the absurdity of the policies regarding *bidūn*. The extreme obstinacy with which the Central System has tried to fit each individual case into a "previous nationality" box as part of the official policy of attributing foreign nationality boggles the mind. It is this loss of meaning and the emotional implications of it that I want to stress. The felt reality is that spontaneous processes of rooting and belonging create emotional links between long-term residents and places, persons, and memories associated with them. Yet these processes are set on a collision course with administrative procedures that seek to unravel identity claims. Such procedures use a vertical logic, that of the genealogical and genetic rationales, to impose an injunction to *not* belong, or to "un-belong."

The Central System utilizes biological and genealogical approaches to resolve a fundamentally political issue. The stubborn endeavor to attribute nationality is sometimes deceitful and inconsistent. Some *bidūn*, for instance, hold documents in which their presumed nationality is Iranian and others in which it is Iraqi. This reiteration of performative yet contradictory statements reminds one of the use of dislocated language in the theater of the absurd: repetitions and incoherent plots to signify the loss of meaning. The characters in Ionesco's *Bald Primadonna*, for example, sit and talk like broken records, repeating the obvious until it becomes nonsense, reflecting the influence of comic tradition that uses disembodied characters or puppets, such as in *commedia dell'arte*, mimes, and pantomimes. The repetition is part of the farce: *bidūn* are expected to repeat the same actions and renew their IDs, whose validity is often now as short as six months, all with the hope of an eventual different outcome. Within the circumvolutions of the administrative process, they never know at which step they stand. The literary concept of the absurd captures the processes that people are subjected to with more clarity than political science approaches to citizenship can do.

The *bidūn* experience state-made or state-led dislocation of identity that fosters dissonance between their lived and state-controlled experiences. They are not part of the state-sanctioned population, yet at the same time they cannot escape the state they are excluded from. The imposition of an unwanted identity is brutal. The *bidūn* category is cemented partially and paradoxically through this shared experience of being given an identity through administrative violence that they reject. Such

¹¹Kuwait has the financial and technical means to carry out mass DNA tests. An August 2015 DNA test law made it mandatory for all citizens and foreign residents to be included in a national DNA database. Initially designed to address security concerns, the law was widely criticized internationally for its privacy implications and subsequently abandoned when the constitutional court judged it contrary to the constitution.

policies produce a situation in which people feel and think that they are at home where they actually live, but where they are denied both this bond and belonging. They are told to live transiently in a place without growing roots. It means they can live this rootless life for many generations. This is the injunction to *not* belong.

Despite oppressive policies of dislocated identity and denied belonging, the *bidūn* have a strong sense of resilience: they resist and they appropriate places and identities. People prevented from belonging are not often passive. For instance, migrants appropriate the places they inhabit, like street corners, and display a huge and natural ingenuity to asserting their belonging.¹² During the COVID-19 pandemic, *bidūn* in Kuwait have displayed their selfless commitment to the country, as “they have stepped forward as healthcare volunteers.”¹³ This strong civic engagement echoes the campaign of blood donation that the *bidūn* organized in 2011 in the wake of the mobilization movement as a demonstration of their natural belonging to and caring for Kuwait.

Existence as Resilience: Political Activism and Literary Unavoidability

Until the end of the 2000s, individual *bidūn* had nurtured hopes of being naturalized. Since then efforts to decompartmentalize their claims have led to the emergence of an organized movement and a collective identity as “Kuwaiti *bidūn*” or now “*bidūn* Kuwaitis,” emphasizing their feeling of national belonging and their shared experience of discrimination as a social group. The *bidūn* movement became mobilized in 2011 in the wake of the Arab Spring. Since then, the collision of patterns of belonging and un-belonging has become more visible, and the so-called protracted issue of *bidūn* has garnered attention far beyond the circles of human rights defenders, and the Central System, as noted above, has stepped up efforts to formally reduce their numbers.

In February 2011, emboldened by the Arab uprisings, the *bidūn* broke with their hitherto nonconfrontational practice of using patronage links to obtain concessions from the state. The protest movement was met with fierce repression. Yet, in the face of renewed oppression, the *bidūn* experimented with a new creative, dynamic, and bold repertoire of contentious action to claim their entitlement to nationality and demand the recognition of their basic rights.

First, they appropriated street protest and sit-ins as a new contentious practice. As “illegal residents,” *bidūn*, like foreign residents, are not allowed to demonstrate according to the 1979 Law on Public Gathering. Protest was a departure from the awareness-raising campaigns of the late 2000s. Working with Kuwaiti activists to garner support from citizens, the *bidūn* organized a sustained demonstration campaign that has persisted, even in the face of repression. This constituted an act of unequivocal political contestation against the government’s policies. Importantly, the 2011 protest created an iconic site in the district of Jahra, where most *bidūn* live in squalid conditions: the wasteland adjacent to the Shaḥī mosque is now known as Freedom Square (*Sāḥat al-Ḥurriyya*; Fig. 2). The square now belongs to *bidūn* history and memory.

By taking to the streets, being arrested, contesting judicial decisions, and going on hunger strikes in jail, the *bidūn* forced the state to confront them publicly in the courts rather than as nonexistent beings, administered solely by the Central System in an attempt to shield them from any type of legal interaction with the judiciary. Claiming universal values of freedom and dignity, *bidūn* activists also articulate a new understanding of citizenship that emphasizes their current presence in Kuwait and embraces cultural difference over the genealogical determinism that justified discrimination and left no room for diversity of origin in the national identity.

Finally, a student solidarity campaign, mobilization for education, and an active literary movement among the *bidūn* have shaped new community and civic engagement. They overcame the image fostered by the government that portrayed them as fraudsters interested in the financial profit to be gained by nationality, a citizen-*bidūn* dichotomy designed in part to dissuade nationals from feeling sympathy for their plight. Kuwaiti writer Abrar al-Shammari notes the rising numbers of literary works from

¹²Yasser Elsheshtawi, *Temporary Cities: Resisting Transience in Arabia* (London: Routledge, 2019).

¹³Thomas McGee, “The COVID-19 Crisis and New Agency for Stateless Bidoon in Kuwait,” *LSE Middle East Centre Blog*, 27 April 2020, <https://blogs.lse.ac.uk/mec/2020/04/27/the-covid-19-crisis-and-new-agency-for-stateless-bidoon-in-kuwait>.



Figure 2. Freedom Square (*Sāḥat al-Ḥurriyya*) in Jahra, Kuwait. Photographed by the author.

both Kuwaiti citizens and Kuwaiti *bidūn* authors that deal with their situation, particularly since 2011. Such literary works have become an important subgenre of Kuwaiti literature. She cites Khalid al-Turki, a *bidūn* author who “believes that the circulation of *bidun* literature contributes to countering dehumanizing state and media narratives around the *bidun* community.”¹⁴ These new forms of public recognition and creative acts of contestation are transforming the terms of political activism in ways that question prevailing norms of citizenship.

Faced with the absurdity of being told they are what they feel they are not, the *bidūn* have resisted the attribution of nationality and the ascribing of origin. Faced with the absurdity of the Central System’s far-fetched means to rationalize these nationality attributions, they cannot help but resort to laughter. The paradox of the absurd is that it is often tragic and violent but eventually also becomes comic. Although the absurd reflects an extremely deep anxiety, a metaphysical loss of meaning, a painful dislocation of identity, it also holds potentialities for more disruptive or liberating practices. As Martin Esslin put it: “The shedding of easy solutions, of comforting illusions, may be painful, but it leaves behind it a sense of freedom and relief. And that is why, in the last resort, the Theatre of the Absurd does not provoke tears of despair but the *laughter of liberation*.”¹⁵

¹⁴ Abrar al-Shammari, “The Rise of Bidun Literature: Representation and Advocacy in Kuwait,” Arab Gulf States Institute in Washington *Blog Post*, 2 December 2019, <https://agsiw.org/the-rise-of-bidun-literature-representation-and-advocacy-in-kuwait>.

¹⁵ Esslin, *Penguin Plays*, 23, emphasis mine.