



**Exploring the perceptions of informed individuals about the education provisions
of Bidoun in Kuwait**

Being a thesis submitted for the Degree of Doctor of Philosophy in Education in the
University of Hull

By

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Acknowledgements

I would like to thank Allah The Almighty for His help in the writing of this work.

I dedicate this work to my late father Saad Alhatlani who passed away in 2005 but has been a constant source of motivation for me.

I would like to thank my family: my beloved mother Fatemah Aldosari, and to my precious brothers and cherished sisters for supporting me spiritually and financially throughout writing this thesis and throughout my life in general.

I express my sincere gratitude to my supervisors: Nigel Wright and Dr. Max Hope for their continuous support of my Ph.D study and related research and for their patience, motivation, and immense knowledge. Their constant guidance helped me during the research for, and writing of, this thesis. I could not have imagined having better advisors and mentors.

Special thanks go my best friends in Kuwait, Ghanem Al-Medhadi and his brother Hamed. My friends Amer Alajmi and Abdullah Taha. I would also like to thank my brother in law Adel Aassaf and his brother Mubark. I must express my gratitude to my Saudi friends from the University of Hull: Dr. Adel Alotaibi, Dr. Bader Almogbl, Dr. Faisal Alsuidai, Dr. Khalid Alogaili and Dr. Othman Alfahad for their continued support and encouragement.

Finally, but not least, many thanks go to my friends in the United Kingdom: John Osborne, Campbell McPherson, Jonathan Woodgett and Laurah Heafield who have been willing to help at all times.

Abstract

This thesis explores issues of educational provision for people regarded by some as stateless, specifically the Bidoun in Kuwait, and how the Kuwaiti Government and others view this.

The main research question is what can be learned from the situation in Kuwait about the interpretation of Human Rights Conventions regarding the provision of education for the children of Bidoun (stateless people)? The principal research methods applied in this study are a comprehensive literature review on statelessness and related issues and interviews with informed personnel in Kuwait.

The findings are divided into two parts: the first illustrates a lack of knowledge among Kuwaiti officials concerning the International Conventions on rights for free education for every child. It considers how this lack of knowledge is intertwined with support for the primacy of domestic law and for the Government's educational policies in respect to the Bidoun, even when these violated these Conventions. Activists demonstrate more knowledge about these conventions and promote a policy of tolerance in respect to educating this group, specifically in state schools.

The second part focuses on lessons for Kuwait from similar situations in comparable countries. Economic concerns lie behind marginalising this group since granting them citizenship would increase financial costs, especially in a Rentier state like Kuwait, Saudi Arabia or the UAE. Xenophobia may belie the unwillingness to grant stateless people citizenship, especially if they originate from a minority religious denomination or a hostile country.

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Glossary

CEDAW: The Convention on the Elimination of All Forms of Discrimination against Women. This is an international treaty adopted in 1979 by the United Nations General Assembly.

CERI: *Centre de Recherches Internationals (CERI)* (Centre for International Studies).

CORDAID: Catholic Organisation for Relief and Development Aid.

CRC: Convention on the Rights of the Child.

CRIN: Child Rights International Network.

CRSR: The Convention Relating to the Status of Refugees. This entered into force in 1954.

CSB: Central Statistical Bureau.

DR: The Dominican Republic.

GCC: The Gulf Co-operation Council is an alliance between six Gulf States: Saudi-Arabia, Kuwait, the United Arab Emirates, Oman, Qatar and Bahrain.

Group 29: This is a group of Kuwaiti female Activists grouped under the slogan of Article 29 of the Kuwait Constitution which stipulates: “All people are equal in human dignity and in public rights and duties before the law, without distinction to race, origin, language, or religion”.

HRW: Human Rights Watch Organisation.

ICCPR: The International Covenant on Civil and Political Rights.

ICESCR: The International Covenant on Economic, Social and Cultural Rights.

IDEAS: The Institute for Democracy and Economic Affairs.

IDIA: Institute for Domestic and International Affairs.

IOM: The International Organisation for Migration.

IRO: International Refugee Organisation.

KISR: The Kuwait Institute for Scientific Research.

KFH: Kuwait Finance House.

MoE: The Kuwaiti MoE.

MWL: The Muslim World League is a Pan-Islamic NGO based in Makkah. It was founded in 1962 to promote Islamic unity.

NES: New English School.

Open Society Foundation (OSF).

OPEC: Organization of Petroleum Exporting Countries.

PAAET: Public Authority for Applied Education and Training.

PACI: The Public Authority for Civil Information.

RI: Refugees International.

The Holy Quran: The Last and Final Word of God Almighty and a message to all mankind. It is a collection of 114 Chapters or surahs that were revealed to the Prophet Muhammad (Peace be upon him) through the Archangel Gabriel over a period of 23 years.

The Sunnah: The statements, actions and approval of the Prophet (Peace be upon him).

TCR: Thai Committee for Refugee.

UHR: The United for Human Rights is an international, not-for-profit organisation dedicated to implementing the Universal Declaration of Human Rights.

UNESCO: The United Nations Educational, Scientific, and Cultural Organization.

UNICEF: The United Nations International Children's Emergency Fund.

WCEFA: The World Conference on Education for All in Jomtien 1990.

YRC: Stitching Young Refugee Cause.

Chapter 1 Introduction to the thesis

1.1 Introduction:

This thesis focuses on the education of the Bidoun students in Kuwait. In Arabic, the word “Bidoun” means “without” and in Kuwait is an abbreviation for “without citizenship”. In Kuwait, the Government originally used the term ‘Bidoun’ to refer to this social group who are now simply considered to be “illegal residents” and are consequently denied many of the rights they enjoyed before official policy changed, initially in 1986 and more severely after 1991. This term is still used by human rights Activists, in everyday language in the media and by citizens to refer to those who claim they do not hold any citizenship, while at the same time demand Kuwaiti citizenship. The term ‘Activist’ is used in this work to describe individuals who may have no formal role but use their time and resources in an attempt to improve Kuwaiti government policy in relation to all aspects effecting the Bidoun population.

The importance of this research is that it is the first attempt to explore this facet of Bidoun life as this area has been generally overlooked in the academic world. The researcher is optimistic that the outcome of this research will improve the current educational provision and accelerate the inclusion of this group within state schools, or at least improve awareness of this issue. The problem of educating Bidoun students has been discussed in general within some academic work such as Beaugrand (2010). The Kuwaiti media has accumulated some literature about this topic but these are journalistic sources, and though they shed light on this neglected subject, they are not in-depth, focused academic studies. The researcher has attempted to fill this gap and organise these disparate sources of information creating a coherent and cohesive study.

1.2 Rationale for research subject

Prior to this study, the researcher had no involvement in Bidoun issues or in their education, despite having worked as a teacher in Kuwait for thirteen years. Following a Master’s degree in inclusive education the researcher saw that further research into the current situation of Bidoun students in Kuwait was necessary, particularly the possibility of including them within state schools. As Hasan Johar (former head of the Educational Committee in Parliament) declared during the First Conference of Stateless in Kuwait (April 2013), the main problem surrounding the Bidoun issue, and subsequently any research into it, is lack of information.

1.3 Statement of objectives and limitations:

The aim of this research is to investigate the world of the Bidoun in Kuwait generally and their educational situation more specifically through the perceptions of knowledgeable individuals. The investigation will attempt to explore their perceptions towards issues relating to the Bidoun. The Bidoun issue is a controversial subject in daily life and this study will shed light on debatable topics, such as the meaning and origin of the Bidoun and the educational state of this group. The insight of knowledgeable individuals regarding the International Conventions (which call for free education for every child) and the quality of education that is provided for Bidoun students in private schools rather than in state schools is presented. These informed individuals – officials and Activists – have been involved in the Bidoun matters for many years. ‘Officials’ denotes individuals with a formal role in implementing and, or, formulating government policy. Their answers will highlight what type of knowledge these Kuwaiti figures have regarding the right of education, which is guaranteed by the International Conventions, and their perspectives concerning the future of educating this group.

1.4 Research questions:

The main research question is:

What can be learned from the situation in Kuwait about the interpretation of Human Rights Conventions regarding the provision of education for the children of Bidoun (stateless people)?

There are six sub-research questions:

1. How Human Rights are viewed from a United Nations perspective and how does this compare with an Islamic perspective on this issue?
2. What is the situation regarding ‘stateless people’ in a variety of countries around the world and how are they viewed by United Nations Conventions?
3. Who are the Bidoun in Kuwait and how is their status affected by this classification?
4. What is the form of educational provision in Kuwait for the Bidoun?
5. What is an appropriate methodology for researching the position of Bidoun in Kuwait?
6. What are the perceptions of a sample of key individual on the issue of education for the Bidoun in Kuwait?

1.5 The structure of the thesis:

This thesis will be organised into nine Chapters, as described below.

Chapter 1: An Introduction to the thesis where the researcher gives a general overview of the topic and how it fits in with current academic debate, as well as official and public opinions.

Chapter 2: Explores research sub-question one, exploring the following topics: a definition of human rights from both the United Nations and Islamic perspectives and a clarification about the differences between them. First, differences between conservative and liberal Muslims on this issue are explored. Secondly, differences between the liberals themselves in Kuwait regarding their perception towards Bidoun are outlined.

Chapter 3: Explores research sub-question two. There are certain topics that need to be explained to understand fully the situation regarding stateless people. These topics are defining nationality, the stateless persons and similar groups to the stateless persons such as asylum seekers. Some people believe there is a connection between a Rentier State in the Gulf Cooperation Council GCC and the existence of Bidoun in these countries, which requires an explanation for these types of governments. A brief summary about the International Conventions 1954 and 1961 related to stateless persons sheds light on the United Nations' efforts to end, or at least reduce, this issue in the world. There are many reasons behind being stateless persons, and a summary for these causes is provided.

Chapter 4: Explores research sub-question three. A summary about the State of Kuwait is necessary to understand the environment in which the Bidoun live. The argument within society regarding the Bidoun will be examined, and how the officials and the Activists regard this group differently: as foreigners or simply nationals who miss the chance to be granted Kuwaiti citizenship. The reasons leading to the existence of such a large group as Bidoun were presented. The executive body in Kuwait is the main power to attempt to resolve this matter, yet without agreement on the issue this power is impractical.

Chapter 5: Explores research sub-question four. An introduction to an inclusive education approach, which is "a global agenda", is provided and it aims to accommodate all groups in mainstream schools regardless of their differences. This Chapter explores the educational rights for every child as many International Conventions call for. In this

Chapter, a summary for these conventions such as the UNESCO Convention against Discrimination in Education and Article 26 of the Universal Declaration of Human Rights and other Conventions are provided.

Certain aspects concerning the educational system in Kuwait such as state schools, the right of free education for nationals, private education in Kuwait and different types of private schools was presented so readers may understand the schooling environment in Kuwait. Some aspects of the general relation between the Bidoun and education will be explored, such as Bidoun teachers and their situation as former students to observe the differences between them and the nationals regarding the right of education. The lack of official papers amongst a group of Bidoun resulted in an official rejection of this group from enrolling in private schools. This, garnered angry reactions from the Activists denouncing this step. This step is important to show how the Bidoun situation in general and in education more specifically is unstable. On the other hand, officials took a positive step when they transferred some groups of Bidoun students from private schools into state schools. Arabic private schools are the primary sanctuary for Bidoun students, so an attempt was made to understand the qualities of these schools and how these schools are different from the state schools.

Chapter 6: Research methodology: Outlines the methods and techniques employed by the researcher to collect data to answer research sub-question five. The research philosophy is discussed and the research choices presented, along with an explanation of the application of a qualitative methodology. The measures used to achieve research quality are explained. Sampling for the study is discussed. The pilot study is explained followed by a discussion of ethical issues. A description of the participants is presented. The data analysis strategy is explained.

Chapter 7: Analysing the interviews: This Chapter answers the sixth sub-research question posed by this work: What are the perceptions of a sample of key individual on the issue of education for the Bidoun in Kuwait?

This Chapter is divided into five themes with sub-themes under each main theme, and nodes under the sub-themes. The main themes are:

- The perceptions of Activists and officials towards the Bidoun.
- The perception of the participants towards the different stages of Bidoun education from 1961 until 2016.

- The Kuwaiti education system.
- Bidoun schooling, institutions, papers and regulations.
- The attitudes to the idea of including Bidoun students within state schools.

Chapter 8: The Discussion:

The discussion Chapter is divided into two parts. The first outlines issues arising in the relationship between Bidoun affairs and the internal political affairs of Kuwait. The second explains the lessons which can be learned from other countries facing issues with stateless people. The matter of people who lack official papers exists in many places under different titles; however, the stateless people are perhaps the closest group to the Bidoun in Kuwait. It may be worth noting that the situation of the Bidoun in the United Arab Emirates (before granting them Comorian passports) might be the most similar to that of the Bidoun in Kuwait.

Chapter 9: The Conclusion:

This Chapter presents the final findings of the thesis. A clear disagreement was found between the views of the officials and the Activists on the issue of including the Bidoun in state schools, the former were not in favour whereas the latter supported the idea.

Regarding the contribution, this study is probably the first academic study which focuses mainly on the education of the Bidoun. The researcher made recommendations for further research, the possibility of establishing a Charitable Fund to support the Bidoun in their seeking to undertake higher education, and how, possibly, to ease their way to reach this goal is a good area of future academic study.

1.6 Summary:

In the introduction Chapter, a summary of the meaning of some terms which are necessary to be understood before commencing this research such as the Bidoun, Activist and official were provided. The next Chapter begins the literature review by examining issues relating to differing perceptions of human rights as seen from a United Nations perspective and then from an Islamic one.

Chapter 2 Human Rights, Internationally and in Islam

2.1 Introduction:

This Chapter will attempt to answer sub-research question one which is: How are Human Rights viewed from a United Nations perspective and how does this compare with an Islamic perspective? To answer this question a definition of human rights from both perspectives is given, and an explanation for the differences between these will be presented. The differences between Conservative and Liberal Muslims will also be discussed, and this will pave the way to understanding the different Muslim philosophies in Kuwait and their attitudes towards the Bidoun.

2.2 Definition of human rights:

According to the official website of the Office of the United Nations High Commissioner for Human Rights (OHCHR) 2016, “Human rights are rights inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status.” The same website states that all people are equal in their human rights and no one has the power to discriminate against them in relation to these rights. Nowak et al. (2008) suggests that human rights are the basic rights that every person has because of his or her humanity and these rights explain the relation between the individual and the state. They argue that every state should respect these rights, which set limits on government power and establish the responsibility to guarantee every citizen enjoyment of these human rights.

2.3 Definition from the Islamic perspective:

According to Atturki (undated) the General-Secretary of the Muslim World League (MWL), human rights in Islam “do not emerge from human desire...and are not related to a specific time or place [but are] grace from Allah [God] upon people. These rights have been clarified in the Sharia Law. The society and rulers are committed to respect them. [For example] a woman cannot establish a family outside wedlock” (ND: 13, 17, and 18). This definition suggests that Islam has a distinctive perspective on human rights, which is elaborated below.

2.3.1 Characteristics of the Islamic definition:

The Quran honours human beings and gives them high status. In Surah Al-Isra, God said:

And We have certainly honoured the children of Adam and carried them on the land and sea and provided for them of the good things and preferred them over much of what We have created, with [definite] preference (Al-'Isra' 17: 70).

Muslim scholars often insist that there is a wide gap between Islamic and Universal values, and human rights are a good example of this difference. Al-Fawzan (2010), Al-Jazaery (2010), and Elsergany (2008) summarise the qualities of human rights in Islam; explaining that Islam came to protect the five most important things for human beings: religion, life, the brain, offspring, and capital. It does so though, firstly, the fear of God and secondly, judicial power. Human rights in Islam are connected to God, which results in humans being free from slavery in material or spiritual terms to anyone except God. In Islam human rights include, and organise, all aspects of human life. For example, in commercial life Islam prohibits interest, monopoly, and many types of deceptive transactions. In social life Islam organises marriage, divorce, and the “period of waiting” *Iddah*¹. Elsergany (2008) underlines the importance of the Farewell Sermon of the Prophet Mohammad (Peace be upon him) on the Day of Arafah during the Pilgrimage, which he describes as “the comprehensive memorandum of the human rights”.

¹ A period of time which a woman must wait after being widowed or divorced before she can remarry. The length of *iddah* varies according to a number of circumstances.

Table 2.1 A comparison between the United Nations and the Islamic perspectives:

Aspect of comparison	Islamic Perspective	United Nations Perspective
Definition of Human Rights	A grace from Allah [God] upon People. Sharia Law has codified it, rulers and society are committed to respect and obey it.	The rights inherent to all human beings, regardless of their citizenship, gender, ethnicity, faith or place of residence.
Examples of Rights Guaranteed	<ol style="list-style-type: none"> 1. Life is a God-given gift. It is prohibited to end life except for a Sharia prescribed reason (such as premeditated murder). 2. Human beings are born free and cannot be subjugated. 3. All individuals are equal before the law. 4. The seeking of knowledge is an obligation and provision of education is the duty of the society and the state. 5. Within the tradition of Islam, anyone is free to enter into the faith, but once in the faith it is prohibited to leave in order to join another faith. 	<ol style="list-style-type: none"> 1. Everyone has the right to life. 2. All human beings are born free. 3. All individuals are equal before the law. 4. Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. 5. Everyone has the right to change his religion or belief.
Characteristics of these two philosophies	<ol style="list-style-type: none"> 1. Recognition of the dignity of human beings regardless of their race, colour, language, country or religion. Refusal of any injustice to an animal. 2. These human rights are obligatory, so no Muslim can neglect, abandon, change or abolish them. 3. Focusing on protecting the five necessities: religion, life, the mind, progeny and property. 	<ol style="list-style-type: none"> 1. Universal and inalienable. 2. Interdependent and indivisible: human rights are indivisible, which means the civil rights and the collective rights are conjoined. 3. Equal and non-discriminatory: in article 1 of the Universal Declaration of Human Rights: "All human beings are

	<p>4. Human rights are restricted to two issues: not harming freedom of others and not harming himself. This means human beings cannot harm his faith, health, family, honour or progeny because it is God's trust and he has to protect it.</p>	<p>born free and equal in dignity and rights".</p> <p>4. Human rights entail both rights and obligations.</p>
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2.3.2 Understanding the Islamic perspective:

From an Islamic perspective the judgment of any case relies on the interpretation of reputable scholars of the texts of the two main sources of Islam: The Quran and the Sunnah. It is important to define both the Quran and the Sunnah. According to the official website of the Ministry of *Awqaf* (endowments) and Islamic Affairs in the State of Kuwait (undated), the Holy Quran

Represents words of Allah and its Verses were sent down upon His Prophet as an inspiration and it was truly believed by the believers and they acknowledged the words of Allah as the truth.

Bin Hamid Ali (2005:3) defines the Sunnah as "Anything which has been transmitted from the Prophet (Peace be upon him) whether a statement, an action, or an expression of approval of another's action, that is fit to be used as a source of Islamic law". The relation between the Quran and the Sunnah is important to understand because it is not acceptable to use one and neglect the other.

In Islam, many phenomena are subject to different interpretations. A good example is the *hijab* (headscarf) over which there are different opinions: some think that all of a woman's body except her face and hands should be covered; others think that a woman should cover both her face and hands. It is generally agreed that the head should be covered.

This argument illustrates the different interpretations of the Quran and Sunnah between Conservative and Progressive Muslims, between which there are many conflicts. In the researcher's view, the most important conflict in social life is 'women'. An expression commonly used by the Conservatives regarding new ideas that they think might affect women in Muslim countries, is the complaint that it will 'Westernise the society',

whereas the Progressive groups use the phrase ‘liberation of women’. The difference between these two groups can be seen in objections by Kuwait and other Islamic states to some articles in the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) adopted in 1979 by the UN General Assembly.

Table 2. 2 Perceptions of Muslim Conservatives and Progressives regarding CEDAW Convention:

The Aspect	The Convention	The Conservatives	The Progressives
Doctrine	Article (2, E) State Parties...undertake: To take all appropriate measures to eliminate discrimination against women by any person, organisation or enterprise.	There is a contradiction between Sharia law and this Convention; Muslims have to obey Sharia and reject the Convention.	The Convention is consistent with the ‘spirit of Sharia law’, not with the text such as equity, equality, etc. Patriarchal values are the main reasons for rejecting this Convention because there are different practices against Islam but no strong objections (e.g., banks charging interest).
Women	Deals with women as individuals, and there is no difference between males and females. Uses the term “gender” instead of “sex”.	There are major differences between males and females. Reject the term “gender” and relies on the term “sex”.	There are customs and traditions that stereotype women but are not related to Islam. There are variations between Arab countries as to which articles they have reservations towards (so it is not about Islam). Accept the term “gender”.
Family	Article (16): Women have the same	A marriage guardian (<i>wali</i>) for the bride is a requirement among the	There is a coalition between the government and the

	<p>rights as men to marry.</p> <p>A mother can give her family name to her children.</p> <p>“The same rights and responsibilities (for men and women) during marriage and at its dissolution.”</p>	<p>majority of Sunni Muslims.</p> <p>Children have to have their father’s name, not the mother’s.</p> <p>It is the man’s responsibility to provide a dowry, and prepare and furnish a house for his family.</p> <p>A Muslim woman cannot marry a Christian or a Jew, whereas a Muslim man has the right to marry a Christian or Jewish woman.</p> <p>A woman needs a period of waiting (<i>iddah</i>) after divorce or the death of her husband, whereas a man does not need to wait after divorce or the death of a wife.</p>	<p>traditional powers in Arab society. The government gives some rights to women, such as jobs in the public sector, but keeps the interpretations of religious texts as the main source to control family life.</p> <p>These texts are interpreted by men and give only a patriarchal point of view. For example, some fathers or brothers refuse to give daughters or sisters their share of an inheritance.</p>
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Conservative authors include Alnasser (2005), Awawdeh (2009), Nassar (2011), Aladwan (2013), Alodah, the Secretary-General of the Muslim Scholars Association (2013), Alsaad (2013), and the Chastity Society (undated).

Progressive authors include Alsaifi (2010), Maad (2010), the Gender Centre for Research and Training (2012) and Shahin (2012).

As the above summary shows, it is difficult to identify a consistent Islamic interpretation of human rights.

2.4 The stance of different groups in Kuwait regarding Bidoun:

2.4.1 Differences between Sunni and Shia:

As a Sunni Muslim, to avoid bias this researcher preferred to define the two main denominations in Islam relying on non-Muslim sources. The BBC (4 January 2017) identified there are two main groups in Islam, which were referred to as Sunni and Shia. The majority of Muslims fall into the category of Sunni, estimated to be around 85% to 90% of the Muslim population, and Shias comprising approximately 10% to 13%. Sunni is derived from the phrase *Sunnah* which refers to the ways and teachings of the Prophet Muhammad (Peace be upon him) who they try to emulate. Shia Muslims also

believe in following the way of the Prophet, but they strongly emphasise the importance of the teachings of the Prophet Muhammad's cousin Ali, who they see as being the rightful successor to lead the Muslim community after the Prophet passed away.

Both groups contain conservatives and progressives. The conservatives are more connected to the heritage based upon classical interpretations provided by their own scholars. In other words, they still consider the interpretations delivered by scholars over many centuries as the main sources for their own denomination. Progressives in both groups are usually influenced by Western theories and, consequently, accept 'laicization' of society.

2.4.2 The stance of the Shia:

There is no unified stance within conservative and liberal Sunni Muslim groups in the State of Kuwait towards the Bidoun, though there is generally more sympathy and support among the Shia towards their cause. It is claimed that a large percentage of the Bidoun are Shia. Shamsaldin (2012), a Shia journalist, states, "There are no accurate statistics about the percentage of Shia among the Bidoun; however, it might reach 70% of their number". Kennedy (2014) quoted Dr. Shiblak's assertion that more than half of the Kuwaiti Bidoun is Shia. Aljazeera's website (31 December 2015), described the Bidoun as "descendants from Northern Tribes, and a large group of them is Shia". Rizzo et al. (2007: 180) said, "Unofficial estimates have found that Shias make up between 60-80% of the Bidoun". Beaugrand (2011) observed that the majority of citizens in Kuwait regard the population of the Bidoun as predominantly Shia, yet this perception lacks any strong foundation or evidence, especially in a country like Kuwait where the political authority is concerned to avoid sectarianism. Kuwaiti identity documents do not state which denomination a citizen belongs to, only a reference to Islam being the primary religion.

2.4.3 An Activist interpretation:

However, Alkhalifa (2013) believes the Kuwaiti government uses the issue as a "scarecrow"; in that Sunnis,² who comprise the majority of citizens, fear that granting citizenship to Bidoun people will increase the minority's numbers. Moreover, the

² Since the Islamic revolution in Iran 1979, the Iran-Iraq war 1980-1988, the war in Syria 2011 until this time (2017), sectarian debates have become a daily issue among Kuwaiti citizens, especially on social media.

Southern³ tribes fear that the majority of Bidoun are from Northern tribes and granting them Kuwaiti citizenship would cause the Northern Tribes to outnumber them. Urbanized⁴ Kuwaitis fear that the majority of Bidoun are nomads and that granting them citizenship would increase their number. Lund-Johansen (2014) agreed with Alkhalifa as she considered that a lack of statistics regarding the Bidoun's denomination has helped the Government create myths about them.

2.4.4 Differences among conservative Sunni (the Salf):

Within Sunni Islam, different approaches exist to the faith, one of which is Salafi Islam. This particular group of Sunni Muslims see themselves as the true followers of the way of the Prophet (Upon Whom Be Peace) and his Companions, through the way it was practiced and understood according to the earliest Muslims i.e. the Salaf. Within Kuwait, there exists some disagreement amongst Salafi Muslims surrounding the issue of the Bidoun. Some prominent Salafis have frequently been accused by the Bidoun, human right Activists, and non-governmental media of unfairly criticising the Bidoun. Ali Alomair and Ahmad Baqir (the Minister of Justice in 2002-2003) have been considered as symbols of the enmity in the Kuwaiti Parliament. For example, Alnajjar (undated) reports that in 2002 Ahmad Alshurian (an MP from al-Jahra) called on the Minister of Justice, Ahmad Baqir, "To legalise the marriage of Bidoun officially". The Minister's response was that "The Ministry cannot legalise any marriage without authentic documents proving the citizenship of the couple". In contrast, some Salafi MPs, who had represented many cities, and whose constituency included al-Jahra, where the majority of Bidoun live, are well known as sympathetic to Bidoun rights. Mohammed Haif, a Salafi MP who had represented many cities, and whose constituency includes al-Jahra, is well-known as a great supporter of Bidoun rights. He

3 The Arabian Peninsula (mainly Saudi Arabia) is the centre of nomads. Tribes are referred to according to their locations: North, South, West and East. Some Northern Tribes, for example, can be found in the north of modern day Saudi Arabia, Iraq, Jordan and Syria. It is alleged that these tribes failed to understand the value of official papers during the process of citizenship so they did not register for citizenship due to their life searching for pasturage. This is -according to them- the main reason behind being stateless persons in Kuwait and Saudi Arabia.

4 The division of citizens in Kuwait into urbanised and Bedouins (nomads) is mainly due to two factors: firstly, their place of residence before modern Kuwait's establishment and secondly, their historical work in the pearl diving (chiefly urbanised) or pasturage (mainly nomads).

has criticized the Minister of the Home Office for not issuing passports (Article 17) to all people from this group, (Haif, 2011).

Interpretation:

From the above, it is not possible to make a sharp division between Islamic groups in Kuwait regarding their stance. The matter of Bidoun people is different from the issue of women, because the debate on women relies on holy text and each group has its own interpretation, whereas the matter of Bidoun is connected to a variety of issues, such as tribalism, as it is well-known that the majority of Bidoun are from Northern rather than Southern tribes. Another factor is the province of residence; in general people from al-Jahra Governorate are more sympathetic than those from other provinces.

2.4.5 Differences within the Liberal camp:

The liberal Muslims also have differences among them. Alessa (8 October 2013) a Sunni columnist in *Aljarida* newspaper, has compared Bidoun with some groups in Europe and borrowed the French philosopher Alain Badiou's term of *Sans papiers* (without papers). Alessa (2013) explains, "In Europe there are minorities without any official papers and they are not recognised within governmental departments so they have neither the right to vote nor social security". Alessa is well-known for defending Bidouns' human rights in his column. Abdullatif Aduaij a liberal journalist wrote in (18 January 2012) saying: "The current generation of Bidoun is the second or third generation and they do not know any other country apart from Kuwait...it is impossible to take them back to their homeland, Kuwait now is the only state they know to live and to work in". By contrast, Shaikha Alghanim a liberal Muslim has very negative perceptions, using the term 'infiltrator' rather than 'Bidoun' (10 December 2009).

2.5 The right to education in Islam:

2.5.1 Value of Knowledge in Islam:

Alzuhayli (2008) cited the first verse that was revealed to the Prophet Muhamed (Peace be upon him):

"Read! In the Name of your Lord Who has created
(all that exists). He has created man from a clot (a
piece of thick coagulated blood). Read! And your
Lord is the Most Generous. Who has taught (the

writing) by the pen. He has taught man that which he knew not” [al-‘Alaq 96:1-5]

Muslims use the term al-Jahiliyyah (Ignorance) to distinguish between these two eras; pre-Islam and Islam. According to Al-Munjaid (undated) the reasons behind labelling this period was because during that period ignorance had two aspects, ignorance of the rights of Allah and the rights of His slaves. Al-Munjaid (undated) argues that, because of the importance of knowledge, Allah commanded his Prophet to seek more of it, Allah says; “And say: My Lord! Increase me in knowledge” [Ta-Ha 20:114]

Al-Fatlawi (2001), Alzuhayli (2008) concluded that the Prophet (Peace be upon him), considered the seeking of knowledge as an obligation and, since the beginning of Islam, both men and women have been encouraged to seek knowledge.

The Prophet (Peace be upon him) stated for example:

If anyone travels on a road in search of knowledge, Allah will cause him to travel on one of the roads of Paradise. The angels will lower their wings in their great pleasure with one who seeks knowledge, the inhabitants of the heavens and the earth and the fish in the deep waters will ask forgiveness for the learned man. The superiority of the learned man over the devout is like that of the moon, on the night when it is full, over the rest of the stars. The learned are the heirs of the Prophets, and the Prophets leave neither dinar nor dirham, leaving only knowledge, and he who takes it takes an abundant portion.

Sunan Abu-Dawud, Knowledge (Kitab Al-Ilm), Book 25, Number 3634.

2.5.2 Free education in Islam:

According to Almuslmani (2014), school education was free in historical Islamic civilizations. There were two types of students: internal and external. Internal students lived a life similar to contemporary boarding schools, with one important difference: they were poor and strangers so the school offered them a food and bedroom for free. External students meanwhile studied during the day before returning to their homes in the evening. Almuslmani described the schools at that time including bedrooms, a library, kitchen, and toilet. According to Ayoob (19 January 2015), the golden age for various aspects of education during Islamic Civilization was during the Abbasid Caliphate (750 to 1258 AD). Ayoob stated that in Baghdad, the capital of Islam that

time, schools began to be established where students could stay inside and enjoy accommodation and food.

2.5.3 Example of schooling from Islamic history:

During the 11th century, Nizam al-Mulk became an important advisor for the Seljuk Empire. According to Al-Bagatti (2011) and Al-Zarkani (2012), he was an advisor for almost twenty years and his particular interest in spreading knowledge resulted in founding many schools in cities such as: Baghdad, Isfahan, Basra and Herat. He relied on the Waqf as the main financial source for schools, lecturers, students and workers. Kahf (2003) defined the term Waqf as “Holding certain property and preserving it for the confined benefit of certain philanthropy and prohibiting any use or disposition of it outside its specific objective” (2003: 2). Nizam al-Mulk established farms, shops and markets as Waqf for these schools, which were sufficient to educate some 6,000 students at that time. The education was not limited to religious studies, but also included science, physiology, pharmacology and many different sciences.

2.5.4 Covenant on the Rights of the Child in Islam:

In June 2005, The Organisation of the Islamic Conference (OIC) adopted the Covenant on the Rights of the Child in Islam at the 32nd Islamic Conference of Foreign Ministers in Sana'a, Republic of Yemen. Article (12) is dedicated to education and four points were affirmed, two of these being particularly related to this research.

Article 12. 1. All children have to receive a free, obligatory basic education, which has to focus on Islamic principles. The children need to be provided by appropriate means to develop their different mental, physical, and psychological abilities. This development will give the child the willingness to consider and accept norms and standards from another culture.

Article 12. 2. “State Parties to the present Covenant shall provide: compulsory, free education for all children on an equal footing” (2005: 7).

However, this Covenant is not precise in its aims and dates. The Covenant on the Rights of the Child in Islam does not provide a clear plan to eliminate illiteracy from the Islamic world or to make basic education accessible to every child. Contrastingly, the Dakar Framework for Action (2000), was clearer about aims and dates, for example its Goal 2,

Ensuring that by 2015 all children, particularly girls, children in difficult circumstances and those belonging to ethnic minorities, have access to and complete, free and compulsory primary education of good quality.

From the Islamic context, we have seen that there are stringent and wide-ranging expectations in respect of the provision of education. After exploring the right to education in Islam, it is necessary to explore this concept as an International human right beyond the religious context of Islam and how this international stance influences the situation.

2.6 Summary:

This Chapter attempted to answer sub-research question one regarding Islamic and United Nations perspectives towards human rights, providing a definition of human rights from both the UN perspective and Islamic tradition. Conservative and progressive Muslim approaches to understanding Islam within the nation have been discussed, showing, there is no unified stance regarding issues surrounding the Bidoun. Finally, the rights and importance of education within Islam have been explained, with particular attention to the Covenant on the Rights of the Child in Islam. After demonstrating the differences in perspectives regarding Human Rights between Islam and the United Nations, the next Chapter will explain the meaning of statelessness and how the United Nations Conventions treat this issue.

Chapter 3 The Stateless Persons

3.1 Introduction:

The previous Chapter summarised national differences in viewing the Bidoun, and identified that Activists and some organisations (not the officials) recognise the Bidoun as stateless persons. The term ‘stateless person’ needs to be understood and this understanding will assist in answering sub-research question two: What is the situation regarding ‘stateless people’ in a variety of countries around the world and how are they viewed by United Nations Conventions? This Chapter will clarify the meaning of the term ‘nationality’ and explain the meaning of the word ‘stateless’. Different types of statelessness and the historical background of the term will be outlined. A brief summary of the importance of the 1954 Convention Relating to the Status of Stateless Persons, and the 1961 Convention on the Reduction of Statelessness will be presented, along with the reasons behind being stateless in general. Different countries have tried to resolve this issue and some examples of attempted solutions are offered.

3.2 Nationality:

3.2.1 The definition of nationality:

“Nationality” is defined in many ways. Hannah Arendt, one of the most important philosophers of the last century, gave a famous and simple definition of nationality, which is “the right to have rights” (Arendt in Berkowitz undated). According to Berkowitz (undated), this definition is widely used because it means a person will not have access to his or her full human or citizen rights unless he or she owns a nationality. In the Nottebohm Case (1955), the International Court of Justice (ICJ, 1955) gave this definition:

Nationality is a legal bond having as its basis a social fact of attachment, a genuine connection of: existence, interests and sentiments, together with the existence of reciprocal rights and duties.

The legal bond entails citizens having duties such as tax and conscription, and rights such as free education, free health treatment, and suffrage. According to Van Waas (2008), there are many aspects to explaining the meaning of a “social fact of attachment” but there must be a “genuine link”. Examples include “place of birth, descent, residence, family ties, language and ethnicity” (Van Waas, 2008: 32).

Van Waas also mentions three principles that states commonly apply when conferring nationality, namely:

Jus soli [law of the soil or birth right citizenship],
jus sanguinis [law of blood: a person inherit his parent's citizenship] and *jus domicili* [the bond that an individual develops with a state after a significant period of habitual or permanent residence]. Any additional, secondary factors that are taken into consideration serve merely to offer variations on the same theme (Ibid: 33).

3.2.2 Nationality and Rentier state:

The nature of the relationship between citizen and state differs according to culture. For example, in “*Rentier*” states the government controls the revenue and distributes it among citizens. Gray (2011) considers Rentier state acts independently of society, and Beblawi (1987) expands by giving the following definition of a *Rentier* economy:

More of a social function than an economic category, and ... [citizen]...is perceived as a member of a special group who, though he does not participate actively in the economic production, receives nevertheless a share in the produce and at times a handsome share. The distinguishing feature of the *Rentier* thus resides in the lack or absence of a productive outlook in his behaviour (p. 86).

According to El-Katiri et al. (2011), states such as Kuwait can only develop by improving the resource sector. However, they identify that this type of policy has “resulted in substantial distortions, inefficiencies and institutional deficiencies, and thus there remains substantial scope for improvement” (El-Katiri et al., 2011: 1). Meissner (2010) describes the outcome of a *Rentier* economy in terms of the “spending effect” and considers that a *Rentier* government gains its legitimacy through improving welfare measures for citizens, subsidising petrol, electricity and food, and finally by creating more jobs in the public sector. Meissner notes that the spending effect is a way of gaining legitimacy in a different form from holding free elections. However, a *Rentier* state sometimes offers free education and health systems, free rations, jobs, and security.

This summary of the meaning of nationality leads us to the issue of defining Bidoun. Alfadli (15 April 2013) covered the activities of “The First Conference of Statelessness”

for Sabr newspaper and summarised what Abdullah Alnibari, an ex-MP of the Kuwaiti parliament, said on the sidelines of this Conference. He made a connection between the Bidoun problem and the *Rentier* state. Alnibari (2013) stated,

The situation we live at is a result of our social and economic method we live at, and the changing of Kuwaiti society from a productive society to a society reliant on gifts. The participants who were producers within Kuwaiti society had declined and the economy became a distribution of wealth only . . . if every national participated in production, we would not end at this situation. (Sabr 15 April 2013)

According to Fisher (2015), as a result of the vast oil wealth inside the Gulf Council Cooperation (GCC) countries, their citizens receive great social and economic benefits. Consequently, they are often very much opposed to an expansion of the nation's citizenry because they fear a reduction in their benefits if this happened. According to the Institute on Statelessness and Inclusion (2014), developing countries may also restrict the enjoyment of economic rights of non-citizens in certain situations which could be used in order to justify the economic disempowerment of stateless persons.

3.2.3 The definition of stateless:

According to Article 1 of the 1954 Convention Relating to the Status of Stateless Persons, "The term 'stateless person' means a person who is not considered as a national by any State under the operation of its law". Van Waas (2009) notes this Convention contains 30 consecutive articles that "cover a wide variety of concerns ranging from freedom of religion to the right to work...in other words, this document touches upon a large number of human rights issues, in each case providing tailor-made guarantees for the stateless" (p. 23). The exceptions to these rights are if a stateless person has committed a serious crime, such as a crime against humanity, a crime against peace, or a war crime.

3.2.4 The distinction between stateless persons and other groups:

There is confusion in the media and public debate regarding these different groups, good evidence of which was reported by Aspinall & Watters (2010) Phillips (2011). These authors talked about the misinformation and confusion in Australia regarding the terms "asylum seekers, refugees, illegals, queue jumpers, and boat people which are often used interchangeably and/or incorrectly" Phillips (2011: 1). For this

reason, it is important to clarify the distinction between frequently confused groups, in order to establish clarity as to the focus of this study.

Refugee: Article 1 (A) (2) of the Convention Relating to the Status of Refugees (CRSR) defined a refugee as

A person who, owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it. (CRSR: 1951).

Asylum seeker: According to the Office of the United Nations High Commissioner for Refugees (UNHCR) (Undated) and the British Red Cross (Undated), an asylum seeker is someone who claims that he/she is a refugee because of fears of persecution in their homeland. Members of this group have fled their country, and are already in another country and ask the authorities there to recognise them as refugees. They have permission to stay in the country until a decision is made.

Stateless person: The 1954 Convention Relating to the Status of Stateless People defines a stateless person as “a person who is not considered as a national by any State under the operation of its law”. The main difference between a stateless person and a refugee or asylum seeker is nationality. The refugee and asylum seeker own a nationality; however, fear of persecution pushed him/her to flee their native country. Another difference is the place of residence. A stateless person resides in a country whose nationality he/she seeks, whereas refugees and asylum seekers have a nationality but no longer reside in the country whose nationality they hold.

Irregular migrant⁵: According to the International Organisation for Migration (IOM) (2016), this term has recently been used instead of ‘illegal migrant’ since illegal migrant has criminal connotations. This term is used for a person who entered a country without authorisation, or who broke a condition of entrance, or whose visa has expired.

⁵ The term clandestine is similarly used to refer to migrants who enter or remain in a country without authorisation

3.2.5 Types of statelessness:

Massey (2010) explains the differences between two types of stateless person: *de facto* and *de jure*. A *de facto* stateless person is someone who has a nationality but lives outside the state whose nationality they hold and does not enjoy any kind of support or security from their original state; whereas the *de jure* stateless are “persons who are not nationals of any State, either because at birth or subsequently they were not given any nationality, or because during their lifetime they lost their own nationality and did not acquire a new one” (Massey, 2010: 6). The Bidoun in Kuwait consider themselves as *de jure* stateless people.

De facto: is someone who has a nationality but lives outside the state whose nationality they hold and does not enjoy any kind of support or security from their original state.

De jure is “persons who are not nationals of any State, either because at birth or subsequently they were not given any nationality, or because during their lifetime they lost their own nationality and did not acquire a new one”

3.3 International Conventions on Statelessness:

3.3.1 The conventions of 1954 and 1961

According to one United Nations High Commissioner for Refugees (UNHCR) pamphlet published in 1999, “historically, refugees and stateless persons were less differentiated” (1999b: 7).

The first attempt in international law to resolve the right of stateless people was the 1954 Convention relating to the Status of Refugees, originally drafted as a protocol to the 1951 Refugee Convention. However, the grave needs of the refugees following the end of the Second World War and the imminent disassembly of the International Refugee Organisation⁶ (IRO) caused officials to understand the differences between the two issues- refugees and stateless persons- and a second convention in 1961 aimed to reduce future statelessness.

Hooker (2012) highlights the importance of these conventions when she states that “the 1954 Convention... [Along with]...the 1961 Convention on the Reduction of

⁶ IRO: established in 1946, and gave its role to the UNHCR in 1950.

Statelessness is the key international legal instrument on decreasing statelessness” (Hooker, 2012: 21).

The 1954 Convention's goal was to legalise the status of stateless persons and to “ensure the widest possible enjoyment of their human rights and complements provisions of international human rights treaties” (Guterres, 2010: 3). To summarise some of the rights that have been provided to stateless persons in 1954 Convention: Article 1 of the Convention defines a stateless person. Article 3 encourages “the contracting states” to avoid all kinds of discrimination when they “apply the provisions of this Convention to stateless persons”; and Article 28 calls on the contracting states to help stateless persons by issuing identity and travel documents.

Relating to the 1961 Convention; Goodwin-Gill (2011) notes that the United Nations Conference on the Elimination or Reduction of Future Statelessness held two meetings in Geneva in 1959 and New York in 1961 to discuss how to reduce statelessness at birth. According to Goodwin-Gill

Fundamental differences were revealed between States which favoured the principle of *jus soli* (the principle that a person's nationality at birth is determined by the place of birth) and those which opted for *jus sanguinis* (the principle that a person's nationality at birth is the same as that of his natural parents) (2011:4).

3.3.2 Problems in attempting to end statelessness:

Goodwin-Gill believes that although adoption of the *jus soli* principle would solve the issue of stateless persons, “consensus was missing and the final compromise combined elements of both principles” (2011: 4). Despite the lack of agreement on what should constitute the basis of nationality, the 1961 Convention is important as “the only international instrument which outlines specific ways to identify a person’s nationality where statelessness would result otherwise” (Lynch, 2005: 4). Although the 1954 and 1961 Conventions marked significant steps towards addressing the problem of statelessness, implementation problems have arisen partly as a result of the complexity of the international political situation.

Another problem is the limited number of states which are signatory to these two Conventions: “To date (2005) only 57 states have become party⁷ to the 1954 Convention ...and even fewer states, just 29, are party⁸ to the 1961 Convention.” (Lynch, 2005:1). Lynch gives many examples of Refugees International Organisation (RIO) assessments of different states, such as Estonia and Bangladesh⁹, and observations about the miserable life stateless persons have in such countries. Kuwait did not sign either the 1954 or the 1961 Conventions. As a result of such problems, despite the efforts of the international community to address statelessness as a human rights issue, the problem continues to exist on a large scale. Refugees International (RI) (2008) estimates that there are up 12 million stateless persons, while the UNHCR (2011) in its report “Mapping Statelessness in the UK” estimates stateless persons in the world to be up to 12 million. (UNHCR, 2011: 22).

3.3.3 Reasons for being stateless:

The different reasons for an individual’s stateless can be summarised as follows:

1. **Political reasons:** The Institute for Domestic and International Affairs (IDIA) (2008) identifies statelessness may occur when governments exclude a specific group(s) from political life. The Bangladesh Biharis are a good example. Before 1971, Pakistan consisted of two provinces, West Pakistan and East Pakistan (today Bangladesh). The Biharis speak the same language as those in Pakistan (Urdu) but live in Bangladesh, where Bengali is spoken. In March 1971, Bangladesh fought for independence and the Biharis supported the Pakistani Army. When the war ended and Bangladesh became an independent state, the Bengali people avenged themselves on the Biharis and the government refused to give them Bengali nationality.
2. **Economic reasons:** According to Rowell (2013), the genocide against the Muslim-minority Rohingya in Myanmar is motivated by the fact that Rohingyas live in the region of Arakan, including the strategic port of Sittwe. This region has a promising economic future. There have been accusations of many types of crimes against humanity and ethnic cleansing perpetrated by Buddhists against Muslims instigated

⁷ By 2014, 84 countries were state parties to the 1954 Convention (UNHCR website).

⁸ By 2014, 61 countries were state parties to the 1961 Convention (UNHCR website).

⁹ This was before 2008 when the Supreme Court stated that all members of the Urdu-speaking community were Bangladeshi nationals.

by officials aiming to evict Muslims and replace them with Buddhists in this region. This has resulted in a huge migration of Muslims over many decades to neighbouring countries such as Malaysia and Thailand, with large numbers becoming stateless.

3. **Discrimination:** Goris et al. identify discrimination because of race or ethnicity as another reason. For example, “the denationalisation and expulsion of tens of thousands of black Mauritanian citizens in 1989 were racially motivated. In Estonia, ethnic Russians have struggled with statelessness since independence in 1991 (2009: 5). They also identify gender discrimination, as a number of countries around the world “still do not have gender-neutral citizenship laws...women lose their citizenship upon marriage to foreigners” (2009: 5). Moreover, when a woman marries a man from another nationality this might jeopardise her children’s chances of taking her nationality, thus increasing statelessness. Government discrimination towards its people can also be seen in the Dominican Republic (DR), where the nationality policy of the country is manipulated to assert a particular identity inclusive to ethnic Dominicans. It excludes those of Haitian descent, who fall outside that category. In addition, many residents inside the country are perceived as having ties to another state, due to their ancestry, ethnicity, heritage, culture and common characteristics. Some Kuwaiti officials perceive the Bidoun in the same way and, as in the case of the DR; the non-natives are deprived of nationality or citizenship.
4. **Denationalisation:** When neighbouring countries conflict, one or both of them may denationalise and deport people who originated from the enemy country as a “precautionary measure”. Ethiopia and Eritrea are an example. Southwick (2009) summarised events as follows. In 1993, there was a referendum about the independence of Eritrea from Ethiopia in which Eritrean citizens living in Ethiopia participated. Between 1998 and 2000 there was a war between Ethiopia and Eritrea during which Ethiopia declared that any citizens who had participated in the referendum in 1993 would lose their Ethiopian nationality. Subsequently, thousands of Eritrean people lost their Ethiopian nationality and Eritrea retaliated, the two countries expelling around 70,000 people to their country of origin.
5. **Geopolitical changes:** Stiller underlines that this has occurred “especially in Europe” (Stiller, 2012: 96). He gives many examples of this cause of statelessness, such as the 1917 Bolshevik Revolution in Russia when many Russians left the country and “in 1921 the Soviet Union enacted a law depriving those individuals of

their nationality who had left the country out of disapproval of the new government” (Stiller, 2012: 96). Another case is the chaotic separation of the Soviet Union and the Yugoslav Federation in the early 1990s, which resulted in interior and exterior migration that left millions of stateless persons in Eastern Europe and Central Asia.

6. **Conflict of laws:** Samore (1951) discusses the use by states of the *jus soli* doctrine, whereby a child’s citizenship is determined by his or her place of birth. Examples of countries applying this principle are Argentina, Brazil, Chile and Cuba. On the other hand, there are states that follow the doctrine of *jus sanguinis*, whereby a person's nationality at birth is the same as that of his or her natural parents. Examples of countries following this principle are Austria, China, Denmark and Japan. If the parents acquire nationality from a state which follows the principal of *jus soli*, but their child is born in a state that applies the principle of *jus sanguinis*, the child may be stateless.
7. **Laws relating to the registration of births:** Registering a child after birth is essential for the parents, the child and the state, because the outcomes of not registering are disastrous. According to Cody (2009), if an adult does not have a birth certificate, they might lose many rights, such as marriage, taking part in elections, having a job, paying tax, and being unable to travel because they cannot acquire a passport. According to Plan (2005), for a variety of reasons 48 million children remain unregistered every year. For example, poor countries do not have the resources or the power to ensure the registration of every child after birth, and some parents do not have the money or time to travel from the countryside to the main city.

3.4 Different approaches to solving statelessness from different countries:

The problem of statelessness exists in many countries, and states have developed a variety of approaches to address this problem. Perera (2007) reports how Sri Lanka solved this problem, which started when the British brought Tamils from India to work as tea pickers in the plantations between 1820 and 1840. The Tamils provided the Sri Lankan economy with large amounts of money for nearly 200 years, but successive governments in Sri Lanka refused to recognise them as citizens. In October 2003, the Sri Lankan Parliament approved the "Grant of Citizenship to Persons of Indian Origin Act"

which gave immediate nationality to any person of Indian origin who had lived in Sri Lanka since October 1964; their descendants are included in this decision.

Another solution can be found in the Ukraine. According to Pohl (2000), during Russian history there have been many campaigns against Muslims, and during World War Two, Stalin exiled whole nations from their homeland to places such as Kazakhstan, Central Asia and Siberia. Prokopchuk and Zhuravliov (2005) reported that in 1995 the Ukraine Government asked the UNHCR for help with “reintegrating formerly deported people who returned to the Crimean Peninsula” (P: 2). The UNHCR accepted this request and launched a project financed by the European Commission. Prokopchuk and Zhuravliov (2005) describe this as one of the most successful projects for ending statelessness. In 2001, only five years after UNHCR started this campaign, “the campaign had promoted the acquisition of Ukrainian citizenship by over 90% of returners” (Prokopchuk & Zhuravliov, 2005: 15).

Bangladesh is another example of solving the statelessness problem. In 2008 the Dhaka High Court issued a historic verdict giving Bengali citizenship to any Biharis who were “minors when Bangladesh won independence in 1971 or were born after” (BBC, 2008). Roughly 150,000 stateless Biharis benefited from this verdict.

Vietnam is another example. According to *Refugees Daily* (2010), the Vietnam Government distributed 2,357 citizenships to Cambodian refugees who had escaped from Pol Pot’s regime in the first five years of the 1970s. By comparison, according to Alastair Sloan (3 April 2015), the United Arab of Emirates bought Comoros citizenship for their stateless residents for a large amount of money. The Thai Government has promised to end statelessness by 2024, though according to the UNCHR’s Nantanee Jedsadachaiyut and Nadia Al-jasem (24 November 2016) there were 438,821 stateless persons in Thailand at that time.

These five countries addressed this issue via different means: Sri Lanka via legislative, the UAE, Ukraine and Vietnam via executive and Bangladesh via judicial power.

3.5 Educational issues for stateless persons in different countries

3.5.1 Introduction:

The stateless and refugees have difficulty in accessing educational services in many countries. The main reason behind this is the lack of official papers combined with the financial costs of education.

This section provides a summary of the troubles facing stateless persons and refugees in accessing education, along with different approaches to address these issues. Examples will be explored from the Dominican Republic (DR), Malaysia and Thailand. They are similar to Kuwait since all these countries have a long history of having to deal with stateless persons, and the issue of people without official papers is an inter-generational matter.

3.5.2 Problems of stateless children in the Dominican Republic (DR):

3.5.2.1 A Basic Outline:

Chandler (2015) noted that the issue of statelessness has been on going for generations, with Haitian workers entering the country both legally and otherwise. Generally, these migrants have worked in harvesting sugarcane and construction, both low skilled and low paid but vital for a thriving Dominican economy.

Xenophobia is still a problematic issue in the DR. According to Wooding (2009), Dominicans see themselves as European and hold strongly prejudicial views against Haitians whom they consider inferior Africans. Wooding (2009) noted that both domestic and international human rights Activists initiated a movement against the abuse of migrant workers in the 1980s, and later expanded its focus onto the broad range of Haitian migrants and their descendants.

The state of Haitian migrants could be described as one of the worst in the world, a view supported by AMNESTY International's report (15 June 2016) highlighting the mistreatment of Haitian migrants by the Dominican authorities. AMNESTY noted that the Dominican Government had deported more than 40,000 of Haitian origin between summer 2015 and spring of 2016. Another 70,000 returned to Haiti following threats, or fear of persecution and violence in the DR. Additionally, in 2013, the Constitutional Court stripped 200,000 people with Haitian ancestry of their Dominican citizenship because their parents were irregular migrants.

3.5.2.2 Georgetown Law Human Rights Institute Report:

A Georgetown Law Human Rights Institute study conducted in (2014) considered the situation and treatment of ethnic Haitian children living in the DR. It concluded their treatment was unacceptable and included denial of birth certificates and identity cards and the exclusion from state schools. Crucially, the report mentioned that Article 63 of the DR's constitution guarantees the right of education for every resident. Unlike Kuwait, stateless persons in the DR are known in terms of their origins and ethnicity

and accordingly the situation of stateless persons in the DR has been dealt with differently. The Republic has largely ignored the issue of its stateless residents, providing no alternative means to ensure education for stateless children. In Kuwait, when the Bidoun students were transferred from state to private schools in 1991, although initially there was no government support for students if their father worked in the private sector, soldiers' children did receive financial support. Unlike the DR, in 2003 a Charitable Fund was established to financially support destitute Bidoun students.

3.5.2.3 The problem of official papers:

This issue is similar in Kuwait and the DR. For example, even when Bidoun parents hold the documentation of birth announcement¹⁰ for their children, official birth certificates are refused because the Central Agency states the father has a known citizenship. The lack of official birth certificate means individuals cannot actively engage in society. The case is the same for stateless persons in the DR; parents who have obtained a live birth certificate for their child are unable to obtain an official birth certificate, resulting in an inability to access services such as; education and health care. However, it should be noted that the DR's Education Ministry often accept stateless children in schools, despite the lack of documents such as birth certificates and identity cards, on the premise that the documents are still pending and will be provided at a later date. However, while stateless students can do the final high school exams they will not receive their certificate because of the lack of documents.

As indicated in a report published by the Child Rights International Network (CRIN 24th September 2009), a similar situation developed in Malaysia. According to this report, stateless children of Indian, Filipino or Indonesian descent, especially in Sabah and Selangor states, are denied access to state schools because of their alien birth certificate. The situation in Kuwait is better than in the DR and Malaysia, especially after developments such as the establishment the Charitable Fund in 2003 and Cabinet Decision 409/2011 which provided the Bidoun with many rights such as health treatment and ration cards. In 2012, the only state university in Kuwait allocated 100 places annually for Bidoun students. It is important to note that these decisions took place mostly as result of the pressure of human rights Activists in Kuwait.

¹⁰ The birth certificate includes the term illegal resident under the heading of "nationality", whereas the birth announcement does not include this, because the Central Agency stated that the Bidouns' father has a known citizenship and the father denies this assertion.

3.5.3 Solution for stateless students in Malaysia:

3.5.3.1 Background:

According to the Equal Rights Trust's 2010 report, the Rohingya Muslim group's citizenships have been revoked by the Myanmar authorities and are locked into a serious cycle of discrimination, detention and deportation. Many would like to flee to Malaysia, though. It is important to note that Malaysia failed to ratify the 1954 and 1961 International Conventions related to Statelessness or human rights and the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic Social and Cultural Rights (ICESCR) and did not ratify the Convention on the Rights of the Child (CRC) until 1995. Consequently, Malaysia has very limited obligations towards Rohingya and similar groups and, significantly, Malaysian Law does not distinguish between stateless persons, refugees, asylum seekers, and other undocumented migrants. All are considered illegal residents and therefore subject to punishment.

3.5.3.2 UNICEF Report:

In Malaysia, educational opportunities are limited for the 200,000 children from marginalised groups such as stateless and refugee individuals (UNICEF, 2015). The main reasons for this are the financial burden of educating children from marginalised groups and the lack of official papers such as birth certificates. It is also important to note that Malaysia has reservations towards CRC Articles 28(1) (a) regarding the provision of free and mandatory education at primary level, although some educational opportunities are available, primarily via non-governmental private organisations.

In 2015, UNICEF studied the means of providing these marginalised groups with an "alternative education", a term that refers to informal educational schemes, intended to "fill the gap" of education for those who are not enrolled in the ordinary, national educational system. They are considered to be 'alternative' as they take place in a different venue from formal schools, and, although they may use a formal curriculum, the teachers are very often untrained, or not officially qualified.

In 2010, the Minister of Education (MoE) stated that the Government would guarantee education for stateless and refugee children regardless of their race, religion or location. In order to ensure and accelerate this aim, the MoE informally allowed governmental agencies or organisations to apply alternative educational methods for those children

unable to access conventional education; in fact, the Government has welcomed certain initiatives by the private sector and individuals intending to provide education.

3.5.3.3 The Project of IDEAS & YCR:

The Catholic Organisation for Relief and Development Aid (CORDAID 2014) identified another project undertaken in Malaysia aimed at providing secondary education for refugees and stateless persons and increasing overall access to quality education. This venture is a product of two Malaysia-based organisations, the Institute for Democracy and Economic Affairs (IDEAS) and the Netherlands' Stitching the Young Refugee Cause (YRC). To highlight the problem, the UNHCR registered approximately 30,000 refugees under the age of 18 at the end of 2013, with roughly 85% of these not attending schools. There are an additional, estimated, 20,000 undocumented and stateless children in Malaysia who cannot access educational services.

The project intends to offer secondary education to a minimum of 300 students within the next three years. The directors of this programme refurbished an existing school in the district where these minority groups primarily reside. In addition, the curriculum was updated and tested, new learning materials were introduced and essential additional staff hired. The project itself has many positives, such as providing education to groups denied access to many services. It has facilitated quality education for refugees and stateless persons at secondary school level, offering an education that is well catered for, organised and professional, and provides the opportunity to obtain employment.

In Kuwait, even in the worst period between 1991 and 2011, Bidoun who received education would find a job in the private sector, and they have become more involved there after the promulgation of the government's Decision 409/2011. The Malaysian project is only able to target a very small number of people, however, and is thus not an effective solution to the large-scale problem. Moreover, when considering that it only caters for around 300 students over a period of three years, the project is very costly. The solution proposed in Malaysia not only fails to target a large percentage of stateless young people, but it also fails to provide education at any level other than secondary. In Kuwait, only a small group of Bidoun students were denied the right to enrol into schools (Kutatib of Bidoun), as a third of Bidoun students study in state schools and the remainder are enrolled in private schools with Charitable Fund support.

3.5.4 Educational approaches in Thailand:

3.5.4.1 Solutions for problems with documentation in Thailand:

Thailand is not party to the International Conventions related to statelessness; however, in 2016 the Thai Government requested all districts to issue official papers to eligible, stateless students. This act might benefit up to 65,000 students and its terms range from granting students with citizenship to permanent or temporary residence. The Thai Government is one of the more tolerant in middle-income countries regarding their treatment of stateless persons.

3.5.4.2 A project from Thailand:

In 2009 the Thai Committee for Refugee (TCR) directed a pilot project entitled “Formal education as a strategic sustainable solution for stateless and refugee children in Thailand”. The project’s aim is to create a society that recognises human dignity and rights for all and creates an environment with quality learning resources, as well as the support that stateless or refugee children require succeeding in Thailand. The project is designed to provide stateless and refugee children with the same level and quality of education received by Thai nationals. As in Kuwait and elsewhere, the primary cause of statelessness, and limited access to education and healthcare, is a lack of citizenship and legal status. Certain schools were selected to participate in the project and those participating received support to improve their infrastructure, human resources and other essentials for catering with stateless and refugee children. Obstacles to the participation of stateless and refugee students actively engaging in society, such as legal, political, financial and transportation constraints were addressed.

Among the selected schools for this pilot was “Ban Rom Klao 4 School”. The project aims to provide education for around 500 students from kindergarten to secondary within this school per year over a three-year period (with an increase of roughly 100 students each year). The project is similar to the Malaysian one in terms of duration. However, this scheme not only provides for more students, but also covers a larger range of educational levels, and the cost of the project is relatively similar. Although, the project has positives, it is still limited and represents only a trial strategy to solve the problem, while in Kuwait the education provision covers the vast majority of Bidoun students in both state and private education.

The project operates on the assumption that the Thai society will accept stateless and refugee students into their schools and that these students actually desire Thai

education. Behind the logic of this intervention into the affairs of stateless and refugee students is that they are better educated through access to the Thai education system. Another underlying logic and objective is that there will be an increase in the integration of the stateless, refugee and Thai communities, whereby they will study and live together in harmony. Moreover, there is an expectation that the project will be received well amongst the local authorities, as well as the stateless, refugee and Thai communities. Additionally, the project aims to provide the necessary transportation for the stateless and refugee children to the schools and back home, to ensure that education is more easily accessible, and that attendance is maintained.

3.6 Summary:

This Chapter has investigated sub-research question two, which considers the situation of stateless people in different countries. To answer this question ‘nationality’, ‘statelessness’ and ‘the Rentier state’ have also been defined. Other key issues, such as those of statelessness, the position of similar groups, and why and how people became - or are classed as- stateless, were considered. Different solutions intended to tackle the issue of statelessness have been examined, as have various approaches to the education of stateless persons using examples from Thailand, Malaysia and the Dominican Republic. The Chapter shows that this is a wide-ranging problem, and not unique to Kuwait.

Chapter 4 The Bidoun in Kuwait

4.1 Introduction:

In the previous Chapter, key issues surrounding statelessness were explored and the implications of statelessness in relation to educational provision were examined with reference to a number of countries. This Chapter provides an answer to sub-research question three: Who are the Bidoun in Kuwait? How is their status affected by this classification? To more fully understand this research, it is essential that the reader has some background knowledge of Kuwait and its inhabitants, the nature of Bidoun life and official policy towards the Bidoun.

4.2 Kuwait and human rights

4.2.1 Privileges of being a Kuwaiti:

The State of Kuwait generally provides a good service to its citizens; examples of this are free education and health care and the provision of a monthly allowance equivalent to £130 for the first seven children in a family until each child finds employment. The provision of free education to citizens has resulted in a reduction in illiteracy in the country. According to the UNESCO Institute for Statistics (2011), adult (15 years and older) literacy is 94%, placing Kuwait in fifth¹¹ position within the Arab world.

However, the welfare state looks after Kuwaiti citizens only. The *Alqabas* newspaper (8 June 2013) published details of government expenditure on keeping citizens satisfied, according to which the government subsidises the private sector at an annual cost of more than £1 billion to ensure that private sector pay is the same level as in the public sector.

4.2.2 Kuwaiti democracy:

Kuwait became a constitutional monarchy in 1962 shortly after independence from Britain in 1961 and has a developed constitution and free elections (Salameh and Al-Sharah, 2011). The Constitution is the oldest in the Gulf countries. Nevertheless, according to Alnajjar (2000), democracy is imperfect in many ways; for example, between 1962 and 2000 Parliament was dissolved fourteen times for various reasons. Alfili (2 November 2013) noted the lack of political parties, yet political parties are the essence of any democracy. Despite this, the Bertelsmann Transformation Index (2012)

¹¹ The League of Arab States includes twenty-two (22) countries.

described Kuwaiti civil society as being well developed compared with the other five Gulf countries. Khitan (28 November 2016) in his comparison with the other GCC countries said, “The democracy in Kuwait makes it as a cut above its neighbours” and “it is one of the oldest democracy in the Arab World”.

As evidenced by the United Nations Human Development Report (2013) the Kuwait state has provided its citizens with a good quality of life; Kuwait is ranked 54 out of 187 countries on the Human Development Index (HDI). However, financial support is partially restricted for political reasons and there are many daily examples of a division between citizens on the one side, and foreigners and Bidoun on the other.

4.2.3 Important dates regarding Kuwaiti citizenship:

Article one in the 1959 Kuwaiti Nationality Law stated that “Original Kuwaiti nationals are those persons who were settled in Kuwait prior to 1920 and who maintained their normal residence there until the date of the publication of this Law (1959)”. Between 1919 and 1920, the Kuwait-Najd (now Saudi Arabia) war erupted, and the ruler of Najd organized many raids against Kuwait. As a result, the then leader of Kuwait, Sheikh Salim Al-Sabah (1917-1921), decided to build a wall around Kuwait City (the capital). According to some Kuwaitis, over time this wall became advantageous for those who lived in within it and its citizens considered themselves to be more genuine Kuwaitis than those who lived outside it. Alsayer (10 January 2013) is from a family who lived inside the wall and he explained how this it became a point of dispute among Kuwaiti citizens.

4.3 Research background and problem:

Amnesty International’s Annual Report for 2013 did not portray human rights in Kuwait in a positive light. It referred to the recurring issues of discrimination against the two most vulnerable groups; namely migrant domestic workers, who lack adequate legal protection and exploited by their sponsors and the Bidoun. The report urged the Kuwaiti government to provide access to “adequate social services, education, housing, employment, property and business registration rights among other things” (Amnesty International, 21 May 2013: 2).

For roughly a quarter of a century, from the mid-1980s until the moment of writing this thesis (2017), there have been three parallel societies living alongside each other, and a glass wall that separates the inhabitants of the State of Kuwait from each other. The first

society is that of Kuwaiti citizens, who are by far the wealthiest and are legally protected. The second society is composed made up of foreign citizens who cannot enter Kuwait without a sponsor and have to work behind a Kuwaiti citizen's name (sponsor) if they want to start a business.

The third society is *the Stateless people or the illegal residents* (as they called by the officials) or the *Bidoun*, البدون, a term that has been used for many decades and is still used unofficially. Bidoun in Arabic means 'without', here, therefore, without citizenship. Since the 1980s, the term "illegal residents" has been used officially within governmental departments. The term "illegal resident" is only used by officials, as the Chairman of the Central Agency for Remedying of the Illegal Residents' Status, Saleh Al-Fadhalah (17 January 2016) stated in the TV programme "Note". "I do not acknowledge the term Bidoun," he said, "but the term I acknowledge is illegal resident". The Interior Assistant Undersecretary of the Citizenship and Passports Affairs, Maj. Gen. Mazen Al-Sabah, said on 28 November 2015 during a TV programme "Order Point":

This group was titled as Bidoun in the past, but the Law 41/1987 was issued associated with the abolition of Clause D, Article 25 of Princely Decree No. 17 of 1959 which is the Aliens Residence Law, this new Law 41/1987 stopped using the term Bidoun, and instructed us to use the new title Illegal Residents.

Barakat and Skelton (2014) reiterated this information by stating that in 1985 the Kuwaiti Government began to use the term illegal residents even though the Bidoun made up the majority of the Kuwait army. The more widely used term in Kuwait, however, is "Bidoun" in Arabic and English. Kennedy (2013) mentioned the importance of identity to obtain rights, stating: "Broad claims for 'rights to education' and 'rights to work' for all, regardless of identity status, do not take into consideration that under Kuwaiti national law, different rights are afforded to different groups" (2013: 77).

4.4 The Bidoun and disputes concerning them:

4.4.1 Populations in Kuwait:

It is important to understand the numbers of each group inside Kuwait. According to the official website of the Public Authority for Civil Information (PACI) in Kuwait, the total population of Kuwait in October 2016 was:

Table 4.1 The population of Kuwait in October 2016.

Total Population	Kuwaiti	Non-Kuwaiti
4,369,230	1,329,239	3,039,293

Regarding the population of Bidoun, the researcher notes that this census breaks the population down into only Kuwaiti and non-Kuwaiti due to the fact the Bidoun are considered non-Kuwaiti. The researcher found one official source for the number of Bidoun:

Table 4.2 Total Bidoun numbers in Kuwait.

Bidoun Number	Date	Source
111,493	29 August 2014	The Minister of Home Office

Relying on these two tables, the percentage of the Bidoun compared to Kuwaitis is roughly 8.5%. Beaugrand (2010: 166) described the Bidoun as “at the bottom of the Kuwaiti social hierarchy, but still a buffer between Kuwaitis and expatriates, albeit at the mercy of both”.

4.4.2 Who are the Bidoun?

Bidoun is a title given to someone who does not have a Kuwaiti passport and at the same time, allegedly, does not have any other passport. The Bidoun, however, claim to be Kuwaiti and assert that they deserve to gain a passport and be treated as any Kuwaiti citizen. Officials respond to these claims by saying that the majority of this group are not Kuwaitis. On 14th May 2012 Saad Alsaedi¹² spoke about an official report published by the Central Agency which cited the total number of Bidoun as approximately 100,000 divided into two groups. The first group, numbering about 34,000, are described as those who deserve Kuwaiti citizenship, or only a third of the total number of Bidoun. The second group, numbering 67,000, is said not to deserve citizenship.

Maj. Gen. Mazen Al-Sabah (4th April 2016) declared in an official statement that “80,000 of Bidoun are without hope to obtain Kuwaiti citizenship whereas there are 32,000 of them who might obtain it if there are no security restrictions on them”. In the

¹² A correspondent of Al-Jazeera Channel in Kuwait.

same Aljazeera report, Saleh Alfadhalah, the head of the Central Agency said “The only way for the Bidoun to live in Kuwait is to bring out their hidden passports; otherwise they will not have a normal life. We have documents that show the real passports of Bidoun and there is cooperation between the government of Kuwait and the neighbouring countries.” (Al Jazeera Report 2012).

Rashid Alanezi (March 1994), however, differentiated between the origin and the citizenship of a person. This means that if a person originates from Iraq because his grandfather arrived from there, this does not necessarily mean that the grandson holds Iraqi citizenship. From the above, the officials made it clear that obtaining citizenship for the majority of Bidoun is impossible. The privileges of being a Kuwaiti citizen in a Rentier state might play an important role towards understanding the officials’ stance towards granting the Bidoun Kuwaiti citizenship.

4.5 The roots of the problem:

4.5.1 Different perceptions regarding the roots:

The Open Society Foundation (OSF) report issued in 2011 dealt with the Bidoun in Kuwait, mentions that the word “Bidoun” means “without” and is an abbreviation for “without citizenship”. This report identifies two groups: those who are unable to provide proof of being in Kuwait before 1920 and those who “at the time did not quite appreciate the importance of having citizenship and failed to register as citizens” (OSF, 2011: 4).

In another study carried out by Alnajjar (Undated), Bidoun are classified as:

1. Those who do not have any kind of identity.
2. Those who have an identity (especially those from Saudi Arabia or Iraq) but hid it in order to acquire Kuwaiti citizenship (as it is against Kuwaiti law to have another citizenship in addition to a Kuwaiti one).

Reports published by the Human Rights Watch (HRW) in 1995 and 2011, divided the Bidoun into three groups: those “whose ancestors failed to apply or lacked necessary documentation at the time of Kuwait’s independence [who are]...the descendants of a nomadic clans, ... [Secondly] former citizens of other Arab states...and their descendants, who came to Kuwait in the 1960s and 70s, to work in Kuwait’s army and police forces... [and thirdly], ... individuals born to Kuwaiti mothers and Bidoun fathers” (HRW, 2011: 2). Moreover, Affleck (9 July: 2012) agreed with HRW’s distinctions. Affleck (2012) mentioned that the first category of Bidoun is the

consequence of both bureaucracy, around the time of Kuwait's independence and xenophobic attitudes towards them. The second category resulted from "legislated sexism" which is the third category in HRW's report. The third and final category will never be regarded as a national citizen, due to them falling outside the law's definition of what it means to be a citizen. Kuwait's government responded to the HRW report by declaring that the Bidoun had come to the State of Kuwait recently seeking jobs, after which they sought Kuwaiti citizenship. It claimed, however, that those who had resided for generations were granted citizenship (HRW Kuwaiti Report, no date: 2). Kuwait society is divided between those who actively support the Bidoun and those who follow the government's position. Further exploration of the views of these two groups will be examined through the empirical elements of this study.

4.5.2 Activists' perception:

Before Kuwait's independence in 1961, no borders existed with neighbouring countries so tribal people of the region moved easily and settled in the State of Kuwait. At that time, the government needed soldiers to establish a new army and a new Home Office. These jobs were low-paid and unattractive to Kuwaitis, so the government was both flexible in recruiting people as soldiers without the need for any form of identification and also made recurrent promises to grant Kuwaiti passports to soldiers who had been registered as Bidoun. This happened especially when their services were needed in times of war such as the war with Israel. Shamsaldin (19 September 2012) in her column also noted that (Amiri) Princely Decree No. 17 of 1959 issued the Aliens Residence Law the State of Kuwait, exempts some categories from being punished: "the Bedouins (Nomads) who used to enter Kuwait to do their usual business" (Article 25, Clause D).

The understanding was that the nomadic tribes that used to move between the State of Kuwait, the Kingdom of Saudi Arabia and Iraq to conduct business such as pasturage were the intended focus of this subsection and they were exempted from punishment for entering Kuwait without permission. It should be noted that the historical borders in this region were not clear, especially in the minds of the "nomads" who migrated in search of pasture and dealt with towns only in buying and selling. This was the situation on the Kuwaiti, Iraqi and Saudi Arabian borders.

Another Activist, Khalifa (undated), shared his views with the Bidoun and the Activists. Kuwait was formed from different races within Saudi-Arabia, Iraq and Iran. He agreed

that the majority of the Bidoun belong to the Northern tribes, yet the successive Governments failed to resolve this issue. He added that before the Iraqi invasion the Bidoun number was between 220, 000 and 350,000, yet this number declined due to the pressure and expulsion policy the Government practised against them. He agreed with Shamsaldīn that the government employed the Bidoun in low-paid jobs, such as the army and the Home Office. There are many Activists that hold the same opinion, such as Almasoudi (21 December 2011), who called upon the leaders of the Northern tribes to help their own people (the Bidoun) in their demands for more rights.

4.5.3 The official perception:

Saleh Alfadhalah, the Head of the Central Agency, (or, as an Activist deemed the Agency the Bidoun's Cabinet, he would therefore be regarded as the Prime Minister of the Bidoun), echoes the Government perspective. In an interview with Al Safwa Channel on 19 January 2008, he explained the root of this problem saying that the problem started in 1959. He classified the illegal residents (Bidoun) into two groups, the first of which sneaked in from Iraq or other countries, hiding their papers, and claiming to be stateless. Alfadhalah called the second group "The unjustly treated group". He explained this title by saying "This group is the Bedouins (Nomads) from the desert of Kuwait, who fought under the Kuwaiti flag during the Arab-Israeli conflicts". Alfadhalah clarified that before the oil production Kuwait relied on taxation and Zakat (almsgiving). He explained that the nomads who paid Zakat for Kuwait at that time were registered in specific records and obtained Kuwaiti citizenship because of these payments. He considered these payments as being a commitment towards Kuwait at that time.

4.6 Reasons behind the prevalence of Bidoun in Kuwait:

Many reasons for the increasing Bidoun presence in Kuwait is blamed on government policies since independence in 1961 by Abdul-Momen (2013), he suggests:

- Some Kuwaitis brought foreign people to Kuwait in exchange for money.
- There was no census to show all residents of Kuwait prior to the application of the Nationality Law in 1959. In the wake of the 1957 Census there was considerable dispute about its reliability.
- The instability of the Nationality Law has led to confusion. According to Abu-Hamad (1995), during the period between 1960 and 1987 the Government made

amendments in the Citizenship Law, which made it difficult for Bidoun “to satisfy each additional requirement imposed by new amendments” (1995: 16).

- Kuwait witnessed a large number of immigrants from Arabic countries and tribes seeking maintenance. According to Al-Nakib (2016), because after producing oil in 1946 the Kuwaiti Government launched ambitious projects to develop the country, and because the native citizens were unskilled, it opened the borders to workers.

Table 4.3 The population of Kuwait (Al-Nakib (2016))

Year of Census	1944	1952	1957	1965
Population	70,000	160,000	206,000	467,000

- There were repeated statements from officials about an approach granting Kuwaiti citizenship to Bidoun working in police and army roles.
- The Citizenship Committees were assigned to interview applicants for citizenship but undertook their work in a short period of time. Consequently, people who acted promptly gained citizenship, whereas people who delayed were denied it. Beaugrand (2010) noted that the Committees of Citizenship lasted from 1959 until 1965, however, which suggests that they were actually in place for quite a long period.
- The members of the Citizenship Committees were influenced by their tribalism or disposition, which led to the rights of many applicants being denied. According to Beaugrand (2010: 123), “The Committees of Nationality (1959-65) based their decisions on the ‘who’s who’ of pre-oil Kuwait organised into Firiij or micro-level neighbourhoods”.
- Illiteracy was widespread in Kuwait, especially among people living outside of the cities, leading to a failure to appreciate citizenship’s importance, especially since granting citizenship at the commencement of this law was not associated with any civil, social or financial privileges to attract people.
- The failure of the Kuwaiti Government during the 1960s and 1970s to find an early solution for this problem further exacerbated it. A good example of potential early solutions can be found in the statement of Ebtehal Alkhateeb (9 May 2012) who said that the Government issued a law in 1972 to grant any Bidoun who finished high school with Kuwaiti citizenship, and that 107

students obtained citizenship by this means before the law was rescinded after a short period.

- The Government of Kuwait considers the issue of citizenship as a sovereign right, which has prevented any applicant from going to court to find a solution. Al-Najjar (2010) confirmed this point, mentioning that the Administrative Court in Kuwait cannot receive any Bidoun case regarding the issue of citizenship, and the only solution is to change this law.

4.6 Solutions in the State of Kuwait:

4.6.1 Different approaches from the powers:

The situation in Kuwait is completely different from that of other countries that have resolved the problems of statelessness, because in Kuwait the Government alone holds the chief power and total control over the issue of the Bidoun, and the granting of citizenship. The legislative and the executive branches, meanwhile, have different ideas on ending this issue, whereas the judicial power reacts to lawsuits brought by stateless or sympathetic lawyers such as Fawzia al-Sabah as explored further in Chapter Five. Although one branch of government can be sufficient to arrive at a solution (such as Sri Lanka finding a solution via legislative power), up to now in Kuwait, all three branches have not been able to find a solution for this issue. The following sub-sections provide examples of solutions by different powers.

4.6.2 Legislative approaches:

4.6.2.1 Introduction:

Due to the fact that the Bidoun do not vote in the elections, the Kuwaiti parliament does not prioritise their issues. Moreover, parliament is largely unable to influence the issues surrounding the Bidoun, due to the government's overriding power on every affair of this nature and the disagreement among the MPs regarding solutions to this issue. There are many factors that underpin this structure: for example, the Government (16 ministers) has the right to vote during voting in Parliament, "This significantly lessens the separation between the legislative and the executive branches of power and dilutes powers of directly elected MPs" (Democracy Reporting International (DRI) and the Kuwait Transparency Society, November 2008:6).

4.6.2.2 The influence of electoral constituency and denomination:

There have been many instances of sympathy shown by some MPs towards the Bidoun, especially those who represent al-Jahra Governorate where the majority of the Bidoun live. There is also sympathy within the Shia group, because there are rumours that the Bidoun are largely derived from the Northern tribes (centred in al-Jahra) who are generally Shia. For example, Alnajjar (undated) reports that in 2002 Ahmad Alshurian (an MP from al-Jahra) called on the Minister of Justice, "to legalise the marriages of Bidoun officially". The Minister responded by saying: "The Ministry cannot legalise any marriage without authentic documents to prove the citizenships of the couple". Saleh Ashour (2011) an MP from the Shia minority has called on the Kuwaiti Government to "find a radical solution to this matter before a solution was dictated from outside".

4.6.2.3 The internal electoral constituency;

There are some MPs from the internal areas (i.e. the capital and its outskirts) or "Urbanised Sunni" who usually belong to families that lived inside the wall prior to what is now modern Kuwait. There are some MPs who have been accused of having negative attitudes towards the Bidoun. For example, MP Abdullah Alroomi (Interior Areas) declared (February 2009) that Bidoun soldiers fought under the Kuwaiti flag for money only, although this statement elicited a strong public reaction against him. Ahmad Almelaifi (Urbanised Sunni) has also been accused of prejudice against the Bidoun. The website Alarabiya published an interview (17 October 2010) detailing many concerns regarding the Bidoun, Almelaifi argues that some of the Bidoun entered Kuwait via a valid visa and some via illegal immigration. Alsarawi (Interior areas) is another example of an MP who has been accused of being racist. His opponents claim, "...his resistance to Cabinet Decision 409/2011." This law is a rare instance of cooperation between the Government and Parliament, and granted Bidoun with eleven rights, including some relating to education, health care and special passports. This is likewise the case for Dr. Almoqatei, Head of the Law Department at Kuwait University, who authored a series of articles (August 2009) against a proposal by three members of Parliament, entitled "Bidoun's Rights", to grant Bidoun with more rights. One important issue raised in this proposal was to provide Bidoun with free education. Dr. Almoqatei argued that granting Bidoun with free education is against article 40 of the Constitution, "Education is a right for Kuwaitis, guaranteed by the State..." However,

there is an argument against this perception; a good example is Group 29 who relies on article 29 of the Constitution to support Bidoun's rights.

4.6.3 Executive approaches:

The Government of Kuwait has used a variety of methods to solve the Bidoun issue. The first approach is the "the promises policy": whereby a number of promises have been issued by officials to find a solution to this matter. Aldeyain (18 December 2011), a socialist Activist writes about the first promise made in 1966 by the Minister of Interior and Defence, to grant Bidoun Kuwaiti citizenship. Another example is a previous Minister of Interior and Defence who promised on 13 October 2006 "to find a radical solution for this problem...but nothing has been done yet" (Aldeyain, 2011). Another approach used by the executive power is "the stick policy". This policy relates to a Secret Committee established in 1986 and a further explanation will be provided under the sub-heading 4.10.1 "The Secret Committee".

Another approach is "the carrot policy": if any person from the Bidoun reveals his real citizenship, the Kuwaiti Government will award him and his family a free visa to stay in Kuwait for five years and might extend it after its expiry; they will receive free education, free health treatment, and free ration cards; they will have priority (after Kuwaitis) to work within the public sector; and be given a temporary passport (Passport article 17). Officials in the State of Kuwait believe that these two policies (carrot and stick) are successful.

Saleh Alfadhalah, Head of the Central Agency, In January 2012, declared to journalists that:

The Kuwaiti Government has given citizenship to 16,000 persons from the illegal residents (Bidoun) group in the last 20 years (1991-2011)...and...the number of illegal residents (Bidoun) eligible for Kuwaiti citizenship is approximately 34,000 only... whereas 67,000 will reveal their real citizenships by the apparatus. Alfadhalah: 2012, (Reported in *Alraimedia* newspaper).

A delegation from the Kuwait Society for Human Rights met with Alfadhalah in May 2012 to ask for more details about this statement. Alfadhalah confirmed his announcement and was met with negative reactions: "the Society was wondering why

the Central Agency did not mention the citizenships of this group so they could carry out their normal life without the complicated obstacles they face in their daily life” (Kuwait Society for Human Rights, 2012).

4.6.4 Judicial approaches:

The juridical power in Kuwait responds to individual cases related to the Bidoun. For example, the most important matter for the court in Kuwait regarding Bidoun is ‘papers’ such as a birth certificate.¹³ For many years, issuing a birth certificate to Bidoun was difficult because, officially, the Ministry of Public Health asked for the parents’ papers while the Bidoun claimed they did not have passports or citizenship. This was the situation until the Government and Parliament agreed Cabinet Decision 409/2011 which gave the chance to issue a Bidoun new-born child with a birth certificate and writing non-Kuwaiti under the nationality if the Central Agency agreed that the father does not have a known citizenship. To show the misery of Bidoun regarding this issue before the Decision 409/2011, on 15 August 2009 a divorced woman set fire to a tent in the city of al-Jahra where the second marriage of her former husband was taking place. According to Alqabas newspaper (2009), 41 women and children were killed. Rana al-Abdulrazaq visited the families of the victims. The mother of one dead girl told her: “My daughter was born and died in Kuwait, and I could have neither birth certificate nor death certificate because we are Bidoun”. Before the Decision, many Bidoun had asked sympathetic lawyers to sue the Ministry of Public Health, which had refused for many years to issue birth certificates for their children. However, the problem of the papers did not cease entirely; for example, Alalwan (30 December 2015) reported that the Administrative Court in Kuwait banned the Ministry of Health from issuing a birth certificate for a Bidoun girl.

4.6.5 Granting Bidoun with Comoros passports:

During March 2015, Belkis Wille¹⁴ reported that Kuwait intended to pay other countries in exchange for granting Bidoun with citizenship.

¹³ Abdulkarim (3 November 2015) interviewed Dr. Mahmoud Abdelhadi, the Assistant Undersecretary for Legal and Health Insurance, Ministry of Health, Kuwait who stated: after the issuing of the Cabinet Decree 409/2011 the number of Bidoun cases against the MoH to issue birth certificates had decreased.

¹⁴ Yemeni and Kuwaiti researcher with Human Rights Watch.

As Wille described, “In November 2014, media coverage suggested that the government aimed to strike a deal with the Comoros.” Wille also discussed how, during her questioning of Kuwaiti politicians and the Bidoun regarding this issue, some matters arose in relation to this deal, with both groups unable to provide answers. For example,

- Will children of Bidoun born in Kuwait receive Comorian citizenship at birth?
- Most importantly, once this deal is done, will the Kuwaiti government be able to deport their Bidoun as illegal residents to the Comoros or another country prepared to enter into such a deal?

Badaway (30 November 2015) wrote a summary of what Major General Sheikh Mazen Al-Sabah said regarding this issue. He declared that officials in the United Arab Emirates solved this problem and granted this group (Bidoun) with Comoros citizenships and passports, thus they do not intend to deport this group from Kuwait. Major General Mazen was asked to reflect upon American Radio Sawa’s comments when they said, “Kuwait sold its Bidoun to Comoros, what is behind the deal?” Mazen tried to put an end to any worries regarding this issue stating, “This agreement will be authorized by the state officially, approved by Comoros’s President and the Parliament; everything will be legal, we are awaiting the final signature”.

The *Kuwait Times* published, on 20 June 2016, a statement issued by the Minister of Foreign Affairs, Sheikh Sabah Al-Khaled. He denied rumours of any deal being secured with Comoros, declaring that if there is any type of agreement we have to complete the procedures in accordance with the Constitution.

4.7 Some conditions of Bidoun life:

4.7.1 The paper’s problem:

Throughout their lives in Kuwait the Bidoun face varying degrees of difficulties. The primary reason for these difficulties is due to the problem of papers, the same case facing similar groups in many countries around the world. According to Human Rights Watch (2011), the Bidoun Committee¹⁵ “Executive Committee for Illegal Residents’

¹⁵ There are different committees or agencies, which were, or are still, dealing with Bidoun issues. Three agencies have undertaken Bidoun issues since the liberation from Iraq in 1991 until now (2016). The Central Committee to Resolve the Status of Illegal Residents was established in 1993 to regularize the status of the Bidoun, this Central Committee was disbanded in 1996. In 1996, the Executive Committee for Illegal Residents’ Affairs (ECIR) was established, whose mission was to assess all those who claimed to be illegal residents (Bidoun). The Central Agency for Remedying Illegal Residents’ Status is a state body, which was established in 2010 and is also known as the ‘Bidoun Committee’ or “Bidoun Cabinet”, and was meant to conclude in November 2015;

Affairs (ECIR)” has issued security cards to 106,000 Bidoun who registered with the committee between 1996 and 2000, and “these cards help protect Bidoun from deportation” (2011: 5). This situation changed in 2012, as noted by Zaki & Aljalalmah who reported in *Alanba* newspaper (April 2012) that a document was circulating regarding Bidoun cards which had been issued by the Interior Undersecretary of Operations Affairs, Gen. Abdullah Al-Mahna, under the number 406/2012. This document categorised four colours of cards that the Bidoun must hold, with each colour representing a grouping.

As usual, the human rights Activists responded with anger to this step. On 22 December 2012, they held a seminar entitled, “The coloured cards and the legal procedures to correct this”. Meshal Abdullah reported in (24 December 2012) that the Activists encouraged Bidoun to consult a lawyer before they accepted these cards.

4.7.2 Government responsibility:

Alnajjar (Undated) discussed the majority opinion, amongst interested parties, that the reason behind this problem is the Governmental policies and procedures since the foundation of modern Kuwait and the Independence of 1961. Al-Shammari & Al-Shammari (April 2014) in their study talked about negligence and absence of prospective vision of the outcomes of this negligence which resulted in increasing the number of Bidoun to nearly quarter million (246.000) according to 1990 Census, however this number was reduced because a large number of Bidoun went back to their homelands or they obtained passports which ended their status as illegal residents (Bidoun) during the Invasion 1990 or after the Liberation 1991. Karam (16 November 2014) explained that the Bidoun problem is 100% the Government’s fault, and the Government could have put an end to this issue long before it became a complicated one. However, Karam added that, for political reasons, the Government ignored solving this matter whereas the existence of a large number of residents who do not belong to a known country might result in a wrong and dangerous situation.

Al-Shammari & Al-Shammari (April 2014) gave an example how the Government missed a golden chance to terminate this matter in 1970 when their number was only 35,000 by dividing Bidoun into two groups, the first group is those deserve the

however, a new decision by the Cabinet to extend its work for two more years was passed, which means this body will deal with the Bidoun until November 2017.

citizenship and the second group who do not deserve it, the Government missed this chance in 1970.

Another columnist, Abdullatif Aduaij, wrote an article on (18 January 2012) criticizing the Kuwaiti Government for not protecting the border from people arriving from different countries that hid their real documents so they could claim to be Bidoun. Alhajeri (2014) discussed how in 1970 the number of non-Kuwaitis in general was more than Kuwaiti citizens, He said:

But the Government considered that a normal situation and had not taken any measures to reduce or control it . . . it is noticeable that this increase was the result of a successive migration process. (2014: 5).

4.7.3 Bribery to obtain citizenship:

There have been rumours that bribes have been paid to obtain Kuwaiti citizenships. The MP, Abdullah Altraiji (15 June 2012) discussed bribes and deals and stated that the price of Kuwaiti citizenship is eighty thousand KD (£160,000) because it is an attractive citizenship, and Government corruption led Kuwaiti citizenship being granted to those who do not deserve it. From time to time the Home Office announces the seizing of people who obtained Kuwaiti citizenship through illegal means such as bribery.

Beaugrand (2011) stated that, in 2001, the Parliament accepted a process of “gradual nationalisation” intended to grant 2,000 Bidoun with citizenship, per year. The criteria that the government considered for citizenship are as follows: to be registered in the Census of 1965, having completed high school in Kuwait and not having an absence due to any security restrictions. The annual measure of nationalisations has been characterized by a lack of transparency, and the quota appears to include individuals and groups not from the Bidoun, such as artists and special personalities as a result of their “exceptional services rendered to the state”. Rizzo et al. (2007) talked about this law saying: “Only a minority of the Bidoun has benefited in the citizenship process due to personal connections with high Government officials or having the resources to pay off bureaucrats” (2007: 180).

4.7.4 Bidoun and crimes:

Group 29¹⁶ were involved in a TV discussion on 25 October 2013, which included three charter members of this group: Shaikha Almuhareb, Dr. Rana al-Abdulrazaq and Mona al-Abdulrazaq. The title of this discussion was: “The Bidoun and the Systematic Segregation”. In the same interview, Mona al-Abdulrazaq hosted a talk with Dr. Alzuabi (the head of sociology at the University of Kuwait) and discussed the accusations levelled towards the Bidoun that they are a source of trouble. His perception is: “Do not blame a young Bidoun if he becomes a drug dealer, because the lack of support from the Government gives him few options to make a good life for himself”. Furthermore, Dr. Alzuabi contended that the domestic newspapers will focus more on a crime if the guilty person is Bidoun, meaning that the population as a whole does not get the full story about the Bidoun.

Shawqi and Hassan, reporters from Alshahed newspaper, reported on 1st March 2016 the perceptions of some MPs and solicitors towards the Bidoun. The solicitor Abeer Alfawaz attacked the Bidoun by saying: “The Government has to understand that the Bidoun are responsible for 80% of crimes in Kuwaiti society”. Alfawaz encouraged the Government to provide Bidoun with education, health treatment and jobs, “Because any negligence within these services will make it more likely that the Bidoun will continue to commit crimes, such as dealing drugs” (ibid). In the same investigation, the MP Hmood Alhamdan said: “If there is a bad group among the Bidoun this does not mean that all Bidoun are evil, but that we need to examine statistics regarding the percentage of Bidoun in crime to verify or deny this accusation” (ibid).

The Director of the Public Relations and Moral Guidance Department and the Acting Director of the Security Media Department in the Home Office, Col. Adel al-Hashash (3 November 2013), reiterated this accusation towards the Bidoun when he publicised the highest nationalities in perpetrating crimes during the first six months of 2013. He claimed that the first nationality was the nationals, the second the Egyptians and the third are the Illegal Residents (the Bidoun). However, it is important to note that the

¹⁶ Group 29 is a group of Kuwaiti female Activists who have grouped together under the slogan of article 29 of Kuwait Constitution. Article 29 said: “All people are equal in human dignity and in public rights and duties before the law, without distinction to race, origin, language, or religion”.

Bidoun's population is much smaller than these two nationalities, which ultimately gives these accusations grounding.

4.7.5 Segregation of Bidoun:

In April 2013, an important three-day conference regarding the Bidoun took place in Kuwait entitled, "The First Conference of Stateless in Kuwait"¹⁷. Many speakers contributed to this conference, one of whom was Dr. Alwuhaib who discussed the isolation and segregation of Bidoun in Kuwait. Alwuhaib defined segregation as "a performance of an authority to depreciate the rights of a person by segregating him from the society which leads to making his situation different from other parts of the society". Alwuhaib blamed Kuwaiti society for making the Bidoun feel they are sub-human because of the way they treat them, concluding: "We as Kuwaitis made the Bidoun issue with our own hands".

In the aforementioned TV discussion on 25th October 2013 the three participants agreed that 1986 marked the beginning of the segregation of the Bidoun in Kuwait. They referred to them as "the Kuwaiti Bidoun"¹⁸, which meant they consider them as Kuwaitis but without official papers. The introduction of this programme explained that the Bidoun are segregated from wider Kuwaiti society in many aspects.

Rana al-Abdulrazaq described what happens to the Bidoun as "racial segregation", and she defined this as the "segregation of a group from the society because of: race, colour, religion or denomination". She agreed with the programme's introduction, adding that the Bidoun are employed to do specific jobs. Rana made an important observation when she said, "This policy towards Bidoun might be because the majority of Bidoun are from specific regions or specific denominations". Beaugrand (2011) confirmed what Rana said about that the specific jobs; she presented examples of these such as taxi or bus drivers and security guards at local supermarkets. The salaries of those Bidouns who work in both the private and public sectors are much less, even half, than those of the Kuwaiti Nationals.

During the second part of this TV discussion Dr. Ali Alzuabi explained what he thinks about the segregation of Bidoun. In his view, the segregation is deeply-rooted in the

¹⁷ Since this conference to the present day (April 2016) no conferences regarding the Bidoun issue have been organised.

¹⁸ To the researcher's knowledge, there are two movements who have used the term "the Kuwaiti Bidoun": Group 29 and the Kuwaiti Progressive Movement, which represents the Left Wing in Kuwait.

political philosophy of the Kuwaiti Government. His perception is based on the official housing policy because the Public Authority for Housing Welfare (formerly the Ministry of Housing) allocated public houses for Kuwaiti citizens in different areas from both foreign and Bidoun groups. Alzuabi said: This policy led to the isolation of Kuwaitis from other groups in areas, and another matter is the “public houses” which are owned by the Ministry of Defence (smaller than Kuwaiti houses), and which are allocated for Bidoun. As a result, the Bidoun became totally isolated from Kuwait society.

During the conference (April 2013), Dr. Alwagian discussed how Kuwaiti society was divided into two groups: those who lived on the coast, who are known to be decision makers in Kuwait and have influence over political decisions, and those who lived in the desert. The people who live near the coast joined the development in Kuwait from the beginning, whereas many of desert people did not due to their nomadic lifestyles and their unfamiliarity with papers and documents, relying on word of mouth only. The Bedouin (Tribes) people did not value the importance of papers during this time because they were illiterate without any education, and this caused a barrier between them and the central authorities. The Committees of Citizenships were a reflection on the society and did not work according to an institutional standard, which resulted in a large group of Bidoun. Dr. Alhajeri (2014) agreed with this, he stated that the campaign for Citizenship was short and weak, thus the people of the desert did not value the importance of having official nationality.

4.7.6 Bidoun’s areas:

To shed light on the Bidoun areas of Sulaibiya and Taima,¹⁹ the journalist Almosa, (27 June 2009), visited the Dewaniya (a reception area in a home) of a member of the Sulaibiya cooperative called Alrawie where he and his guests discussed the problems in these areas. According to the attendants, Sulaibiya includes 9,696 houses with a population of eighty-thousand people (80,000). The houses in this region are 200 square metres in area.²⁰ Beaugrand (2010) translated the Arabic name²¹ for these houses as “Bidouns’ Popular Housing²²”, and said, in 2008, that the Bidoun resident will pay

¹⁹ Both areas are located in al-Jahra Governorate.

²⁰ The standard area of a Kuwaiti house is 400 square metres.

²¹ Buyut Shabiyya.

²² These types of low cost houses have occurred in the world under different titles. For example, in the UK it is called *pepper corn* rent, whereas in France it is called *Habitation a Loyer Modéré* HLM (Rent-Controlled Housing).

much less in comparison to the prices in Kuwaiti residential areas. The majority of inhabitants in these areas are Bidoun soldiers and policemen, Kuwaiti women who are married to Bidoun, or Arabs, or citizens of the Gulf Cooperation Council (GCC).

Alrahipi (25 October 2016) investigated Bidoun areas with a project entitled, “*Kuwait’s Chicago*”, in an allusion to Chicago Outfit. Alrahipi talked about Taima, and he mentioned that it includes roughly one hundred thousand inhabitants (100,000) with only eight thousand houses (8,000). His research provided detailed descriptions of life in this area. In this town, we can find more than one family residing in a small house, sometimes three or four families. Usually, the residents are divorced or widowed Kuwaiti women and some Kuwaiti men, and this group forms 30% of the population, whereas 70% of the population is Bidoun. The last update about these houses is what Brigadier Adel Al-Hashash, issued on 23 July 2016 about applying the regulations of these houses. He said the Home Office would take back these houses and redistribute them again in August 2016. He said this decision would affect people who fit into three criteria: one whose contract with the Ministry has been terminated, one who holds a known citizenship, and one who received an end of service award from the Ministry. Al-Hashash mentioned that there would be an exception for the indefinite group (Bidoun) according to specific criteria.

4.7.7 The right of travelling:

Alnabhan (2 May 2015) reported the new directions regarding travel rights of Bidoun issued by Maj. Gen. Mazen Al-Sabah: A Bidoun can have a passport (article 17²³) if this Bidoun, firstly, registered in the 1965²⁴ census, secondly, is enrolled in the CD of the Central Agency, and finally, there are no security or criminal restrictions on him. Al-Jarrah stated that Bidoun who registered in the 1980 and 1985 census will be granted

²³ According to Dr. Ghanim Al-Najjar (2000), the Kuwaiti Government issues a passport called article 17 according to the Passport Law which could be defined as a pass document. Usually it given to non-Kuwaiti people and usually but not always could be used for one trip only. The main beneficiaries of these passports were the Bidoun, because they do not hold another passport, however, many Arabs who work in government jobs and travel on an official assignment can have this passport. In the last few years, more restrictions were established by the Home Office to grant this type of passport. This passport is usually granted for reasons such as: participation in an official assignment, study abroad, health treatment, and undertaking a Pilgrimage or minor Pilgrimage.

²⁴ According to the Kuwait Government online, in 1957, the first census was carried out, however the accuracy of this census is a debatable issue. The first accurate and official census was carried out in 1965, and since then a census has taken place in Kuwait every five years. Dr. Ghanim Al-Najjar said the Kuwaiti Home Office considered the 1965 census as the groundwork for any demands related to Kuwaiti citizenship.

this passport (Article 17) in two cases: firstly, if they want to have medical treatment outside Kuwait and secondly, if they wish to travel to solve their paper problems – in other words, to change their status from being Bidoun to being a foreigner. There are two important points about travelling. Firstly, the countries that agree to grant a visa to the Bidoun are limited in number. The best example is the annual crisis regarding the Bidoun's pilgrimage to Mecca²⁵ because the Saudi authorities do not accept these types of passport (Article 17) as they consider them to be a "temporary passport", which the Saudi system refuses to recognise. Secondly the limitation of travelling negatively affects the academic attainment of the Bidoun because their financial capability is more suited to study at Arabic universities, such as Egypt and Jordan, more than the Kuwaitis. In addition to the variety of schools – such as medical and pharmaceutical institutions – these countries compare with the expensive and limited schools at the Kuwaiti private universities. The issues of the Kuwaiti education system will be discussed in more detail in the next Chapter.

4.7.8 The new arrivals:

Alnajjar & Alnajjar (26 April 2012) and Lund-Johansen (2014) have each said that this group of Bidoun sneaked into Kuwait during the Iraq-Iran War between 1980 and 1988. Lund-Johansen (2014) also mentioned that Saddam Hussein deported a large number of Shia from Iraq, and it is possible that some of them sneaked into Kuwait. To assume the identity of Bidoun was an excellent refuge for them.

Saleh Alsaiedi a member of the Central Agency published his opinion on the CNN Arabic channel in January 2014, regarding how officials view the Bidoun. Alsaiedi disavowed the term Bidoun, explaining the official point of view that the Citizenship Committees, which were established in 1960s, worked for six years, and during the 1970s another Citizenship Committee was established with the aim of completing any leftover or residual applications. Alsaiedi discussed what he described as an "inflation" in the number of illegal resident numbers, with their number increasing from thirty-nine thousand (39,000) in 1970 to one hundred and seventy-eight thousand (178,000) in 1980, which means that this number increased 350% in only ten years. Alsaiedi explained that "the officials doubted that these groups had entered Kuwait after

²⁵ The Holiest city for Muslims, located in the west of Saudi-Arabia.

Independence in 1961, so they lack one [of the] prerequisites to obtain Kuwaiti citizenship”.

In an official study published by the Parliament in April 2014, Al-Shammari & Al-Shammari quoted the reply of the Minister of the Home Office, Sheikh Mohammad Al Sabah, who explained that the real citizenships are for those who were classified as illegal residents/Bidoun persons who had resolved their papers. Al-Sabah said that in the last twenty-seven years, from 1986 – the establishment of the Secret Committee – until 2013, there have been 87,279 persons who had resolved their situation. These persons declared their real citizenships, of which this table details:

Table 4.4 Bidouns who solved their nationality issue (1986-2013)

Citizenship	Numbers	Percentage
Saudi-Arabia	58,770	67.3%
Iraq	11,958	13.7%
Syria	7,879	9.1%
Iran	1,856	2.1%
Jordan	520	0.6
Other citizenships	6,296	7.2%
Total	87,279	100%

These revelations of real citizenships from Bidoun persons perhaps convinced the Government that the Bidoun possess citizenship of other countries but are declaring themselves to be Bidoun in the hope of obtaining Kuwaiti citizenship. Al-Shammari & Al-Shammari (April 2014) adopted the official position when they said the Bidoun had arrived after the discovery of oil in Kuwait, and hid their real papers. They allege that the Bedouins (nomads) are taking advantage of the Amiri Decree No. 17 of 1959 issuing the Aliens Residence Law, which included an article allowing the tribes to move between Kuwait and its neighbouring countries. The migration from poor or unstable countries into stable and wealthy countries is something that exists everywhere in the world and Kuwait is no exception as shown in Chapter Three. Dashti (December 2004) explained that this problem surfaced after the 1965 Census which shows the number of Bidoun was 51,466, but this number decreased to 34,461 in the 1970 Census because of the work of Citizenship Committees during that time.

Dashti (December 2004) and Al-Shammari & Al-Shammari (April 2014) claimed that the number of Bidoun decreased from 250,000 in 1990 to 120,000 in the years following The Liberation in 1991 because some Bidoun returned to their homelands. Some Bidoun bought passports from countries such as the Dominican Republic and Azerbaijan, as they found this to be a solution to escape the restrictions placed upon them. The writers declared that the Government considered this decline in Bidoun

numbers as an achievement. It is worth mentioning that the accusation of being a new arrival in Kuwait is sometimes aimed at the Bedouins (tribes) as well. Thaar Alrashidi (11 January 2010) attacked those who consider the 1957 Census as the basis for citizenship in order to reject those who they describe as new arrivals (those not included in the 1957 census), describing their views as 'Neo-Nazi'.

4.7.9 Foreign passports:

When the Government initiated the policy restrictions against the Bidoun to force them to reveal their true nationalities, it became a business venture for many individuals and firms alike. Bidoun persons paid money in order to gain passports and continue working or residing in Kuwait. According to Affleck (2012) many of the Bidoun found that obtaining an illegal passport from another country was the only way that they were able to work in order to support themselves and their family members. Some of the passports they obtained were totally counterfeit, whilst others were genuine, yet purchased via the black market.

The MP Askar Alenezi (14 August 2011), implored Saleh Alfadallah, the Executive Chairman of the Central Agency, to deal with the Bidoun people who had bought forged passports in a merciful way. Askar Alenezi mentioned the main nationalities associated with these forged passports as Syria, Somalia, Yemen, Eritrea and the Dominican Republic. Mansour Al-Shammari (27 June 2014) published details of a police arrest, which involved a Syrian man who was an expert in forging Dominican passports. He admitted that he was working with officials in Dominican Republic to issue passports for Bidoun until they stopped in 2008, and after this date he began selling forged passports for KD 1.500 (£3,000).

Al-Khalaf (18 February 2015) asked an official (who refused to reveal his name) about these offices where forged passports were sold in Kuwait, and he replied: These offices work against the law; however, both the Ministry of Commerce and the Home Office turned a blind eye maybe as an official policy to reduce the number of Bidoun and to drive them to resolve their paper problems. Al-Khalaf met the *chargé d'affaires* in the Yemeni Embassy in Kuwait, and asked him why the Embassy had confiscated these Yemeni passports from these people.

The *chargé d'affaires* answered that by saying "These passports disappeared during the Yemeni Civil War (May-July 1994), and we in the Yemeni Embassy took these passports from the holders and we gave them official papers proving they are not

Yemeni subjects”. According to Al-Khalaf, an official source at the Home Office mentioned that some of these deceived Bidoun thus became Bidoun again.

Fahiman (15 August 2014) reported the response of the Minister of the Home Office, Sheikh Mohammad Al-Sabah, to a Parliamentary question regarding the number of Bidoun who were issued Eritrean, Syrian, Somalian, Yemeni and Dominican passports, and the number who became Bidoun again (see table):

Table 4.5 Bidoun who were issued passports, and those who then returned to Bidoun status:

Nationality	Number	Returned to Bidoun Status
Eritrea	807	10
Syria	1,259	0
Somalia	161	125
Yemen	354	41
Dominican	182	16
Total	2,763	192

4.8 Bidoun in the Gulf Co-operation Council Countries:

4.8.1 Introduction:

According to a report published on the BBC website in 2012, these six states have similarities in their political systems and cultural values. The main reason behind establishing this Council in 1981 was fear of the Islamic revolution in Iran, which embraces the Shia faith, whereas “five countries of these six are ruled by Sunni families; the Sultanate of Oman is the only country ruled by an Ibadi family”.

According to Mona Kareem (21 August 2012):

Despite all their differences, with Saudi Arabia being the most extreme model and Kuwait being the least oppressive example, the Gulf countries look very much alike in their failed policies when dealing with statelessness.

Published in Mona Kareem Blog

Mona Kareem is the founder of the "Bedoon (Bidoun) Rights" group.

According to Kareem (2012), for the Governments in the GCC the matter of statelessness was not an important issue until the collapse in oil prices in 1986, which led to constraints on social services funded by oil revenues and made the citizenship laws stricter. There is unconfirmed information that the Government of Kuwaiti counted the Bidoun as Kuwaiti citizens in the census which gave the government the chance to increase oil production. When the oil prices declined, OPEC changed its policy and the population of the state was no longer considered, and this is another reason of Kuwait's new policy towards the Bidoun.

Abu-Hamad (1995) and De Bel-Air (2013) mentioned the information regarding the census. Abu-Hamad said:

Until 1988, the number of Bedoons (Bidouns) was included in the total number of Kuwaiti citizens in official population statistics. But starting in 1988, the Government subtracted the number of Bedoons (Bidouns) from the citizen population and added it to the number of foreign residents" (1995: 11).

According to Beaugrand (2010) the Government had been treating the Bidoun similarly to Kuwaiti citizens (in terms of salary, for example), so when the Bidoun were deemed foreigners, the Government could reduce their number in the overstaffed public sector.

Another reason for the Government changing policy towards the Bidoun is the Government's need to reduce the payroll, especially after the crash of the Kuwaiti stock market.²⁶

In addition to the political issue, the economic issue is perhaps another reason behind the changing policy towards the Bidoun in Kuwait. The main political event during the 1980s in this region was the Iraq-Iran War (1980-1988), whereas the main economic event was the declining of the oil prices, which is known in literature as the oil glut²⁷ of 1986. The terrorist attacks that took place in Kuwait in 1980s, which were supported by

26 Jesse Colombo the economic analyst and Forbes contributor (12 May 2006) declared, "Perhaps the greatest speculative mania of all time was Kuwait's Souk al-Manakh stock bubble in the early 1980s. Following this crash, an actor, Abdulhissein Abdulredha, wrote a play called "The Knights of al-Manakh" which is now a key work in the Kuwaiti theatrical canon and deemed the best portrayal of this period".

27 According to Gately (237: 1986) "the 1986 price collapse was the result of a decision by Saudi-Arabia and some of its neighbours to increase their share of the oil market".

Iran with a small number of Bidoun involved, did not result in immediate restrictions. Oil prices declined in 1986 and the Secret Committee's decision to remedy the Bidoun status took place in December 1986; however, the beginning of restriction towards the Bidoun in the 1980s was not investigated and the newspapers at that time were prevented from publishing any letter of complaint received by the Bidoun.

4.8.2 Bidoun in Saudi Arabia:

The Kingdom of Saudi Arabia is (not) a State party to either the 1954 Convention relating to the Status of Stateless Persons or the 1961 Convention on the Reduction of Statelessness.

The Universal Periodic Review: The Kingdom of Saudi-Arabia". Published by the Human Rights Liaison, Unit of International Protection, (UNHCR, March 2013: P: 1)

Kasem (2011) stated that the term Bidoun is used in Saudi Arabia: "We imported this term from the Kuwaiti Newspapers". Hanan Al-Hashimi (24 June 2014) reported that Bidoun people in Saudi Arabia live in the north, south, east and west of the Kingdom. The researcher considers the similar group of Bidoun in Saudi Arabia and those of Kuwait is that group which is called the "migrant tribes". As Al-Hashimi explains; the Bidoun in the north are from tribes originating in Saudi Arabia, Kuwait, Iraq, and Jordan.

A report published by Sabq newspaper (May 4th, 2014) stated that -similarly to Kuwait- the majority of Bidoun in the north of Saudi Arabia are from the Anaza and Shammar tribes in addition to Aldafir and Alasaadh. The main reason is that these tribes were in the desert during the registration of citizenship because they did not value the importance of this official paper. Another reason behind this status of these tribes is that they are extended tribes. To explain this point, a report published in the Economist online (13th July 2014) describes the Shammar as "the powerful Shammar tribe which has branches in eastern Syria, Iraq and Saudi Arabia". This means these tribes were travelling in the desert between these countries without understanding the importance of residing in a specific country.

In the TV debate on Almajd TV titled "A Citizen without Identity", broadcast in April 2013, the presenter Alsunaidy discussed the situation of the Bidoun among the northern

tribes (the majority are from Anaza and Shammar and there are also two smaller tribes) with some Activists from these tribes. The first guest, Aldumyan, a solicitor from the Anaza tribe, mentioned that the Saudi Government housed Bidoun of these two tribes (Shammar and Anaza) in Hafar Al-Batin (a city close to Kuwait and Iraq borders) in 1985 and limited their movement. Mohammed Awad, who is a Bidoun, in a TV meeting with the presenter Alghaydans (May 2013) said that, like the Bidoun in Kuwait, he rejected the Governmental title for them, which in Saudi Arabia is “Migrant Tribes” and preferred “Returnee Tribes”; similarly, in Kuwait, Bidoun reject the term “Illegal Residents” and prefer “Kuwaiti Bidouns”.

Explaining the restrictions imposed due to his stateless status, Awad said that the former Minister of Home Office in Saudi Arabia gave him a passport for exceptional circumstances (similar to Article 17 in Kuwait) because he has legal title to intellectual property in Germany. However, this passport is valid for a limited time, and there is an order not to renew it when it expires. He explained the type of identity Bidoun have now: “identity for moving and working for immigrants from neighboring Arab Countries”. He explained that under this identity he could not register a business in his own name, but had to register his shop or office in a Saudi person’s name. He went on to note that;

The poor of Bidoun communities are not entitled to charity from the charitable institutions in Saudi Arabia, whose assistance is based on one’s national number, which Bidoun do not have. Poverty is rife within this group, who do not have opportunities for education, health service, and work. Awad reported that he personally had been deported from Saudi Arabia three times.

Awad was taken to the border with Iraq and asked to go back from where he came from. He claimed this happened because the border patrol caught him near the border with Iraq. (The TV meeting was broadcast via Line Sport Channel). The researcher contacted a Bidoun Activist in Saudi Arabia and he told him; if a Bidoun from these tribes currently holds an identity card then he will get general similar treatment to Saudi citizens regarding education, health care and employment. If his identity card expires, however, then he will not get access to such services. Yet, this is exactly the opposite to what the Activists state in the paragraph above.

4.8.3 Bidoun in Qatar:

Human Rights Watch in its report (2013) about Qatar, gives a short summary about Bidoun in this state. The number of Bidoun in Qatar is between 1,200 and 1,500. However, “the 2005 Nationality Law limits naturalization to 50 people per year” (HRW: 2013). Similar to the other GCC members, the Bidoun do not have the right to education, legal jobs, and finally the Bidoun cannot register the birth of their children.

According to Amnesty International (2013), around 100 persons from the al-Murra tribe were stripped of Qatari nationality because they were accused of an attempted coup d'état against the previous leader, Hamad who ruled Qatar 1995-2013. A report published by the U.S. Department of State about human rights in Qatar (2008), Khatib, (2013), and the Fanack Website (undated) all refer to the al-Ghfran's clan rescinding from their Qatari citizenship in 2004 and 2005, and estimate the number of those affected as 5,000-10,000. The same sources report reinstatement of citizenship for this clan in 2006 and 2007. Nevertheless, Human Rights Watch in its World Report (2013) about Qatar claims 200 remain Bidoun. An Amnesty International (2013) reports spells out the results of being Bidoun in Qatar, with it meaning one will “be denied access to employment, social security and health care”.

4.8.4 Bidoun in the UAE:

According to Alqadi (2015) the origin of the Bidoun in the UAE can be traced back to: Nomadic Arabs, Iranians or Southeast Asians who emigrated and resided in the region for a long time before the UAE was established in 1971. The category of people classed as Bidoun arose as a result of political and legislative processes intended to restrict or limit citizenship. According to Alqadi (2015), when looking into the main reasons why the Bidoun do not receive citizenship in the UAE, there are two primary explanations: The first is that it is claimed the Bidoun do not properly belong to the region of the UAE, be it biologically, geographically, genealogically or identification terms.

Secondly, according to Alqadi, the authorities within the country had xenophobic attitudes towards certain communities. This can be illustrated through the construction of a biometric database of the entire population, which subsequently; “categorise[d] the population into genealogical subgroupings associated with different levels of threat” (2015: 85). Typically, the Bidoun are perceived as being Iranian, Shia and individuals who hold their allegiance to other communities. Whether they have been given

citizenship or not they are seen as a threat to the security of the country and deemed as “dangerous Iranians” or “evil Shia”.

In the second explanation Alqadi notes that the Bidoun are accused of being people who are “greedy frauds” rather than undocumented citizens who want to acquire national resources such as; education, health care and employment. These two explanations are similar to the beliefs of many Kuwaitis. Regarding the first explanation, the rumours in Kuwait suppose that a large number of the Bidoun belong to Shia denomination; however, the difference is while Kuwait has suspicions towards Iraq, the UAE has the same suspicions towards Iran²⁸.

Regarding the second explanation, the officials in Kuwait repeated many times that a large number of the Bidoun are forgers.

Alqadi (2015) writes that the Federal Decree (2) of 2004 was a calamity for Emiratis who were undocumented citizens, i.e. Bidoun since they were not included in the categories for Identity Card holders outlined by this Decree. After the establishment of this Decree in 2004, she notes that having an Identity Card is a necessary requirement for residents to “apply for jobs and enrol in schools, or consume services in the UAE”. As a result of this Decree, therefore, and policy of requiring Identity Cards, which the Bidoun are unable to access, they cannot apply for jobs or even enrol in schools to receive the education which they deserve.

4.9 The turning point in the Kuwaiti Government stance towards Bidoun:

4.9.1 The Secret Committee:

According to Shamsaldin (19 September 2012), in the mid-1980s the policy of Kuwait towards the Bidoun began to change. The reason for this was the growing idea that the majority of this group came from Iran and Iraq. Kuwait supported Iraq in its war against Iran, which made it the target of many terrorist attacks from Iran. Rumours suggested that the Bidoun had involvement in these terrorist attacks of the 1980s. However, only one piece of evidence to support this has been found: Laurence Louer is an Arabist²⁹ who works at the Centre de Recherches Internationales (CERI) in Paris and she penned a book about the Shia s’s religious and political networks in the Gulf, focusing on three

28 Since 1971, and following the withdrawal of British troops from the Gulf, Iran occupied three islands of Greater and Lesser Tunbs and Abu Musa. This occupation is the primary reason behind the distrust between the UAE and Iran.

29 Arabist: A specialist in the Arabic language or in Arabic culture (Merriam-Webster dictionary).

countries: Saudi-Arabia, Bahrain and Kuwait. She mentioned in her book the involvement of some Bidoun from the Shia denomination in the 1980s:

The first attack occurred in December 1983 when a series of explosions hit the American and French embassies, American compound, the control tower of the airport, and a big industrial zone named Shuaiba. Among twenty-five persons arrested for having participated in the attacks, only three were Kuwaiti nationals and two were stateless residents (Bidoun) in Kuwait. Louer (2008: 173)

Another reason was the deep-rooted suspicions between Kuwait and Iraq due to the latter's continual refusal to co-operate in the demarcation of the border.

The successive Iraqi Governments (Royals and Republicans) appointed Kuwait as an Iraqi Governorate. In a paper published by Parliament and written by al-Mutairi et al. (November 2003), background was provided regarding the relations between Kuwait and Iraq. In 1938 Iraq propagandised that Kuwait was part of the Iraqi Kingdom. Kuwait obtained its independence from Britain on 19 June 1961, yet five days later the Iraqi president refused this independence and massed his troops near the border. The coup d'état in 1963 against the Iraqi president Qasim put an end to these allegations. The peak of this hostile policy was the Iraqi invasion in 1990. From the above mentioned the reader can understand the reasons behind these deep suspicions amongst Kuwaiti officials and nationals towards Iraq.

In 2003, *Altaalea*, a liberal newspaper, reported in detail what had been happening behind closed doors. At the end of 1986 a small committee of elites was secretly formed to diagnose the problem of the Bidoun, and attempt to find solutions. The solutions made the life of Bidoun much harder. For example, any Bidoun who worked inside the private sector had to have official papers and a private company offering a job to them after a specified date would be fined. Marriages could not be verified if one of the couple did not have official papers; Bidoun could no longer claim their monthly ration,³⁰ they could not have a driving licence,³¹ and their children were transferred to private schools. Beaugrand (2011) said in 1987 that the government of Kuwait enforced new policies regarding Higher Education, such as putting an end to the offering of

³⁰ A specific amount of food which is still given to Kuwaiti citizens, non-Kuwaiti families if the mother is Kuwaiti, Bidoun families if the mother is Kuwaiti and the citizens of the GCC.

³¹ Public transport is not popular or easy in Kuwait.

scholarships for Bidoun students to study abroad and preventing them from registering at Kuwait University. These solutions were applied with the exception of members of the army and their first-degree relatives, and non-Kuwaiti females married to Kuwaiti men and vice versa. The committee also prevented newspapers from publishing the complaints of these groups. These laws meant the annulment of section 25 of decree number No. 17 of 1959.

4.9.2 The Result of the new policy for the Bidoun:

Shamsaldīn (2012) mentioned some negative consequences affecting this group as a result of this harsh policy; such as those who bought their passports from foreign lands. A further consequence was that there was “only one person as family provider to every seven people” (Reported in assafir arabi). In comparison to the Kuwaiti national where there is one family provider for every 4.5 Kuwaiti persons, according to Al-Shammari & Al-Shammari (April 2014). Beaugrand (2011) noted that the policy enforced by the government in 1986 caused massive economic deprivation of the Bidoun community. Bidoun children and teenagers are often observed selling simple products such as air freshners and bottles of water to car drivers whilst they stop at traffic lights. The Bidoun adults work in simple and very low paid jobs such as couriers or receptionists.

According to Lund-Johansen (2014), after 1986, one of most obvious results of the marginalisation of the Bidoun from the formal job market was poverty. This is partly due to the fact that the Bidoun were obliged to pay for services that were previously free to them such as housing, education and health care. This policy resulted in a reduction in Bidoun number. In a report broadcasted on Aljazeera in October 2012, it was mentioned that the number of Bidoun had declined from 220,000 in the 1980s to 108,000 in 2010. This report mentioned that sympathy among the Bedouin (nomads) society and the Shia community towards the Bidoun was stronger than other parts of the society in Kuwait, because Bidoun in general are divided into two groups: those who have blood ties with the Bedouin and those who belong to the Shia denomination. This means that the reason for sympathy among the Bedouin is cultural and among the Shia it is religious.

Another incident that played a great role in the rise of discrimination towards Bidoun was the Iraqi Invasion of Kuwait (2 August 1990 - 26 February 1991) because there were accusations that some Bidoun joined the Iraqi army during the invasion. Lund-

Johansen (2014), Barakat and Skelton (2014), and Abu-Hamad (1995) and (1st August 1995) all comment upon these accusations. According to Abu-Hamad (1st August 1995),

In September 1990, the Iraqi occupation authorities ordered, under the penalty of death, all non-Kuwaiti citizens living in Kuwait to join the Popular Army, the militia that supported the Iraqi Army... some Bedoons ... registered with the Popular Army. While some may have joined voluntarily, many felt they did not have a choice. Still many Bedoons joined the Kuwaiti resistance against the Iraqi occupiers and many died at the hands of the occupation forces. Out of 320 people known to have been killed in resistance acts, 82 were Bedoons. (A report published by HRW in 1st August 1995).

As a result, all Bidoun were accused of being the fifth³² column. Therefore, attitudes of uncertainty and distrust towards the Bidoun were further exemplified. Many Kuwaitis had the fear that those Iraqis who infiltrated into the country could easily mix in with the Bidoun community or had the perception that the Bidoun themselves were traitors (Affleck, 9 July 2012).

4.9.3 The Official justification of the policy towards the Bidoun:

The Committee on the Elimination of Racial Discrimination in its 80th session (13 February-9 March 2012), welcomed some positive steps in respect to the Bidoun, such as “the establishment in November 2010 of the Central Agency with a view to resolving the issue of the Bedoun (Bidoun)” (2012: 2).

However, the Committee urged Kuwait to review its “accession to the 1954 Convention Relating to the Status of Stateless Persons and to the 1961 Convention on the Reduction of Statelessness” (2012: 3). The Committee also reminded Kuwait about its general recommendation No. 30 (2004) on discrimination against non-citizens:

The Committee recommends that the... that the State party ...provide access to adequate social services, education, housing, property, business registration and employment to the Bedoun (2012: 4-5).

With regard to education, the Committee recommended:

³² Infiltrators or collaborators with the enemy. Coined by General Emilio Mola in 1936 during the Spanish Civil War.

That not all Bidoun children are covered by free compulsory primary education, including by the Charitable Fund (Article 5) ... the State party implement free compulsory primary education to all children in its territory and make available and accessible secondary education to the greatest extent possible (2012: 6).

This Charitable Fund is not for every Bidoun student and has some prerequisites before providing any Bidoun student with financial support. It is important to mention that the Constitution guaranteed this right for Kuwaiti citizens only. However, Dashti and Salama (December 2004), as the next sub-heading explains, held different opinions.

Alnasser, Head of the Technical Office at the Central Agency, defended Kuwait's policy towards Bidoun in front of the Committee on 16 February 2012. Alnasser (2012) mentioned that the

term “illegal residents” was coined according to Princely Decree 467/2010...and this group entered Kuwait illegally or their visas expired so they hid their real passports...so the State of Kuwait considers that the term “stateless” does not apply to this category because “stateless” was a term applied to describe the refugees of the First and Second World Wars (Reported in Alwatan newspaper)

There is contradiction amongst two official statements regarding the beginning of the term “illegal residents”. Major General Mazen said this term was coined in 1987, whereas Alnasser declares that it was in 2010.

4.10 Kuwait and the Convention on the Rights of the Child (CRC):

A paper written by Dashti and Salama (December 2004) about the educational rights of Bidoun in Kuwait highlighted an important point. They said:

We have to differentiate between naturalizing the Bidoun and granting Bidoun with civil rights because the latter were guaranteed by the Sharia Law and the International Conventions. Kuwait as a Muslim state and as a member of many international institutions has to implement all associated conventions.

Dashti and Salama (December 2004) confirmed the harsh circumstances that faced the Bidoun after the liberation in 1991, which resulted in the spread of illiteracy among the Bidoun, especially those who could not afford the tuition fees. Dashti and Salama also discussed the “political dimension” in respect to how the Bidoun were treated, because

the State of Kuwait had signed the Convention on the Rights of the Child (CRC) on the 6 October 1991. According to Dashti and Salama, Kuwait is obliged to provide education for Bidoun children because of article 2, clause 1, which states:

State Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parents' or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

Dashti and Salama (2004) considered article 2, clause 2 of the same Convention as also associated with the Bidoun's situation in Kuwait. This is because Bidoun children are assessed according to their parent's status, whereas this clause posits:

State Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

Dashti and Salama (2004) explained how Kuwait is obliged to provide free primary education for Bidoun children and make secondary and higher education accessible due to Article 28 of the same Convention:

State parties . . . shall . . . (a) Make primary education compulsory and available free to all

(b) Encourage the development of different forms of secondary education

(c) Make higher education accessible to all on the basis of capacity.

Dashti and Salama said the Government in Kuwait has an obligation to provide the Bidoun children with free education especially in the primary stage. However, there are two points regarding what Dashti and Salama said: firstly, the officials in Kuwait might have interpreted "free to all" to mean all Kuwaiti students and Kuwait has achieved this. Secondly, achieving this goal "free to all" in Kuwait where the nationals are a minority (30%) and foreigners are majority (70%) is impossible in Kuwait. The budget of the MoE is one of the biggest in Kuwait and in the meantime, it is unbearable to make more commitments apart from the Bidoun whose number is small in comparison to both nationals and foreigners. As evidence for how difficult it is to achieve this goal, Alramadan (31 July 2015) reported the press statement of the Assistant Undersecretary

for Financial Affairs at the MoE Yousef Al-Najjar that the Ministry's budget for the academic year 2015/2016 has been reduced KD 200 million (more than £400 million) compared with the budget for 2014/2015. Kuwait has started a real austerity budget since the fall of the oil price in the second half of 2014.

Alobaid and Salama (2009), however, explained the progress that the State of Kuwait had achieved since its ratification of this Convention on 6 October 1991. In respect to education they argue that Kuwait has achieved great success in accomplishing compulsory and free education at both primary and secondary levels. The free education at these two levels includes the following types of students: all Kuwaiti students' (males and females), non-Kuwaiti students whose mothers are Kuwaiti, students from the Gulf Cooperation Council, students whose fathers work either as teachers in the MoE or as lecturers at the University of Kuwait.

4.11 Summary:

This Chapter attempted to answer sub-research question three: Who are the Bidoun in Kuwait and how is their status affected by this classification? To answer this question, background about Kuwait was provided to understand the environment the Bidoun live in. An effort to explain who the Bidoun are and how they are recognised by both officials and Activists in Kuwait was provided to help comprehend the constant disputation among them because of their contrasting perceptions towards this group. There are many reasons behind the existence of the Bidoun in Kuwait and a summary of these reasons was presented.

There have been several attempts by different powers such as Parliament to put an end to the Bidoun situation; however, the Cabinet is the main power in Kuwait and it is the only body that can officially resolve this issue. The Government of Kuwait has many justifications for not granting the Bidoun with citizenship, and the primary one is the continual accusation that the majority of this group are citizens of other countries who hide their official papers. A summary of Bidoun life, such as their incessant difficulty with official papers and the attempts of some nationals to link them with crimes in Kuwait was provided to understand the difference between their lives and other groups in the country.

Some Bidoun could not bear their difficult circumstances so, in a desperate attempt for solution, they bought passports from poor countries. A summary about the Bidoun in the

UAE was presented as a comparison to a similar case in the Gulf. The Gulf's methods in ending the issue of the Bidoun were introduced for a short period by the Home Office in Kuwait; nevertheless, an official denial put an end to this solution. A summary regarding the turning point in the 1980s when the Kuwaiti Government changed its policy towards the Bidoun was provided, along with an explanation of how poor the literature is regarding this period. Since the mid-1980s until the present (2017), the officials refuse to use the term Bidoun and began to use a term that fit with the new policy: "Illegal Resident". This Chapter provided a foundation for the next Chapter, which will be the heart of the literature. The next Chapter will explore the educational system in Kuwait in general, and how this system affects the Bidoun students more specifically.

Chapter 5 The Educational System in Kuwait as it Affects the Bidoun

5.1 Introduction:

This Chapter will attempt to answer the fourth subsidiary research question: What is the form of educational provision in Kuwait for Bidoun? To this end, the Chapter will first introduce inclusive education and its definition to highlight that the Bidoun face a type of educational exclusion. The right to free education, as secured by many International Conventions, will also be discussed. A summary will be provided of education in Kuwait in order to introduce the context of Bidoun education. Several aspects of the Bidoun's education will be compared with the Arabic private schools (ordinary), such as the quality of teachers, overcrowding and teachers' salaries. This will help to explain the standard of these schools.

5.2 Inclusive Education:

5.2.1 The idea of inclusion:

In June 1994 ambassadors of 92 governments and 25 multinational organizations attended the World Conference on Special Needs Education, which was held in Salamanca, Spain. At the conference, they decided to adopt a new "Framework for Action" establishing the principle that ordinary schools ought to accommodate children, regardless of their social, intellectual, emotional, physical or linguistic condition (UNESCO, 1994).

According to the UNESCO Salamanca Statement (1994):

Schools should accommodate all children regardless of their physical, intellectual, social, emotional, linguistic or other conditions. This should include disabled and gifted children, street and working children, children from remote or nomadic populations, children from linguistic, ethnic or cultural minorities and children from other disadvantaged or marginalised areas or groups.

Relying on Aldaihani (2011: 140), "[Kuwait] signed the Salamanca Statement in 1994", which means Kuwait agreed with the findings of this statement such as, "Schools should accommodate all children regardless of their social [conditions]. This should include ... children from other disadvantaged or marginalised areas or groups". It is important to understand that although Kuwait has signed many Conventions, while

expressing reservations about certain articles, but Aldaihani (2011) did not mention any reservations regarding the Salamanca declaration.

5.2.2 The approach in favour of educational inclusion: Brown versus Board of Education 1954:

The majority of the Bidoun are educated in Arabic private schools as they are mostly not able to study in state schools. This is similar to the doctrine of “separate but equal”, which existed in the US. An example of this occurred in 1954 in Kansas, the case of *Brown v Board of Education* that incorporated five other cases from five different States. The parents of Linda Brown wished to register their daughter in Sumner Elementary school, which was closer to her home than her segregated black school. The applicants relied on their defence that racial segregation in schools goes against the Fourteenth Amendment offering unbiased citizenship.

The Court overturned the “separate but equal” doctrine, and Chief Justice Warren stated: “To separate them [African-American children] from others of similar age and qualifications solely because of their race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone” (Ibid: 3). “The case is an extremely significant landmark in the United State civil rights movement”. The educational situation of the Bidoun in Kuwait is similar to this case since the doctrine “separate but equal” as all Arabic schools utilise the same curriculum that are used in state schools. Many movements, declarations and conventions secure the right to education. The researcher will mention a number of different Conventions, a Declaration, Conferences and Forum.

5.2.3 UNESCO Convention against Discrimination in Education (CADE) (1960):

Article 1 of this convention (CADE) states that the term discrimination in this context refers to any “distinction, exclusion, limitation or preference which, being based on race, colour, sex, language, religion, political or other opinion, national or social origin, economic condition or birth, has the purpose or effect of nullifying or impairing equality of treatment in education...”. The State of Kuwait ratified this Convention.

5.2.4 International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) 1969:

Article 5 of the ICERD states that in compliance with Article 2, asserting that no forms of racial discrimination are acceptable and no distinctions should be made in terms of race, gender, language, ethnic origin, States Parties must therefore prohibit and

eliminate such forms of discrimination and guarantee the right of each individual to education. The State of Kuwait also ratified this Convention.

5.2.5 Article 26 the Universal Declaration of Human Rights - UDHR (1948):

This article states that each individual has the right to free education, with elementary education being compulsory. The education should encourage “understanding, tolerance and friendship among all nations, racial or religious groups.” The Bidoun are people from the same religion, race, background and the majority of them have resided for many decades inside the same country, which surely gives them the right to the same treatment in terms of education as the Kuwaiti citizens. Article 26 also gives parents the right to choose the type of education that they want their children to receive, be it public or private. Yet, the only form of education available for the majority of Bidoun is private. Thus, this violates their human rights according to Article 26.

5.2.6 Article 13 of the International Covenant on Economic Social and Cultural Rights:

Article 13 of the ICESCR acknowledges the right that each individual has to education, be that primary or secondary, with primary education being recognised as compulsory and secondary education being made easily accessible and available for those who desire it. Moreover, it recognises the freedom that parents have to select the schools they wish their children to attend.

5.2.7 Implementation of The International Covenant on Economic, Social and Cultural Rights – General comment no. 13 (1999) – Article 13 of the Covenant:

In their twenty-first session in 1999 to discuss Article 13 of the ICESCR the committee concluded that education is the principal vehicle by which the economically and socially deprived are able to lift themselves away from the poverty line and acquire the means to “fully participate in their communities”. The committee also made some general remarks regarding the right to receive education, stating that although the most appropriate application of education may vary from state to state, ultimately education in all of its forms, must meet the following essential features:

1. **Availability** – educational institutions must be readily available to the individual.
2. **Accessibility** – educational institutions must also be made accessible to everyone, without discrimination or racial prejudice.

3. **Acceptability** – the content of education being taught must be deemed “relevant, culturally appropriate and of good quality” (1999: 3).
4. **Adaptability** – education must meet the needs of “changing societies and communities and respond to the need of the students within their diverse social and cultural settings.” (1999: 3).

The committee also commented on Article 13’s statement that secondary education “shall be made generally available and accessible to all”.

5.2.8 Articles 28 & 29 of the United Nations Convention on the Rights of the Child:

According to Article 28 of the UNCRC, all children have an equal right to free education, with primary education, in particular, being compulsory. Furthermore, it recognises secondary education as something that should be made available and easily accessible to every child.

Article 29 of the UNCRC recognises that education is a process that aims to aid the development of the child’s personality, moral character and talents to their fullest and utmost potential. It should also prepare the child for a responsible way of living in a “free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and person of indigenous origin”. Moreover, the Article demands respect for the child’s parents, no matter what their race, language or cultural identity may be.

5.2.9 The World Conference on Education for All (WCEFA) Jomtien 1990:

5.2.9.1 Introduction:

Muller (2000) has described the 1990s as “The Jomtien Decade” in reference to the World Conference on Education for All (WCEFA), which took place in Jomtien, Thailand, in March 1990.

5.2.9.2 Reasons behind the conference:

According to UNESCO’s website, there were many reasons behind this conference. Some 60 million girls and 40 million boys did not have access to primary stage education, and more than 900 million adults, of whom the majority were women, were illiterate. Over 100 million children and an uncountable number of adults had not completed basic education programmes.

5.2.9.3 The Declaration of Jomtien:

According to the UN website (undated) the declaration of Jomtien (1990) included ten articles, three of which are summarised here:

Article 1. “Meeting basic learning needs”: meaning every person should benefit from the opportunities provided by the educational system offering them the chance to meet their basic learning needs.

Article 3. Universalising access and promoting equity: All children, youths and adults must be provided with basic education. They must have the chance to reach an adequate level of learning and reach groups that are not receiving educational services. Article 5. Broadening the means and scope of basic education.

5.2.10 World Education Forum (Dakar, Senegal, 2000):

5.2.10.1 Introduction:

In 2000, UNESCO undertook what is considered to be the most comprehensive evaluation of basic education ever carried out, spanning more than 180 countries, and evaluating the progress achieved in the 1990s (UNESCO, 2000a).

The outcomes of the Assessment were exhibited at the World Education Forum (26-28 April 2000, Dakar, Senegal). The EFA 2000 Assessment reveals that there had been a notable improvement in several countries. It remained unacceptable, however, that at beginning of the third millennium more than 113 million children were without access to primary schools, and that roughly 880 million adults were illiterate. According to the same assessment, however, progress had been made in the 1990s towards the implementation of the Jomtien Declaration.

5.2.10.2 The goals of the Dakar Framework:

Basic learning needs . . . comprise both essential learning tools . . . and the basic learning content . . . required by human beings to be able to survive, to develop their full capacities, to live and work in dignity, to participate fully in development, to improve the quality of their lives, to make informed decisions, and to continue learning. (World Declaration on Education for All, Article 1, Paragraph 1)

The Dakar Framework explained that these goals institute a “Framework for Action” (2000: 15) to give all individuals the chance to understand their right to learn, giving them the power and the skills to improve their society. The Framework designated six

goals, derived from different global EFA conferences. The researcher considered that the first and second goals are associated with his study:

Goal 1: Expanding and improving comprehensive early childhood care and education, especially for the most vulnerable and disadvantaged children.

Goal 2: Ensuring that by 2015 all children, children in difficult circumstances, particularly girls, and those belonging to ethnic minorities, have access to and complete free and compulsory primary education of good quality. According to Aldaihani (2011), Kuwait signed the Dakar Declaration in 2000, suggesting that it agrees with its statement.

5.3 The State Education System in Kuwait:

5.3.1 Students who have the right to study in state schools:

Aside from Article 40, there are also 16 other categories of people who can attend these schools. Bunduq (4 October 2010) published a statement about these 16 categories from the former Minister of Education, Moudi Al-Homoud³³ They include the children of Gulf Cooperation Council (GCC) citizens, children with Kuwaiti mothers but foreign fathers. Children of non-Kuwaiti martyrs and prisoners of war, children of the Yemeni community, children of librarians³⁴ and laboratory technicians in state schools children of employees of the MoE, and Ministry of Higher Education as well as children of teaching staff at a range of higher education institutes in Kuwait

From the above categories, it can be concluded that these children are provided with free education in state schools for diverse reasons including for humanitarian and political considerations, to improve the conditions for women and out of gratitude.

5.3.2 The curriculum:

Alramzi and Salama (April 2009) mentioned that the private Arab schools in Kuwait teach the same curriculum as the Kuwaiti state schools. Foreign schools, such as the American and British schools, apply their own curricula however.

5.3.3 Problems facing education in Kuwait:

There are many individuals and organisations that have discussed the difficulties facing state education in Kuwait. For example, Naif (24 December 2009) summarised what the

³³ In June 2015, the Minister of Education Bader el-Essa announced the same 16 groups.

³⁴ There is one library and one laboratory in every state school in Kuwait.

former MP Jassim Al-Knadari has said about the outcomes of state education being poor, with a lack of clear vision towards the desirable products of the educational system, adding that while Kuwaiti society pays attention to teaching their children foreign languages the standards in Arabic language are declining. The researcher considers the reason behind this dominance of foreign languages (especially English) is the importance of this language to continue higher education in the Western universities inside or outside Kuwait. Al-Turki (1 February 2014) summarised a report issued by the Supreme Council of Planning and Development in Kuwait revealing important information about education in Kuwait. For example, the report cites obvious weaknesses among students in state schools in mathematics and English and suggests that the educational system is weak, with a high percentage of failure.

5.4 Private Education in Kuwait:

5.4.1 Introduction:

According to Aldahes (2012), the ex-General Manager of Public Administration for Private Education: “There are 234,000 students in these schools, which is 40% of all students in Kuwait. These schools are divided into two types: International and Arab schools. The International schools include American (9 schools), English (18 schools), Indian (18 schools) and Pakistani (17 schools)”.

5.4.2 Definition of the private schools in Kuwait:

Al-Duwaila (2012: 28), defined private schools as “All non-governmental institutions that offer general, high, religious, technical education either as general or supplementary activities.” Albasri, the current General Manager of Public Administration for Private Education, in a statement to the Alqabas newspaper, declared that student numbers had reached 288,000 in the academic year 2015/2016, with 70,000 of this number being Kuwaiti students.

5.4.3 Comparison between state and Arabic private schools:

According to Aldahes (2012) “Standards at the Arabic private schools are very inconsistent: although more than five out of the 10 top students³⁵ who graduated from high schools are from these schools, a large number of Arab schools are substandard”.

³⁵ Traditionally, in Kuwait, the names, nationalities, and the schools of the top fifty students in the science branch, Kuwaiti and non-Kuwaiti are published, as well as the first fifty Kuwait students only, the same happens in the art branch of high school.

Whereas, every summer, the MoE sends specialists to different Arab countries to choose teachers from different fields. Aldahes stated that the private schools are themselves responsible for choosing the teachers who are going to work in their schools and the owners will sign contracts on behalf of the teachers with the Ministry of Social Affairs. This means that teachers who work in a private school are under the umbrella of the Ministry of Social Affairs because they are, in the view of Kuwaiti law, working in the private sector. The Ministry of Social Affairs is under the direction of the Ministry of Social Affairs not the MoE, whereas, the state school teachers are under the direct supervision of the MoE.

Lastly, the MoE stipulates that any teacher working in a private school must take oral and written exams; Aldahes reports that only 10-20% pass these exams and failing teachers are dismissed. A further important difference between public schools and private schools is in the qualification criteria. Both schools ask for a Bachelor's degree; however, public schools ask for a Good grade, which is equivalent to a C, whereas private schools accept a Pass, which is the equivalent to a D.

5.5 Historical periods regarding Bidoun education:

The researcher has classified the situation regarding education for Bidoun in Kuwait into five periods, as follows:

The first period, (considered the best for Bidoun), started at the beginning of the 1960s and lasted until 1986. During this period, Bidoun students received the same treatment as Kuwaiti students.

In the second period, from 1987 until 1991, some groups of Bidoun students had to study in private schools, with the exception of those whose fathers were soldiers, who could continue studying in state schools.

The third period, which was the apex of their suffering, ran from 1991 until 2003, when students from this group could only go to private schools if their parents had money to pay for the school fees, otherwise they were denied education (although the children of soldiers had their fees paid for by the government).

The fourth period was from 2003 until the academic year 2014/2015. There were two important events during this period. The first was the establishment of the Charitable

Fund in 2003 to support destitute students, which meant Bidoun and Arab students. The second event was the Cabinet Decision 409/2011. According to a report published in *Alanba* newspaper (19 April 2013), this decision provided the Bidoun with many services such as free primary, intermediate and high school education funded by the Charitable Fund. People with disabilities in this group are authorized to benefit from all the services provided by the public sector: hospitals, schools and employment. Bidoun can have jobs in the public and private sectors. They can also have ration cards, where they receive staples (rice, sugar, flour, etc.) cheaper than in the market.

The fifth period is a mix between inclusion and exclusion which took place in the 2014/2015 and 2015/2016 academic years when a Ministerial decision was issued to transfer three groups of Bidoun students from private to state schools. These three groups are: the children, and grandchildren of Bidoun soldiers and the children of Kuwaiti mothers and Bidoun fathers.

5.6 Pressure for change:

5.6.1 Introduction:

Given the complex problems facing the Bidoun in Kuwaiti society, the government saw the need to provide Bidoun children with some form of modern education. This was also a response to pressure from both within Kuwait and from the international community, as is detailed below.

5.6.2 Different voices calling for change from within Kuwait:

Alwagian (2009) points out that after the Iraq War (2003) Kuwaitis felt they were safe from an outside threat, so they became more concerned about internal threats from a group which had been prevented from achieving its human rights. Another reason was women's suffrage, which was granted in 2005. Since many Kuwaiti women are married to Bidoun men, the candidates for the parliamentary election in 2006 made the situation of the Bidoun one of their main campaign issues (Alwagian, 2009).

A good example of this pressure was the Kuwaiti TV drama entitled “Journey of Misery”, broadcast during Ramadan 2007, which depicted the sufferings of a Bidoun family. The MP, Dr. Hasan Johar, wrote a complimentary article about this TV drama.

Another good example of the above-mentioned pressure appeared in March 2012, when a group of seven prominent women announced the establishment of the 29 Group to advocate for fairness to the Bidoun (Alqabas, 2012). The group invoked article 29 of the

Kuwait Constitution, which states that (1) All people are equal in human dignity and in public rights and duties before the law, without distinction and (2) that personal liberty is guaranteed.

A notable achievement of this group was its peaceful sit-down protest in front of the admissions and registration building of Kuwait University during the registration for the 2012/2013 academic year. This continued until the Minister of Education stated that an order had come from the Emir of Kuwait (Head of the State) to accept any student from this group who gained 90% or above in the high school results.

Another example of internal pressure has come from two female members of the Kuwaiti Royal Family, Alsabah. The first one is Sheikha Awrad, the daughter of the former Emir of the State of Kuwait (1977-2006), a philanthropist. She dedicates money, influence and time for the Bidoun, who have given her the title, “the mother of the Bidoun”. In the summer of 2003, she and some other donors and Activists hired a public school³⁶ from the MoE and employed private teachers to teach daughters of Bidoun. The aim behind this project, according to Sheikha Awrad (2003), was “to eradicate illiteracy of one hundred innocent little Bidoun girls who do not know how to read or write Some of them have reached 12 years old and are still illiterate”.

When Sheikha Awrad launched this project, there was both support and opposition within Kuwait. For example, a female head teacher and a senior member of the Motherhood & Childhood Centre and a male journalist wrote an article criticising Sheikha Awrad for practicing a role which is charged with the State not with citizens. It attracted attention that the head teacher criticised these efforts in educating the illiterate Bidoun children and described this project as far from charity and goodwill, explaining that this work was political. This head teacher advised Sheikha Awrad to restrict her efforts to helping divorced and widowed Kuwaiti women only. Awrad replied in this article (2003) saying:

I found it strange that a head teacher and senior in the Motherhood & Childhood Centre, which is associated with UNESCO, which does not make any distinction because of races or nationalities opposes this humane project ...I would like to invite you to

³⁶ The name of the school is Umm al-Baraa Bint Safwan and is located in al-Jahra Governorate, which is the main centre for Bidoun in the country.

attend our classes and you will see a twelve-year-old girl who has never been to school before.

This highlighted the issue of illiteracy among that generation of Bidoun, especially before the establishment of the Charitable Fund, because often Bidoun fathers cannot pay the tuition fees for all their children, therefore educating only some of them – usually the males. Another active member of the Royal Family is Sheikha Fawzia Alsabah. Her first priority is defending the Bidoun case. She has asked for them to be given the right to free health care and education.

Pressure also comes from the media. The preacher, Nabeel Alawadi, continues to highlight the ordeal of the Bidoun in Kuwait. The columnist Hassan Alessa, has attacked Kuwaiti racists who want to deport Bidouns or treat them as second-class citizens. For example, Alessa mocked Saleh Alfadhlah's (the Head of the Central Agency) claim that he knew the roots of the 67,000 people in this group and they were not Kuwaiti. Alessa responded that Alfadhlah "is similar to Alex Haley when he searched for his forebears until he discovered them" (Alessa, 3 May 2012). Another example is Dr. Ebtehal Alkhateeb, who participates in Bidoun demonstrations, including one which took place in March 2011 which was ended by Home Office use of violence. She wrote an article entitled "Wounds", (14 March 2011), in which she attacked the Ministry of the Home Office for this action.

5.6.3 Voices from outside Kuwait:

In addition, there are pressures from the international community, including the reports that are frequently issued by human rights institutions explaining the difficult situation of the Bidoun. A good example is a report written by Motaparthi (June 2011), and published by Human Rights Watch, entitled *Prisoners of the Past: Kuwaiti Bidun (Bidoun) and the Burden of Statelessness*. This report gives a number of examples of the discrimination facing the Bidoun in Kuwait, of which education is just one aspect.

5.7 Current situation of Bidoun:

5.7.1 Current educational situation:

After many years of demands from members of Parliament, journalists, human rights groups inside and outside Kuwait, and the Bidoun themselves, the Kuwaiti Government issued Cabinet Decision 409/2011 as an approach to solving the problem of educating Bidoun students. According to Saleh Alfadhlah, the new regulation grants the right for needy students from this group to gain help from the Charitable Fund.

5.7.2 Higher education and human rights approach:

Regarding higher education, Waleed al-Asfour, Assistant Secretary at the Central Agency (30 April 2016), stated the allocation of five places at Kuwait University to postgraduate students. He said that during this academic year (2015/2016) there are 510 illegal residents (Bidoun) in undergraduate studies at Kuwait University, and this number does not include the number of students in the private universities and colleges. Beaugrand (2011) obtained information via personal communications that the Bidoun composed 25% of the first group to graduate from the Arab Open University. Meanwhile, on 8th August 2015, in Alaan newspaper Bader al-Otaibi shared details of a grant awarded to the top ten Bidoun students for a scholarship to any university of their choosing.

5.7.3 Bidoun student categories eligible to receive funding:

An article in the online newspaper, Alkhaleej Affairs published on 13 November 2014, reports a statement issued jointly by the MoE and the Central Agency indicating that they had agreed upon seven categories of Bidoun that should receive support from the Charitable Fund. An example was the inclusion of all illegal residents who were registered and held a service card in the Central Agency, and all children of illegal residents who were receiving pension benefits from the Public Institution for Social Security. This is because they are considered as veterans who fought either in the Six Days or October 1973 Wars, or in the Liberation of Kuwait Campaign (1990/1991). The same statement indicated that the Charitable Fund did not reject any applications from the aforementioned seven groups in the academic year 2014-2015. As a result of this agreement, the number of students sponsored by the Charitable Fund was 15,105 divided into the following categories:

Table 5.1 Number of Bidoun students within the three levels: primary, secondary, and high school.

Primary	Secondary	High School
7,981	4,292	2,832

They explained that the Charitable Fund accepts temporary birth announcements, and that there are many parents who state that they are Bidoun and ask to register their children in private schools without holding any evidence issued by the Central Agency – not even a civil identity number or an approved birth announcement.

5.7.4 The Bidoun Education:

During a TV interview (mentioned earlier) on 25th October 2013, Mona al-Abdulrazaq and her guests discussed the segregation and educational status of the Bidoun. Mona al-Abdulrazaq said that during the academic year 2011-2012 there were 23,274 Bidoun students in private schools in general. Given that there are 794 state schools in Kuwait, Al-Abdulrazaq said if we allocate these Bidoun students equally amongst these schools, there would be only thirty students for each school.³⁷ The MP Hasan Johar also reinforced the call to educate Bidoun students in state schools. During a seminar (20 October 2003) he threatened the Minister of Education with questioning in Parliament, laying out the consequences that would follow if the minister did not include Bidoun students within state schools. This was prior to the establishment of the Charitable Fund.

We should remind ourselves that the cost of education in the state schools is much more expensive than in the Arabic private schools. As Al-Awadi, I. (2 July 2017) reported in Alrai newspaper “The mean/average of cost for Kuwaiti student in the state schools is roughly KD 4,700 per annum.” Meanwhile, Alenezi, M. (4 January 2012) reported a statement issued by the Undersecretary of Private Education in the MoE Fahd Al-Ghais that the cost of educating Bidoun students in private schools in the academic year 2011-2012 ranged from KD 246 to KD 295, across primary, intermediate and high school levels. It is therefore clear that there is a huge difference between the cost to educate a Kuwaiti student in a state school and the cost for a Bidoun student in an Arabic private school.

Furthermore, there are no official statements -as far as the researcher knows- regarding the empty classrooms or schools in the state schools. In addition, since a large number of the Bidoun live in a specific Governorate (al-Jahra), any decision to include them within state schools would require an exceptional budget to achieve it. It is therefore more of an economic decision rather than a political decision.

Regarding the reason behind the segregation of the Bidoun, Almuhareb (Group 29) said in the same TV interview (25 October 2013): “It is... our racism against children we chose to be different to us. We prevented Kuwaiti students from understanding

³⁷ It is important to note that the majority of Bidoun live in specific areas and are not dispersed equally throughout every city or town in Kuwait.

inclusion, so when the Bidoun children were isolated in different schools, no one cares about them”. The researcher would like to remind the reader that the issue of the Bidoun is a controversial one in Kuwait. Therefore, while the Activists consider segregating the Bidoun students in Arabic private schools as an unacceptable and inhumane act, other groups would consider this act as an acceptable and justified act. The researcher would also like to note that Kuwait is a Rentier state³⁸ (see nationality and Rentier state in Chapter three), in which many nationals have fears that their share of wealth might decrease if nationality is granted to these groups and they are given the same economic benefits.

Rana al-Abdulrazaq, addressing the cost of Bidoun education, stated that in the last ten years³⁹ it cost the State thirty (30) million KD (roughly £80 million), which goes to the private schools’ owners. Farhat (6 September 2015) interviewed the General Manager of Public Administration for Private Education, Abdullah Albasri, and he said: This academic year (2015/2016), the Charitable Fund’s deficit is 346,000 KD (£700,000); however, this deficit affected the Arab students not the Bidoun. Albasri added: “We called upon Bait Al Zakat⁴⁰ (House of Alms) and other banks to support the Charitable Fund.”

Regarding the standard of these schools, Rana al-Abdulrazaq discussed evidence of the poor standard of the schools where most Bidoun students receive their education. Rana said: “I saw pictures of these schools and I have visited some of them as well, and these schools are very poor.” Rana said these types of schools would close if the Bidoun students did not enrol. Almuhareb talked about the quality of these schools from the teachers’ perspective “We cannot evaluate schools relying on buildings or painting quality, no, but the educational staff is important. We discovered some cases in Arabic private schools where teachers only hold high school or secondary school qualifications.”

38 Alessa is a columnist who repeatedly talks about how Kuwait is a perfect example of a Rentier state, and how this had a negative effect on the nationals – for example, the work ethic.

39 Since the establishment of the Charitable Fund in 2003 until the date of this programme 2013.

40 According to the National Zakat Foundation Website Zakat is the third pillar of Islam, and it is the determined share of wealth prescribed by Allah to be distributed among the deserving categories of those entitled to receive it.

5.7.5 Hard working group:

In Kuwait, it is traditional to publish the results of the top students from Grade 12 at the end of each year. This is a big event, grabbing a great deal of media attention. As the Bidoun students are a group in the society, they are included in this event and indeed achieve high results in spite of their difficult circumstances. For example, at the end of the 2011/2012 academic year, Alaan newspaper published the number of Bidoun students who achieved more than 90% in literature, science and religious branches.⁴¹ The table below shows Bidoun students who achieved 90% or more in these three branches:

Table 5.2 to show Bidoun students who had achieved 90% or more in the 2011/2012 high school results:

Branches	Male	Female	Total
Science branch	25	81	106
Literature branch	5	38	43
Religious branch	3	5	8
Total	33	124	157

According to the Enferaad newspaper (8 July 2012), the Minister of Education at that time, Al-Hajraf, proposed a recommendation to al-Refai, the Assistant Dean of Registration, to accept all top Bidoun students.

5.7.6 Bidoun teachers:

As a first step towards the greater inclusion of this group, the MoE has started employing Bidoun teachers. Alrabeah and Alfadli (19 October 2013) asked the opinion of the supervisor of the intermediate and high school stages in Al-Asimah Governorate, Adel Alrashed, about the need for Bidoun teachers. The supervisor asked for teachers of subjects that are not popular with Kuwaiti teachers, such as chemistry, physics, maths, English and French. The salary will be KD 570 (roughly £1150) for male teachers and KD 420 (roughly £840) for female teachers. In February 2016, however, the MoE

⁴¹ The media published the results of these three branches; science and literature are studied at the same school, whereas religious studies have their own schools.

terminated the contracts of twenty-three Bidoun teachers due to security restrictions against them, stating that they had been appointed as teachers illegally, although eight were subsequently allowed to return to their jobs.

5.7.7 The perception of human rights Activists regarding the current educational situation of Bidoun:

There is some debate in Kuwait about the official statistics regarding the country's progress in meeting the requirements of the UN Convention on the Rights of the Child. Al-Daihaani (27 October 2014), Al-Khateeb (27 October 2014), and the Kuwait Society for Human Rights (23 October 2014) each questioned the official account. Al-Khateeb said: "There are 200 students at the primary level who are denied the right to attend schools." She pointed out that the claim of the Public Administration that they had relieved the Bidoun children from all the difficulties that might deny their right to education is questionable, saying:

...When I read this statement, I thought Denmark will be shy from how their education system is poor comparing to the service that Private Education gives to Bidoun children. However, when we disassemble every sentence in this statement we will discover a thousand disasters under each sentence.

In 2011, the Human Rights Watch (HRW) published a report named "Prisoners of the Past: Kuwaiti Bidoun and the Burden of Statelessness". The HRW reminded the State of Kuwait about Article (7) of this Convention (CRC) which is concerned with registration, name, and nationality:

All children have the right to a legally registered name, officially recognised by the government. Children have the right to a nationality (to belong to a country).

5.7.8 The Government response to these allegations:

The Government of Kuwait responded to the HRW report in detail, stating that the Government of Kuwait offered a free education for the children of Bidoun (Kuwaiti Government uses the term illegal residents) "through the Charitable Fund for the Education of Needy Children of Kuwait" (p. 3). The report also mentioned the Cabinet Decision No. 855, issued in 2003. This Decision paved the way for the children of the Bidoun to enjoy both educational and medical services, although their education has to be in Arabic private schools. Regarding the registration of children, the Kuwaiti report

stated an “Issuance of birth certificates for the children of illegal residents (Bidoun) that list nationality as “non-Kuwaiti” (p. 3). In the matter of granting the citizenship to the Bidoun, the Kuwaiti response was clear about how this group could change the “composition of the population and the economic, educational, and health costs” (p. 6), since, in Kuwait, citizens have many privileges such as free education, free medical treatment, the assurance of having a job, scholarship, bursary to marry and many different privileges. The Kuwaiti report mentioned that the Article (13) of the Kuwaiti constitution said: “Education is a fundamental requisite for the progress of society, assured and promoted by the State”. Since, the Constitution Article (40) guarantees this right for Kuwaitis only; the Charitable Fund was designed to fill this gap. The number of Bidoun students who benefit from this Fund was 12,000 children in the academic year 2010-2011. The Charitable Fund fills the gap between Articles (13) and (40) of the Constitution. However, this right is not absolute because, as mentioned earlier, the joint committee comprised of the Central Agency and the Public Administration had defined seven categories of Bidoun students who could receive a grant from the Fund instead of saying all the Bidoun students (illegal residents). This restriction to seven categories indicates that any category not belonging to these seven will not be included in the list. In conclusion, there remains doubt as to whether we can recognise this Fund as a type of free education.

5.8 The Bidoun’s schools:

5.8.1 Introduction:

In this section, the researcher will try to explain where the Bidoun students receive their education, including discussion of the characteristics of the Arabic private schools (the ordinary not the model), the standard of these schools and some of the difficulties that face teachers working at these schools.

5.8.2 Arabic private schools:

According to the former Minister of Education, Moudi Al-Homoud, in her 31 January 2010 response to a parliamentary enquiry about helping Bidoun students with their tuition fees, there are two types of Arabic private schools: A⁴² and B⁴³. Mrs. Al-Homoud did not explain the differences between those two types, but she did mention

⁴² Arabic private model school.

⁴³ Arabic private ordinary school.

that type A is more expensive than B. For example, the primary school annual tuition fees for type A are about KD 75 (£150) more than for type B. Al-Hamoud explained that the MoE will pay the complete tuition fees of Bidoun children in school type B only, but if parents want their children to attend school type A, then they would have to pay the remaining fees.

Aldahes (22 October 2011), raised an important point when he said, “The chief problem facing the Public Administration is the failure of investors to open any ordinary Arabic private school (type B). In the meantime, student numbers are increasing which hikes the density in this type of school. Simultaneously, the owners of type B try to change their schools to be bilingual schools, or at least Arabic private type A”. Regarding the reasons behind this, Aldahes replied, “The cost of construction is high and the Government raises a lot of fees from the owners”. In November 2014, the Minister of Education Dr. Bader Al-Essa allowed Arabic private schools to increase both their tuition fees and teachers’ salaries. For example, in Arabic private schools of type A, or model schools, the tuition fees at primary level will now be KD 365 (£730), whereas the tuition fees of the same educational level at a type B or ordinary school will be KD 274 (£550). As a teacher, the researcher considers the primary consequence of teachers’ low salaries to be the need to provide private lessons. There are continual complaints in the newspapers and amongst parents that many non-national teachers spend numerous hours after the school day giving private lessons, which affects their productivity.

5.8.3 Standard of Arabic Private schools:

A report published by HRW (13 June 2011) stated that “they (Bidoun students) go to inferior private schools that serve Bidoun (Bidoun) almost exclusively”. A Bidoun woman (24 years old) told the HRW reporter of her experiences as a student: “Our schools were very bad”. Blitz and Lynch (2011) identified this type of school as sub-standard, and they gave an example about student numbers in every classroom. The class sizes in Arabic private schools are roughly 47 students compared with 26 in state schools and 23 in the Arabic private model schools. In a report written by Motaparthy (June 2011) and published by HRW, there is a case study centring on a Bidoun person called Talal (27 years old), who describes the type of schools he attended in al-Jahra such as “Meshael al-Jahra”, and there are many branches of this school in the same Governorate. Talal stated that almost every Bidoun student attended this cluster of

schools, and he described their standards were “really low” and that it was “the worst kind of school you can imagine” (Motaparthi, 2011: 1).

In a TV interview on the 25 October 2013 Shaikha Almuhareb talked about the schools where Bidoun students study, affirming, “These schools are miserable, the classrooms are crowded, and the management of these schools are practising pressure on the MoE to change the status of these schools to become Arabic private model schools.” In the Human Rights Watch report (13 June 2011) regarding the Bidoun’s situation in Kuwait, the editor interviewed a Bidoun grandmother about her grandchildren’s education, and she answered, “I have four grandchildren, two boys and two girls. We could not enrol them in schools because they did not receive tuition fees from the Charitable Fund, while the two boys enrolled in the school and only one of these boys receives tuition assistance”.

The above sources may present viable evidence regarding the standard of these schools, although the researcher has no personal experience. During the collection of data for this research in the summer of 2014, however, the researcher met an ex-executive in the Public Administration to arrange an interview. He told the researcher how some Arabic private schools were suffering from disorder. There is little literature regarding these types of schools. An important point was raised by Aldahees (22 October 2011), about the shortage of ordinary Arabic private schools and how investors avoid opening new schools of this type due to low interest.

5.8.4 The issue of overcrowding:

Aldahees, the General Manager of Public Administration at that time, claims that many Arabic private schools include more than 35 students in every classroom, the maximum for public schools. The reasons for this include a shortage of schools for people with a low income, such as Bidoun. Aldahees (2012) argues: “It is much better to study in a crowded classroom than keep 16,000 students in their homes without education...it is acceptable to find 300 students in a public school and to find 6,000 students in an Arab private school” (Reported in Alshahed newspaper).

5.8.5 Approaches to solving the problem of overcrowding in Arabic private schools

These two approaches of the MoE are: applying semi-inclusive education with some Bidoun students and the second is the establishment of an evening shift. The first case involves transferring three groups of Bidoun from Arabic private schools into state

schools. As Alfadli and Alanazi (23 September 2014) reported, the Acting Minister of Education, Dr. Al-Medej, said that state schools will include two groups of Bidoun students: the first group is the children of Bidoun soldiers together with the children of retired soldiers. The second group is that of the children of Kuwaiti mothers whose fathers are Bidoun. This new decision will be put into effect in the 2015/2016 academic year. Another decision was made to resolve this issue. Karim (19 June 2016) reported an official statement by the Minister of Education, Dr. Bader al-Essa, about including the grandsons (only)⁴⁴ of Bidoun retired soldiers (Army or Home Office) in state schools.

Alturki, A. (10 September 2015) describes in his report, however, the disappointment among Bidoun parents regarding this decision. Alturki said the reason behind this feeling is that, firstly, al-Jahra Governorate is the area of Kuwait where most Bidoun reside yet the parents discovered that their children would study in schools outside al-Jahra because of overcrowding in schools in the region. In other words, Bidoun students will be distributed within schools with fewer students.

The second approach is to establish an evening shift. Alfadli reported (21 August 2015) the statement of Abdullah Albasri, General Manager of Public Administration that: “there are some owners of private schools who have submitted requests to establish an evening shift and the Public Administration has agreed this request. The same regulations that apply in morning schools will be applied in this evening shift such as: ages of students and the students have to be unemployed”.

5.8.6 Difficulties faced by teachers in Arabic private schools:

Almazni (8 November 2014) explained that the salaries of Arab teachers in private schools are lower than their counterparts in state schools, in that they receive 150-270 Kuwaiti Dinars (between £300-540) per month. To make this issue clear, Al-Ramadaan (7 February 2014), published an official statement by the MoE which sheds light on the salaries of Arab teachers in state schools. The statement revealed that the salary of an Arab male teacher is 570 KD (£1150), whereas his female counterpart receives 480 KD (£1000) because the Ministry offers accommodation for them. Regarding Bidoun teachers, a male teacher receives 615 KD (£1230), whereas a female receives 515 KD (£1030), this means the Bidoun teacher is paid more than an Arab teacher.

⁴⁴ This decision was issued after the interviews had taken place, thus participants had no knowledge of it.

Almazni (8 November 2014) continued that the second difficulty facing Arab teachers in these schools is the average number of classes a week is more than 20, whereas the average number of classes for teachers in state schools is just 15 classes weekly. The third difficulty is the inspection (guidance) system. Almazni (2014) said that the inspection system in Arabic private schools is stricter than in state schools, which puts teachers under more pressure (see Al-Ghais 2008 in the next subsection for a contrary view).

Regarding the first difficulty, the Minister of Education tried to improve the situation in private schools for both owners and teachers. According to Karim (19 June 2016) Dr. Bader Al-Essa issued a statement that suggested that tuition fees should be increased in all types of private schools by 3% in the academic year 2016/2017, and a further 3% in 2017/2018. After the academic year 2017/2018, this decision will be re-examined to stop the hike, annul it or to increase the percentage. Alfadly (16 January 2015) reported a statement issued by the Minister of Education, Dr. Bader Al-Essa, reporting that he has received a study by the Central Statistical Bureau (CSB) which argued that one effect of Kuwaitis registering their children in private schools, was an improvement in the quality of teaching in state schools. This is because the student / teacher ratio was reduced. This improves teaching quality and reduces government expenditure.

5.8.7 Challenges facing private education:

Many schools use houses as schools, these houses are usually located within residential areas which results in traffic congestion, especially at the beginning and ending of the school day. Complaints of exploitation by the owners of private schools are a repeated issue. For example, Bilal (23 July 2014) interviewed the parents of Arab students who are studying in private schools. They complained about being obliged to study in these schools because they do not have their own school, Egyptian⁴⁵ schools for example. The inability of private schools, especially Arabic ones, to accommodate more students in the future is also an issue. Shaban (15 April 2012) in an interview with Aldahes, said that, in a few years' time there will be a crisis regarding the lack of private schools, especially Arabic ones.

⁴⁵ The MoE in Egypt asked the MoE in Kuwait to for permission to open an Egyptian school to teach the Egyptian curriculum for its citizens in Kuwait.

5.9 The Kutatib of the Bidoun:

5.9.1 Meaning of Kutatib:

As explained by Elsergany (2010) (the singular of Kutatib) the *Kuttab* is one of the oldest education institutions, which dates back to the early Islamic Civilization; they played the same role as the primary schools in our present time, and still exist in some countries such as Egypt.

5.9.2 Date and reasons for Kutatib:

This issue regarding Bidoun education was raised in the 2014-2015 academic year. According to a number of newspaper reports, such as Sabr (11 October 2014) and Alwatan (11 October 2014), it was reported that the Central Agency asked the MoE not to accept any Bidoun as a student in primary school without specific documentation from the Agency.

5.9.3 A humane solution:

The Kuwait Teachers Society established a project to provide basic education for Bidoun children who will be excluded from private schools by this rule, called “The Kutatib of Bidouns”. According to this newspaper, the project started with one school in Al-Jahra province. Alturki (13 October 2014) quoted Soltan Ghali (the head of the Kuwait Teachers Society –Al-Jahra branch) as stating that 600 children of the Bidoun will be outside primary school this academic year, 2014-2015. The project has established two classes, one for boys and one for girls, with 22 students in each class. Commencing lessons at 8.00 and finishing at 11.00 and is staffed entirely by volunteers. It is worth mentioning that an official order had been issued which resulted in the termination of this type of education – in other words – it ceased in the 2014-2015 academic year.

5.9.4 The reaction of human rights Activists:

The Kuwait Society for Human Rights issued a statement in October 2014, which was published in Alaan newspaper. The Society denounced the denial of education to Bidoun children, arguing that it is against their human rights. The Society asked both the MoE and the Central Agency to respect the right of education. In this statement, the Society discussed the laws that guaranteed the right of education, and that the State of

Kuwait had adopted it. The statement reminded the officials of Article 26 of the Universal Declaration:

Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory.

The Kuwait Society for Human Rights reminded the officials that Kuwait had signed this Universal Declaration, which became domestic Law 11/1996. The same Society reminded the officials that the State of Kuwait is a state party of the International Covenant on Economic, Social and Cultural Rights without any reservations, and according to the statement, in Covenant articles 13 and 14 the state parties must recognize the right of education for all, with compulsory free primary education. The same statement pointed out that the State of Kuwait had signed the Convention on the Rights of the Child, Article 28 which largely echoes the above mentioned articles 13 and 14. The statement highlighted to the officials that Kuwait had signed this Convention, which came into force in Kuwait as Law 104/1991. The Kuwait Society for Human Rights said in this statement that to prevent Bidoun children from attending schools is against the Kuwait Constitution as article 13 said, “Education is a fundamental requisite for the progress of society, assured and promoted by the State”.

Dr. Aldaihani (27 October 2014), denounced this official behaviour as using children to put pressure on their parents after the failure of many other means that had been used during the last quarter of a century. In the same manner, Ebtehal Alkhateeb (23 February 2015) wrote an article denouncing the prohibiting of forty Bidoun students from enrolling in private schools; although she believed the true number to be more than forty, but many Bidoun parents do not speak up because they preferred not to come into conflict with officials. The motivation behind Ebtehal’s attitude comes from a belief that because these Bidoun children were born in Kuwait, then according to the Kuwaiti Constitution (treaties and conventions signed and approved by Kuwaiti Government) these children deserve to be educated in schools without any further consideration.

5.9.5 An official justification:

An official provided justification for the refusal of enrolling Bidoun students within Arabic private schools. Almosawi and Alshnan (27 October 2014) reported the statement of Abdullah Albasri, the General Manager of the Public Administration. He

defended this refusal saying, “We refused to register any students of illegal residents if they did not fulfil all official requirements”. He explained these requirements: “There are many fathers who allege they are from an illegal residents (Bidoun) group who came to the Public Administration, wishing to register their children in private schools without bringing any identity issued by the Central Agency.” This proof of identity is known as “Service Card”, they are also required to bring birth announcements issued by the Ministry of Health which includes the child’s name and date of birth only, without mentioning the father’s nationality. There is another group of people with known nationalities, proven by their birth certificates and passports, yet their children hold papers claiming they are stateless persons. Albasri said in conclusion that the Public Administration for Private Education deals with them according to the decision of the Interior Undersecretary, which prohibits enrolling any students who are at variance with the Residency Law in Kuwait.

5.10 Summary:

This Chapter has attempted to answer the fourth subsidiary question: What is the form of educational provision for the Bidoun in Kuwait? The Chapter started by surveying ideas of and challenges to inclusive education. International Conventions on education are also explored, emphasising their rejection of any type of discrimination based on religious or social origin, and noting that the State of Kuwait has ratified some of these Conventions.

The Chapter then explores how those in Kuwait who support the exclusion of the Bidoun from state education depend on the Constitution (Article 40), which guarantees the right of free education for nationals only. The Activists, meanwhile, talk about how the same Constitution guarantees equality between all people (Article 29). In other words, it is a battle between the letter of the law (officials) versus the spirit of the law (Activists).

After summarising the state education provision in Kuwait, the quality of private education was discussed, since the majority of Bidoun students study in these schools. A summary of the current situation (in general) of the Bidoun regarding their rights to receive higher education and job opportunities was presented. Details of the Bidoun groups who have the right to receive financial support were provided, demonstrating that this support is not an absolute right. Details of the schooling environment were

provided, highlighting the low standards of these schools – a fact not widely acknowledged in literature – although the MoE has made an effort to improve the situation within these schools, such as appointing head teachers from state schools to ensure that regulations are adhered to. Having identified the problems in this Chapter, the next Chapter will focus on explaining and justifying the methodology used to answer the main research question.

Chapter 6 Methodology

6.1 Introduction

The previous Chapters have introduced a range of topics such as the definition of stateless persons in general, the Bidoun in Kuwait and the educational situation of Bidoun students. This Chapter will explore the appropriate methodology for researching the position of the Bidoun in Kuwait, thereby answering the fifth subsidiary research question. Accordingly, it begins by identifying the research philosophy, and then addresses the approach, methodological choice, techniques and procedures adopted, the pilot study, implementation of interviews and the consideration of ethical matters.

6.2 Understanding Research philosophy:

In this section, the researcher will shed light on three philosophical stances: ontology, epistemology and axiology, highlighting their association with this research.

6.3 Ontology:

Ontology is concerned with whether reality exists independently, or if social actors create reality. In the words of Crotty (1998: 10), “Ontology is the study of being. It is concerned with ‘what is’, with the nature of existence, with the structure of reality as such”. To elucidate this idea, we could quote Macquarrie, who said (1972: 57), “If there were no human beings, there might still be galaxies, trees, rocks, and so on – and doubtless there were, in those long stretches of time before the evolution of *Homo sapiens* or any other human species that may have existed on earth”. Nevertheless, Crotty (1998: 10) criticised Macquarrie by questioning what nature of a world existed before conscious beings became involved with it: “Not an intelligible world”.

Subjectivism and objectivism are two ontological positions. Morgan & Smircich explained that, for the objectivist, reality is a tangible structure because the social world is fixed, concrete and solid. It influences “every person in different ways. Also, reality is a concrete process; the social world is an evolving process, concrete in nature, but ever-changing in detailed form”. (Morgan & Smircich, 1980: 495) Furthermore, they consider that people are produced by external powers within the surroundings to which they are exposed. To conclude, objectivists consider social reality neutral, objective and external to the scientist. They explained that, in the subjective approach, reality is a social construction.

The social world is a continues process, created afresh in each encounter of everyday life as individuals impose themselves on their world to establish a realm of meaningful definition. Human beings do so through the medium of language, labels, actions, and routines, which constitute symbolic modes of being in the world. (Morgan & Smircich, 1980: 494)

The same authors declare that for subjectivists, human beings make their realities, and people may work collectively to create a mutual reality.

According to Holden & Lynch (2004) there are many subjectivists, such as Weber (1947), Hanson (1958), and Kuhn (1962), who claim that it is impossible for the researcher to eliminate himself/herself from what he observes, the matter he investigates and the techniques of his research: “In other words, the researcher is value-laden with inherent biasness reflected by their background, status, interests, beliefs, skills, values, resources” (Holden & Lynch 2004: 404).

The subjectivist approach is adopted in this study. This recognises the inherent social embeddedness of the subject matter, and that for Kuwaiti people there remain differing opinions towards this issue (the Bidoun in general and their education more specifically). Saunders et al. (2012: 132) stated that social phenomena are in a continued state of adjustment, therefore, it is essential to investigate the details of a situation to “understand what is happening or even the reality occurring behind what is happening”. The researcher attempts to present a clear picture of the complex reality of Kuwaiti perceptions towards Bidoun education. This attempt cannot succeed without understanding the social actors directly involved in this topic of Bidoun world in general and in the educational sphere specifically.

6.4 Epistemology:

According to Papadopoulos (2006: 9), the word epistemology is derived from two Greek words. The word *logos* could be “translated into study, science . . . and systematic investigation” (Papadopoulos, 2006: 9), whereas the word episteme means knowledge. Taken together it means the science of knowledge, and is thus a branch of philosophy concerned with how a person can attempt to understand the world. According to de Gialdino (2009) there are many questions raised by epistemology. The first question would be how could the researcher know reality? Secondly, what is the

relationship between the knower and what is well known? Thirdly, what are the assumptions that direct the course of knowledge?

In the context of this research, the researcher believes that an impression of reality can be achieved if the participants of the study have been chosen carefully. To clarify this point, in the State of Kuwait most citizens have an opinion about the Bidoun issue; however, accurate knowledge of the Bidouns' experience of education, health care, travelling and work is not clear to everyone. This leads to the second question regarding the relationship between the participants and what is known. The researcher considers that the sample has to be involved, in one way or another, in the Bidoun issue. The intended participants consist of a range of informed individuals because the relationship between the participants and the education of the Bidoun is different from one person to another depending on their position. For example, some were senior officials in the Ministry of Education, which meant that they were instrumental in applying laws to the Bidoun students, one was an MP involved in legislation related to Bidoun education, another the head of the Educational Committee in the Parliament, others worked in the Public Administration for Private Education and were thus involved with Bidoun education on a daily basis, and others participants were human rights Activists who have been involved in the Bidoun issue for many years. Regarding the assumptions that direct the course of knowledge; these participants have been engaged with Bidoun issues, suggesting that they are the best source of knowledge regarding this issue.

Following on from the subjective ontology, my epistemology and axiology are interpretivist. I recognise that any knowledge I claim is dependent on the context and influenced by my own fundamental perceptions as an individual, and an individual within my particular environment and culture.

6.5 Research Paradigms:

According to Collis and Hussey, there are two main research paradigms: "positivism" and the "phenomenological" or "interpretivism" (2003: 47). In the words of Denzin and Lincoln (1994), the main field of the positivist paradigm is those phenomena that can be studied, measured and confirmed or validated. Cohen et al. (2005) stated that positivism relies on natural science as the model of human knowledge. The assumption is that the same techniques that are used in natural sciences can be used in social sciences. Another assumption by the same authors is that the results collected by social researchers can be

articulated in laws, and these laws give the researchers the power to make generalizations.

In contrast, the second paradigm is interpretivism, or what Collis and Hussey (2009) labelled as “phenomenological” or anti-positivism “because it was developed as a reaction to positivism” Mack (2010: 7), and this approach could be defined as contending that the “world is essentially relativistic and can only be understood from the point of view of the individuals who are directly involved in the activities which are to be studied” (Burrell & Morgan, 1979: 5). Interpretivism is not concerned with measuring human behaviour but with understanding the behaviour of an individual from the participant’s point of view. Creswell (1994) specifies that researchers employ this philosophy when the research problem needs to be investigated, since there is little information available about the theme in question. Interpretivism is the appropriate paradigm for this study since there is a lack of research concerning the field of educating Bidoun students in Kuwait, and the nature of the problem needs to be understood from the perspectives of those engaged with it. Only through this kind of in depth engagement with the material will it be possible, eventually, to construct research that attempts to understand specific identified issues objectively and through quantitative means.

6.6 The research choices: qualitative and quantitative methods:

The research strategy is the researcher’s plan for answering the research questions, (Saunders et al., 2003). It is an outline for a study used as guidance for collecting and analysing data, (Nachmias & Frankfort-Nachmias, 1996). Berg (2001) distinguishes between qualitative and quantitative research, arguing that qualitative research refers to the meanings, concepts, definitions, characteristics, metaphors, symbols and descriptions of things, while quantitative research refers to the measures and count of things. Bryman and Bell (2003) also give the main features of both strategies: that a qualitative strategy espouses the inductive approach, focusing on producing a theory, while a quantitative strategy employs a deductive approach, which is to have a theory and test it.

6.7 The methods applied in this study:

In agreement with the interpretive epistemology and the subjective ontology applied by this study, the researcher adopted a qualitative research strategy for these reasons:

- Exploratory nature: a qualitative strategy makes the research less controlled than a quantitative one, and this allows a degree of openness in exploring the investigated phenomenon. Patton (1990) underlined this idea by saying, “Qualitative methods are particularly oriented towards exploration, discovery and inductive logic” (1990: 44).
- The natural context: the design of qualitative research seeks to ease the way to understanding what people say and do. The key advantage of qualitative research is that it permits a researcher to recognise the *context* of where decisions take place. According to Kaplan and Maxwell (1994), the importance of qualitative methods lies in their helpfulness for understanding the significance and context in real-life of the phenomena under investigation.
- Formulating new concepts: Another reason behind using the qualitative method is to formulate concepts related to Bidoun education for use in subsequent academic research. For example, the Charitable Fund is the main financial resource to educate Bidoun children in private education, but when was it established? Who proposed it? Who benefits from it? Who finances it? When the researcher interviewed the executives in the Public Administration for Private Education they explained some issues that the researcher could not find in the sources. For example, the importance of the cooperation between the Central Agency for Remediating Illegal Residents’ Status and the Administration, and how strong the influence of this Agency is upon the Administration. The importance of “Security Cards” for Bidoun, and the types of Arabic private schools. The relationship between teachers in private education and the Ministry of Social Affairs, not with the Ministry of Education. Answers to these questions from the officials and Activists serve to give some understanding to researchers who would like to expand upon research regarding Bidoun education in Kuwait. There are many such issues regarding Bidoun education that need to be conceptualised.

6.8 Techniques and procedures:

6.8.1 Interview:

In this study, semi-structured interviews will be used as a data collection technique. Interviews are conversations, normally between an interviewer and an individual, intended to collect information on a specific set of topics. In the words of Kvale (1996:

14), “The qualitative research interview is a construction site for knowledge. An interview is literally an inter-view, an inter-change of views between two persons conversing about a theme of mutual interest”. Cohen et al. clarify that the interview is not only about gathering information about life, but it is a “part of life itself, its human embeddedness is inescapable” Cohen et. al., 2000: 267). Hays (2008) and Fetterman (2010) describe the interview as the most important technique to collect data for a qualitative researcher. Punch (2005) described interviews as one of the principal data collection instruments in qualitative research and, according to Jones (1985), the interview is a good instrument because the best way to understand other peoples’ construction of truth is by talking to them, asking them, and getting answers in their language, from their terms and expressions, and these answers will explain the context in-depth.

Saunders et al. (2009) categorised interviews into three types: structured interviews, semi-structured interviews and unstructured or in-depth interviews. This differentiation is based on the degree of structure. Interviews can be used in both qualitative and quantitative research; however, quantitative researchers tend to implement structured interviews, where pre-determined fixed questions are arranged in the same method and order (Saunders et al. 2003). Researchers in qualitative research, however, use either semi-structured or unstructured interviews, which tend to allow the participants to give answers without feeling controlled by standardised questions with limited choices of answers (May 2003). With semi-structured interviews the researcher tends to have more flexibility regarding the order of the questions and, more notably, he or she gives the interviewee the chance to develop thoughts and express more broadly the issues raised by the researcher. Answers in semi-structured interviews are open-ended, and the researcher will emphasise the research topics of interest (Denscombe: 2007).

The researcher chose to use semi-structured interviews because there is a belief among qualitative researchers that knowledge is “situated and contextual, and therefore the job of the interview is to ensure that the relevant contexts are brought into focus so that situated knowledge can be produced” (Mason, 2002: 62). The researcher therefore interviewed the people he believed to have knowledge about Bidoun issues in general, such as Activists in human rights, and knowledge about their educational issues, such as civil servants and Activists involved in the educational issue directly. According to Curtis et al. (2014), semi-structured interviews are possibly the most popularly used

technique within social science research in general, and in the educational field more specifically, giving participants the freedom to express their beliefs about the phenomena under investigation. Another reason why the researcher chose this technique was because he wants to draw a clear picture about what the participants consider as the best educational choice for Bidoun students, to be included or excluded from state schools. The Bidoun issue is a broad one, however, so if the researcher had let participants talk entirely freely about what they consider to be a priority (i.e. unstructured interviews), they might broaden the answer to talk about different issues. These might include the definition of Bidoun, solutions for Bidoun matters and Bidoun demands for civil services, which are not the concern of this research. Also, structured interviews are not suitable for this research because the researcher wants the participants to shed detailed and nuanced light on specific areas, such as the quality of education within Arabic private schools, and this cannot be achieved through structured interviews.

6.9 Research Quality Criteria:

6.9.1 Trustworthiness:

Guba and Lincoln (1981) suggested the term *trustworthiness* as a way of assessing the quality of qualitative research. They recommend four criteria for this assessment, as in the table below. This is a summary of the meaning of these four criteria and how the researcher intends to implement them:

Table 6.1 Quality criteria for qualitative research:

Criteria	Description
Credibility	How we ensure rigour in the research process and how we communicate to others that we have done so. (Gasson, 2004: 95)
Transferability	The degree to which salient/major conditions overlap with or match other similar contexts (Crawford, 2000: 5)
Dependability	Dependability refers to the stability of findings over time. Dependability answers the question of whether research results would be the same were the study replicated with the same or similar participants in a similar context. (Bitsch, 2005: 86)
Confirmability	Findings should represent, as far as is (humanly) possible, the

	situation being researched, rather than beliefs or biases of the researcher. (Gasson, 2004: 93)
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6.9.2 The contribution of the study:

This research will investigate the perceptions of Kuwaiti ex-officials or officials still employed, and human rights Activists about including Bidoun students in state schools or continuing to segregate them in private schools. The results of the research should make the first academic contribution regarding educating this group of students within mainstream schools. In the case of gaining promising results, this study should give confidence to other researchers to explore further areas regarding the inclusion of students of this group in the schooling stage, or investigating higher education inside and outside Kuwait. In the case of gathering negative results, this might provide the incentive for some researchers to discover the reasons for such reluctance to include this group of people within this group.

6.9 Sampling:

According to Knight (2002), sampling is concerned with selecting who or what is needed to conduct an investigation. In the words of Field (2005: 743), the sample is “a smaller, but hopefully representative collection of units from a *population* used to determine truths about that population (e.g. how a given population behaves in certain conditions)”.

6.9.1 Initial Research Attempt:

The researcher originally intended to implement a study with Kuwaiti primary teachers in state schools to investigate their perception of including Bidoun students within state schools, instead of isolating them in Arabic private schools. Permission was sought from the Educational Research Administration which is a branch of the Ministry of Education. This institution is the gatekeeper in any educational research. The gatekeepers are “the sponsors, officials and significant others who have the power to grant or block access to and within a setting” (Walsh, 2004: 229). The gatekeeper refused to give the permission to the researcher for three reasons: firstly, the outcomes of this study might result in many problems arising in the Kuwaiti society. Secondly, if the researcher applied his study in an inappropriate sample, this also might result in findings which criticise the educational policy in state and private schools. Finally, the title of the study was considered unsuitable and did not reflect the current situation and

needed to be reworded. The rejection of the initial research proposal led to a revision in the approach to sampling to informed individuals because the researcher would need their personal agreement only.

6.9.2 Types of sampling:

According to Remenyi et al. (1998), there are two chief categories of sampling techniques: probability sampling, which is usually used by positivist researchers, and non-probability sampling, which is the domain of interpretivism. The non-probability design will be the sampling technique in this study. According to Bryman and Bell (2003: 93), non-probability sampling is “a sample that has not been selected using a random selection method. Essentially, this implies that some units in the population are more likely to be selected than others”. Within the non-probability design, snowball (network) sampling will be applied in this study.

6.9.3 Snowball (Network) sampling:

According to Berg (2001), in this method, the researcher identifies several people with related characteristics and interviews them. The researcher will ask the interviewees for the names of other people who have the same characteristics as they have, (Berg, 2001). In the words of Cohen et al. (2005: 104) “the researchers identify a number of individuals who have the characteristics in which they are interested”.

In this type of sample “the interest is in attributes” (Lee, 1993: 66), and that is exactly what the researcher looks to. The reasons behind choosing this method are:

- The researcher started his project in November 2012 without any previous knowledge about this issue (Bidoun education), so his acquaintance with Activists or officials is from their interviews with TV channels and newspapers.
- The researcher worked as a teacher for thirteen years within state schools, which are entirely isolated from private education. These two points complement what Saunders et al. (2009) mention, that the snowball sample is often employed when it is hard to recognise members of the desired population.
- The researcher left Kuwait in 2005 to study, and subsequently lost connections with many of his friends and acquaintances, thus he needed intermediaries to begin applying his interviews.
- The researcher took contact numbers from some participants for potential interviewees; however, some of them were hesitant to participate. The researcher again asked the participants who offered these contact numbers to convince the

potential interviewees to agree to do the interviews. For example, the researcher interviewed an Activist who worked as a solicitor, and he suggested that the researcher should meet a lady who has been involved in the Bidoun issue for many years and the solicitor contacted her directly by phone and, she agreed to be interviewed. Another example was a retired executive from the Public Administration for Private Education who declined an interview with the researcher, but a current executive in the same administration persuaded him to partake.

For these reasons, the researcher utilised his contacts to obtain mobile numbers of both Activists and civil servants in order to invite them to interview. Despite many refusals and apologies, the researcher conducted twelve interviews – six with Activists and six with civil servants, all of them have worked directly or indirectly with the Bidoun issue.

6.9.4 Interview Guide Development:

According to Doody & Noonan (2013) an official interview guide is useful to achieve comfortable interaction with the participants. According to Saunders et al. (2012: 384), “When using in-depth or semi-structured interviews, it is useful to remember the ‘five Ps’: prior planning prevents poor performance”. The researcher consulted the interview guide as preparation for his interviews. Bryman & Bell (2015) stated that the interview guide for unstructured and semi-structured interview is not as precise as for a structured interview, but serves as an aide-memoire for areas to be discussed during the interview. Bryman & Bell (2015) recommended some simple elements to guide the researcher:

- Keep the questions in order; however, this order can be modified during the actual interview. The researcher presented the questions in order and asked the interviewees not to mix between questions 3 and 4 for example; however, some interviewees moved quickly from question 3 to 4, and the researcher adjusted accordingly.
- Make sure that your interview questions will answer your research questions: Bryman (2012) suggested that the researcher should consider, “What do I need to know in order to answer each of the research questions I am interested in?” (2012: 473) This means the researcher needs to investigate what the participants consider as important in relation to the topic areas. Consequently, the interview questions should cover areas of interest, but from the perception of the participants. A good example is question number four which is: What do you

think about the situation in Kuwait in relation to Universal 'Free Education' approach? Because the answer of this question will reflect the knowledge among the participants regarding this approach in association with the Kuwaiti case. Does the Ministry of Education apply this approach? It is well known among nationals that the Ministry applies this upon Kuwaiti students in state schools, but who else are enjoying this privilege? Do the Bidoun students enjoy it as well?

- Using language that is understandable to the interviewees: The researcher chose participants who have experience about the education of Bidoun, therefore the terms would be clear for them. Several of the interviewees found the term 'adequate education' to be a new concept for them. The researcher had to modify this question because one interviewee asked for clarification. The researcher paraphrased it: 'Let us suppose you are a head-teacher of one of these Arabic private schools in which the Bidoun students are the majority, what type of provision will you provide to make the education adequate?'

There are also many other recommendations regarding interview questions:

Avoid ambiguous terms in questions, avoid long questions, avoid double-barrelled questions, avoid very general questions, avoid leading questions, avoid questions that include negatives [and] avoid technical terms" (Bryman, 2012: 254-255-257-258).

The researcher will use one general question, which is the first question: What does the term Bidoun mean to you? The reasoning behind this decision is because the researcher wants the participants to give information about the origin of this term first, so as to establish their position. The term was used in the past and remains in the present, and the perception of the participants towards this group is what interests the researcher – in other words whether they consider them to be Kuwaitis who missed the chance to gain citizenship or whether they consider them to be migrants, or whether they divided them into groups.

Saunders et al. (2012: 386) discussed "appropriateness of location" because the site of the interview might influence that data which the researcher seeks. The researcher tried

to meet male participants in their *Diwaniah*⁴⁶; however, the females asked to meet in open places, which is understandable for women in a semi-conservative society such as Kuwait. Interestingly, the men told the researcher that they would choose the location, with officials 2 and 5 as their interviews took place in their work environment. Official 2 explained that because the meeting is occurring in an official place, and he is an official executive, he will not differ from the Governmental attitude. Official 5 concurred, stating that his opinion will be the same as the Governmental point of view. Official 6 also requested for the interview to be held in his work place, which is quasi-Governmental.

6.9.5 Types of questions for the Interview:

Kvale (2008: 60-61-62) has defined some types of questions that the researcher can use in an interview:

- *Introductory questions:* The researcher and the participants introduce themselves to each other. The researcher considers himself as an unknown person to the participants. The researcher began by asking the participants some questions about what the participants have previously said, wrote or stated regarding Bidoun issues, because during his writing for the literature review he went through many topics issued by them. For example, one of the Activists talked about who created the term “without papers” in one of his articles about Bidoun. Others made some official statements in the media regarding the Bidoun affairs such as how many Bidoun students will benefit from the Charitable Fund. The researcher also confirmed the confidentiality of these interviews. The purpose behind this type of questioning was to set the environment.
- *Follow up question and probing questions:* The researcher asked the participants to extend their answer because of the researcher’s curiosity to know more details. Kvale (Kvale, 2008:61) gave an example of these questions “The researcher chased the answers, examining their content without declaring which dimensions will be taken into consideration. Regarding this research, the interviewer used these types of questions to learn more about the definition of

⁴⁶ According to Dr. Al-Naser: The *Diwaniah* is a part of a house reserved for the entertainment of visitors, especially male colleagues, friends and other guests. Generally, this place is exclusively for men, where they get together and relax after a day of work.

the Bidoun, and the reasons behind the restrictions against them during the last thirty years. The researcher asked Activist 5, for example, if the Iraq-Iran War influenced the situation of the Bidoun. She agreed and subsequently extended her answer on this point.

- *Direct question:* This is where the researcher introduces a topic or dimension; however, Kvale (2008) suggests leaving these types of questions until the later parts of the interview.
- *Indirect questions:* The researcher asks these questions to obtain an indirect statement of the participant's individual attitude.
- *Structuring questions:* The researcher is in charge of the course of the interview and should suggest changing a theme when a participant repeats the same answer without adding any further information.
- *Silence:* Instead of asking another question, the researcher will pause to give the participant an opportunity to amplify the answer.
- *Interpreting questions:* Kvale (2008: 62) defined this as questions that are rephrased to clarify an original question, noting that "the degree of interpretation may involve merely rephrasing an answer". The researcher used this type of question many times, for example Activist 5 could not understand the first question, so the researcher rephrased it, and official 4 described the formal procedures against Bidoun with two different terms: harassment and applying the legal regulations, so the researcher asked him which term he preferred.
- Kvale (2008) talked about openness being the aim of the interview, and he explained that there are two ways to achieve this. First the researcher will pose direct questions from the beginning and, secondly, the researcher will pose indirect questions and disclose the aim when the interview is over. The researcher had to adopt the first method because when the researcher approached the targeted group some of them asked him for a meeting before they would agree to the interview. The researcher met four persons, two Activists and two officials, and they insisted they know the aim of the interview. Two of them declined due to health treatment outside Kuwait, and two accepted the invitation to interview (Official 1 and Activist 5). The researcher contacted all the other participants and they asked for full understanding of the purpose behind this project before they would accept an interview. The researcher answered their questions via mobile or text messages,

and he conducted the interviews. The researcher considered their questions acceptable because of the sensitivity of the issue. The researcher will explain in the pilot study in the next section.

6.10 Pilot study:

6.10.1 Definition and Advantages:

According to Jariath et al. (2000: 92), a pilot study is “a small study conducted as a prelude to a larger scale study” or as “an advanced stage of development” (2000: 53) to the main interview. Blaxter (2010: 138) described it as a “reassessment without tears”. As Watson et al. (2007) indicated, however, pilot studies are not usually appropriate for publication because they are not, principally, planned to produce results. There are many advantages behind applying a pilot study before the main study, including:

- The pilot study shows the researcher if his instrument can work in reality and if any adjustments need to be implemented (Blaxter et al., 2010; Kim, 2011).
- The pilot study provides the researcher with skills in the research process, (Teijlingen and Hundley, 2001). The researcher in this study has no prior experience of conducting interviews, thus the pilot study was good training for him.
- “Collecting preliminary data”, (Teijlingen and Hundley, 2001: 2). The participants in the pilot study provided the researcher with knowledge and information which can be used to help refine the main study.

6.10.2 Number of participants in a pilot study:

There are different opinions regarding this issue; however, Hertzog (2008) mentioned that some researchers, such as Lackey and Wingate, accepted 10% of the final study size. In this study, although the researcher contacted many people who have been involved in Bidoun issues, only one accepted the invitation to participate in the pilot study, which means 8.33% of the final study size, whereas the other potential participants declined the invitation.

6.10.3 Pilot study interviewee description:

A lecturer in Kuwait University volunteered to do the pilot study, and the researcher contacted him by snowball sampling. The researcher’s brother is a postgraduate student in the same department as this participant, and he asked him to do the interview, and he accepted. There are reasons behind the targeting of this participant: firstly, all the

targeted people declined to do this pilot study and secondly, he published a paper regarding the Bidoun in Kuwait in 2015.

6.10.4 Analysis of the pilot study:

The researcher contacted the volunteer participant to organise the meeting, and the participant suggested his office at the University of Kuwait as a venue for the interview. In agreeing to this proposal, the researcher adopted the suggestion of Roller and Lavraks (2015: 77): “the interviewer’s flexibility in the interview location and time will minimize refusal due to scheduling conflicts, convenience, and other factors”.

The interview lasted for half an hour, and was conducted in classical Arabic, which made the task of understanding and translating an easy task for the researcher. The participant found the questions, and the language, comprehensible, and connected directly to the aim of the study. The information that had been provided by this participant relates to the literature review, for example, he discussed how the nomadic people were in the desert when the Law of Nationality No 15/1959 was promulgated, and how they were ignorant to the importance of this law, which resulted in them becoming Bidoun. Another example is the beginning of harassment towards Bidoun in the mid-1980s, which this participant talked about, and the researcher wrote about in the literature review. The participant added new information which does not exist in the literature review, for example he talked about rumours spread during the 1980s about a terrorist cell discovered in Kuwait, and that the members of this cell were Bidoun. The researcher failed to find any source to confirm these rumours; however, one of the participants in the main study talked about using the word rumours again.

The researcher recorded the interview and transcribed it into Arabic, and then translated this from Arabic into English as a copy, and sent both copies to an interpreter to compare the two versions and amend the English one. The researcher sent copies of his own translation and the proofread copy to his supervisors. The two supervisors sent him suggestions to be considered before any further interviews were planned. They directed the researcher to continue working with the same interpreter. This interpreter is a PhD student in the English Department at the University of Hull. He holds an MA in Modern and Contemporary English Literature and a BA in English Literature and Linguistics. He has experience as a freelance interpreter. The researcher continued working with this interpreter for all twelve interviews. The two supervisors also advised me that, a researcher must minimise levels of interruption when a participant is talking, and never

make it obvious that the interviewer knows more than him. Finally, they asked me to report verbatim what the participant said and avoid any paraphrasing of his speech.

Table 6.2 Major themes to emerge from the pilot study:

Areas of exploration	Learning from interviewee
The connection between Bidoun and the mosaic of Kuwaiti society, which makes a large proportion of Kuwaiti society, hold suspicion towards them. The participant talked about the rumours, which said Bidoun in general are: Bidouins (nomads), Northern tribes, Shia Denomination.	There is some existing literature about this area.
Agreed with the perception that many of Bidoun are not Bidoun in reality, but they arrive as workers and when they discovered the privileges of Bidoun in Kuwait, they alleged they are Bidoun.	This perception is widely prevailing within Kuwaiti society.
Bidoun in higher education.	The Bidoun students are a hardworking group and they work diligently to improve themselves to find jobs after graduation.
The mid-1980s saw the start of the restrictions against Bidoun. The participant apologised that he does not have detailed information for this period. The restrictions occurred after the Liberation from the Iraqi Invasion of 1991.	The literature review agrees that the restriction started in the mid-1980s; however, the details of this restriction are poor. There is more literature about what happened following the Liberation (1991).
Low standard of Arabic private schools.	The researcher could not find sufficient information regarding this issue when he wrote the literature review.
The importance of the 1965 Census.	This Census is the most important Census regarding Bidoun in the official perception.
His perception is to provide every person living in Kuwait with free health care and education.	The perception of Activists is to provide Bidoun with education and health care.

6.11 Ethical considerations:

“Ethics are moral principles and values that influence the way a researcher or a group of researchers conducts their research activities” (Ghauri and Gronhaug, 2005: 19). Bryman (2008) considered that the main concern when conducting a study lies in the relations between research participants and researchers in the course of a study. The

researcher was aware of the need to be neutral and to give the participants a chance to discuss the idea of including Bidoun students within primary schools in state schools. Since the researcher was familiar with social life in Kuwait, he was aware that it would be best to call participants via mobile phone and request an appointment to visit them. The most important aspect in asking someone to help in Kuwait is visiting him in *Diwaniya*.

The British Educational Research Association (BERA) (2011) states that the researcher must treat participants “fairly, sensitively, with dignity, and within an ethic of respect and freedom from prejudice regardless of age, gender, sexuality, race, ethnicity, class, nationality, cultural identity, partnership status, faith, disability, political belief or any other significant deference” (2011: 5). Regarding the above, in Kuwaiti society, there are many values regarding the visiting of people in their *Diwaniya*, for example, the researcher had read some information about these participants, such as their articles, interviews on YouTube, and their activities, which help in initiating social interchanges and conversation. Another matter is the opening times of the *Diwaniya*; the researcher will avoid times which are not suitable for participants, for example some Kuwaitis have a siesta (especially in summer) so they prefer to meet in the evening rather than the afternoon.

Another aspect is to call men with the title ‘Abo’ which means ‘the father of’, and in the case of talking to a woman it is not acceptable in Kuwait to call a woman, who is not a relative, by her name, but one must use a title, such as Dr. if appropriate, or ask her what title she prefers. The researcher has to be careful and avoid speaking about sensitive issues such as sex, politics, or religious differences unless participants introduce such matters. For some Kuwaitis, however, the Bidoun issue is perceived to be connected to politics and religious differences, and therefore the fact that this issue will be discussed needs to be clear in advance. The researcher contacted women first by mobile phone to explain to them the nature of his research and to ask them where they would prefer to conduct the interview as it is appropriate in Kuwait to meet woman in open places such as in the workplace. At the start of the interview the researcher asked female participants what title they wished to be addressed by during the interview. It was anticipated that many women would refuse to participate in interviews due to cultural or family issues. To attempt to make the research accessible for women, the

researcher asked female interviewees whether they wished to be accompanied by a family member.

Ghauri and Gronhaug (2005:21) present eight areas regarding the researcher and participant relationship:

1. Preserving participants' anonymity.
2. Exposing participants to mental stress.
3. Asking participants questions detrimental to their self-interest.
4. Use of special equipment and techniques, e.g. tape recorder, video or health-hazardous equipment.
5. Involving participants in research without their consent.
6. Use of deception.
7. Use of coercion to get information.
8. Depriving participants of their rights, e.g. of self-determination.

The researcher maintained a benevolent attitude and intended no harm towards participants, dealing in the best interests of the participants. According to Bowling (2010: 176) "the general ethical principle governing research is that participants should not be harmed as a result of participating in the research, and they should give their informed consent to participate". The researcher asked the participants to sign the consent forms, and they agreed to do so. The researcher understood and applied the University of Hull's ethical requirements and informed the participants via mobile phone about his research and the purpose of his interview so the participant could fully understand the background to the research, which is a requirement for a PhD degree. Confidentiality was completely guaranteed and the participants had the right to refuse to answer particular questions. In addition, the researcher provided his contact details to the participants and "the researcher/lecturer must respect the individual's freedom to decline to participate in, or to withdraw from the research or teaching situation at any time" (The Ethical Procedures for Research and Teaching in the Faculty of Education of the University of Hull, 2013:11).

The researcher intended to implement interviews with both males and females because there are many female Activists. The differences between the researcher and the participant have been discussed by Byrne (2012: 213) who says, "Some might therefore argue that there should always be 'race', gender and class matching between respondents and researchers" and the researcher considers the matching in race

(citizenship) as the most important factor, because his targeted sample are Kuwaitis. The researcher obtained the ethical approval from the Faculty of Education, which verifies his necessity to apply these interviews as a requirement for his PhD study.

6.12 Applying the interviews:

6.12.1 Introduction:

The researcher went to Kuwait to undertake the interviews. In his list, there were several names of potential interviewees who had been involved in the issue of Bidoun, and some of them involved directly in Bidoun education. Many of them refused to participate, or cancelled the interview after having initially agreed to participate, however. There were various reasons for this: for example, an imam of a Mosque in Al-Jahra Governorate who, during the 1990s, had established Kutatib in his Mosque for Bidoun children who cannot enrol in schools. This imam apologised because he was involved in the Syrian matter, therefore he could not participate in the interviews. Another example is a financial and administrative manager for the Public Administration for Private Education, *who* is involved directly in Bidoun education, especially the Charitable Fund. This manager cancelled his interview with the researcher because he travelled to Germany to have surgery and did not return to Kuwait until after the researcher had returned to the UK. A founding member of Group 29 also sent his apologies, as he could not make the meeting with the researcher. An ex-Minister of Education also refused to meet the researcher. An important lawyer, who is well known for being a defender of Bidoun cases in courts, cancelled the interview because she had escorted her mother for health treatment outside Kuwait.

6.12.2 The participants:

The researcher interviewed twelve important figures, and these twelve might be divided into two categories regarding their stances towards Bidoun: the first category are those who worked as officials previously, or remain employed as officials in an educational position, so they hold the official perception. The second category is the human rights Activists who wrote, held seminars, interviews, or supported Bidoun cases in Parliament.

The twelve interviewees consisted of nine men and three women. Their positions included some of the following: An Under-secretary in the Government, an ex-member of Parliament, a sample of three managers from the Administration of Private

Education, a senior politician, two academics from the University of Kuwait, two contributors to the Kuwaiti press and two people involved in human rights.

6.12.3 Data saturation:

The researcher concluded his interviews after interview number twelve (12). He considered that at this point he had reached the point of saturation in respect to the data needed for the research questions for this particular study. Caelli et al. (2008) states that evidence of reaching the point of saturation must be given and discussed during the analysis. The researcher observed many evidences of data saturation from both sides: the ex-officials and human rights Activists. A good example is the definition of Bidoun. The ex-officials insisted on repeating what the Government says about this group, as they are “illegal residents”, and the official perception is that they arrived from neighbouring countries and hid their papers in the hope of obtaining Kuwaiti citizenship, while the human rights Activists hold a more tolerant perception towards the Bidoun. Other evidence is that the participants’ perceptions towards the International Conventions regarding the International Conventions for “Free Education” for every child highlight that the participants – with few exceptions – possess less information than the researcher expected about this topic. Other evidence regards the perception of including or excluding the children of Bidoun within state schools. The ex-officials considered keeping the Bidoun children in Arabic private schools, whereas the human rights Activists believe in including them within state schools. After twelve interviews it was clear that on all of these points opinions were entrenched and no new information was being provided.

6.12.4 Transcribing the data:

The researcher used a digital audio recorder in his interviews. Patton (2002: 380) writes, "As a good hammer is essential to fine carpentry, a good tape recorder is indispensable to fine fieldwork". The researcher used a high-quality recorder in his interviews. Stockdale (2002) encouraged the researcher in qualitative research to use a digital audio recorder, and he provided several reasons to do so. According to Stockdale (2002) there is no guarantee that recording by using cassette tape will give a clear sound, whereas the digital recorder in general reduces the noise. The noise during recording and transcription will expose the data to threats of loss. Another reason to use a digital audio recorder is the ease of storing the data, in an archive on a laptop, for example.

6.13 Data analysis strategy:

6.13.1 Miles and Huberman's Approach for qualitative Data Analysis using NVivo:

There are different approaches which can be adopted by researchers for analysing qualitative data, such as discourse analysis and grounded theory approaches. The analysis part is the most challenging of qualitative research:

The most serious and central difficulty in the use of qualitative data is that methods of analysis are not well formulated. For quantitative data, there are clear conventions the researcher can use. But the analyst faced with a bank of qualitative data has very few guidelines for protection against self-delusion, let alone the presentation of unreliable or invalid conclusion to scientific or policy-making audiences. How can we be sure that an “earthy,” “undeniable,” “serendipitous” finding is not, in fact, *wrong*? (Miles, 1979:591)

Miles and Huberman (1984) consider qualitative data as a staple for several social sciences such as history and anthropology; and since the 1970s there has been a move within other fields towards the more frequent use of qualitative paradigms. This is because:

Qualitative data are attractive. They are a source of well-grounded, rich descriptions and explanations of processes occurring in local contexts. With qualitative data, one can preserve chronological flow, assess local causality, and derive fruitful explanations . . . they help researchers go beyond initial preconceptions and frameworks. Finally, the findings from qualitative studies have a quality of “undeniability” Miles & Huberman (1984: 15).

6.13.2 Steps of Qualitative Analysis:

According to Miles & Huberman (1984), the analysis is composed of three simultaneous flows of activity: data reduction, data display and conclusion drawing/verification. The researcher will give a summary of these three elements.

- *Data Reduction:* According to Miles & Huberman (1984), this step means the process by which the mass of qualitative data that a researcher obtains is reduced and organised, for example: making codes, writing notes and removing unrelated data. Data reduction cannot be isolated from analysis; it is a piece of

analysis. The researcher decides which data pieces to code and which to take off, all of which are analytical choices. Data reduction is a process of analysis that improves, categorises, emphasises, rejects and organises data in a way that helps to draw and verify conclusions. The researcher in this study, after collecting his data, started to write notes about the interviews including, for example, identifying the differences between Officials and Activists regarding the definition of Bidoun and noting the extent of ignorance of some interviewees regarding the International Conventions concerning Free Education for every child. The only difficulty facing the researcher at this point is what data to disregard. Many of the interviewees kept their interviews short, yet what they revealed remains important to the research topic.

- *Data Display*: It is an “organized, compressed assembly of information that permits conclusion drawing and action” (Miles & Huberman, 1984: 21). Thus data display is the organising of the reduced data by demonstrating it in an accessible or summarised formula so readers can understand what is occurring in the data. Data could be presented in rows, graphs, networks or charts.
- *Conclusion drawing/verification*: This is the final stage of analysis. Miles & Huberman stated that, in qualitative research, the analyst from the data collection phase can decide what things mean, and “is noting regularities, patterns, explanations, possible configurations, casual flows, and propositions” (Miles & Huberman, 1984: 21-22), although they also emphasise the necessity to test the meanings which emerge from the data, to achieve confirmability.

The three processes above suggest that data collection and data analysis are closely related and happen concurrently. They run in an interactive and iterative way, and are required to formulate a strategy of collecting data that could help the researcher answer the research questions and accomplish the research aims.

6.14 Summary:

This Chapter has presented the research method that was implemented in this study. The underpinning philosophical stances have been discussed, and quantitative and qualitative research methods have been compared discussed, along with the reasons behind choosing the qualitative method for this study. Regarding the technique, semi-structured interviews have been chosen for this study with definitions and justifications for this choice. The sampling in this study has been presented, and types of questions

for the interview have been introduced. The pilot study meaning, advantages, number of participants and themes that arose from the pilot study have been described in this Chapter. The ethical considerations for this study have also been demonstrated. The next Chapter presents the analysis of the qualitative data.

Chapter 7 The Findings

7.1 Introduction:

In this Chapter, five themes established from the results of these interviews will be presented. This Chapter will try to answer the sixth subsidiary research question which is: What are the perceptions of a sample of key individual on the issue of education for the Bidoun in Kuwait? The first theme in this Chapter will focus on two sub-themes: “*Who*” and “*Why*”. The second will focus on participants’ views of the different stages of Bidoun education from 1961 until 2016. The third theme will discuss the education system and the concept of free education. The fourth theme will be focused more on Bidoun affairs such as: the private education, the role of the Central Agency and the quality of the Arabic private schools. The final theme will analyse the attitude to including Bidoun students within state schools, and discuss the issues raised by the interviews in respect to potential future research.

7.2 Theme one: Defining the Bidoun and explaining the reasons behind their current situation:

7.2.1 Introduction:

Within this theme there are two sub-topics to be analysed: “Who are the Bidoun” and “Why the Bidoun became Bidoun”. The Bidoun are considered a distinctive group from citizens and foreigners, making it necessary to provide the official and Activist perceptions of them. In the second part of this theme, the causes that led to the Bidoun’s current situation will be analysed from both the officials’ and Activists’ perceptions.

7.2.2 Sub-theme 1: Who are the Bidoun?

It is imperative to understand how the nationals define the Bidoun. To achieve that, the following subject will be analysed: The roots and the meaning of the term *Bidoun*, in terms of how officials and Activists consider it.

Roots of the term Bidoun: To begin, the two groups (Activists and officials) are agreed about the origin of the term ‘*Bidoun*’. According to official 6, the term ‘Bidoun’ means: “*Without jinsiyyah = without citizenship*”, hence the word “*Bidoun = without*” is an abbreviation for “*without citizenship*”. The term *without jinsiyyah* is a synonym for stateless and Activist 1 states that: “*The Bidoun is a Kuwaiti word which means “without citizenship*”. Activist 4 also mentioned, “*Bidoun is a term that the street in*

Kuwait uses to refer to the stateless people in Kuwait and those who do not currently have a Kuwaiti nationality.” Activist 1 agreed that “the Bidoun is a Kuwaiti word which means without citizenship”, adding that this term was validated because of the Government’s use before the Iraqi Invasion: “The Kuwaiti Government had legalized this word when the official bodies issued ID cards. In the past when the official bodies issued a paper for a Bidoun person, they wrote ‘Bidoun’ in the nationality field.” Thus, they wrote the nationality in the ration card and work card, so in these cards there were official papers issued with the term Bidoun.

Therefore, the preferred term to be used is *Bidoun*, rather than illegal residents. *Illegal resident* is an official term which is only used in official papers and interviews with officials. When the researcher tracked usage of the terms Bidoun and *illegal residents*, he found two officials who used it more regularly than the other ten participants. Here is a table of the repetition of the two terms Bidoun and illegal residents:

Table 7.1 of frequencies to show how frequently the words ‘Bidoun’ and ‘illegal resident’ were used amongst the participants.

Participants	Bidoun	Illegal residents
Official 1	24	2
Official 2	17	15
Official 3	6	2
Official 4	32	2
Official 5	19	25
Official 6	41	1
Activist 1	57	1 This term was used to describe the government’s change in policy in relation to the Bidoun.
Activist 2	<i>The Bidoun is a de facto Kuwaiti.</i>	-
Activist 3	70	-
Activist 4	38	-
Activist 5	70	-
Activist 6	96	-

- **Official definition:**

There were three Officials who preferred to use the official term *illegal resident* before giving the definition. Official 1 said: *“the official title given to this group by the Kuwaiti Government is “Illegal Residents” in the State of Kuwait, which is the meaning of Bidoun.”* Similarly, official 2 said, *“The official term for this group is ‘Illegal residents’”,* refusing to consider any circumstances stating *“regardless of their circumstances, whether they are coming from outside Kuwait or they were residents inside, all these do not matter to me.”* The only thing he considered is the Governmental definition: *“What matters to me is the official term that had been coined by the state”*. Official 5 declared that the term “illegal resident” is agreed upon by two important Governmental institutions: *“According to what is agreed by the Cabinet and the Civil Service Commission [stumbled a bit] the Bidoun are those illegal residents in Kuwait, and it is the last name for them”*.

Official 3 did not use the word Government, however he did not differ from its definition: *“the Bidoun is a group of people who entered Kuwait illegally to find jobs”*, then he considered that all Bidoun had entered Kuwait illegally, however, he mentioned that the Bidoun had resided in Kuwait for a long period when he stated that the Bidoun are *“who increased in number throughout the decades.”* Official 4 agreed that Bidoun is a *“group of people who entered Kuwait at a period of time”* however; he differed by saying *“some of them entered illegally and some entered legally”* though he embraced the Government opinion that *“they hid their official papers”*. Official 6 gave his definition of Bidoun, *“the Bidoun is a person who lives in Kuwait claiming that he belongs to this place (Kuwait) and suppose that he has the right to have the Kuwaiti citizenship”*. He extended his definition by describing what the Bidoun consider as the main reason behind losing their opportunity to gain Kuwaiti citizenship: *“a Bidoun thinks he could not obtain citizenship for many reasons; these reasons are connected to the Government or the Authority”*.

- **Official claims:**

Official 3 stated that the Government made efforts to end the difficulties the Bidoun faced, *“At the moment, a lot of their problems have been solved.”* Another claimed that the reason behind the arrival of the Bidoun to Kuwait was as official 4 said, i.e. *“the Bidoun had entered Kuwait seeking jobs”*. Meanings, the Bidoun belong to other countries as Activist 4 continued *“they hid their official papers for the sake of the*

facilities which had been provided for them by the Government of Kuwait". Official 6 claimed, *"They are known to belong to specific countries or not having any proof that they are Kuwaitis"*. Official 6 also stated: *"The Kuwaiti Authority says: we have measures and requirements"* which is the Nationality Law, *"if they apply to anyone of the Bidoun, then it is possible to grant him with citizenship"*. Official 6 espoused the Governmental explanation: *"however, the Bidoun people failed to fulfil the requirements"* and *"that is why he is a Bidoun or illegal resident"*. Additionally, claiming that it is not acceptable to treat Bidoun in a similar way to a Kuwaiti. *"For what reason, should the Kuwaiti Government treat this person in the same way as Kuwaiti citizens?"* He compared foreigners and Bidoun, and claimed that foreigners are more useful than Bidoun for two reasons: *"the foreigner who benefits the State says obviously, he is a citizen of a specific state"*, consequently they educate their children at the same time in private schools and pay tuition fees. Why should the Government treat Bidoun differently from a *"foreigner who is asked to enrol his children in private schools and pay the tuition fees?"* Official 6 claimed that there is a principle, *"regardless of anything else"*, which is behind keeping Bidoun students in private schools. *"This principle is if I treated the Bidoun children in the same way as Kuwaiti children, why would I call them Bidoun?"* Therefore, he agreed to keep state schools for Kuwaiti students, however, adding that – *"there is a principle which is the State has to educate them"* but *"this education does not have to be in the state schools"*.

- **Professional context:**

The interviews with officials 2 and 5 took place within their workplace, where they worked as executives; interestingly they were the only participants mentioning the influence of their governmental position in relation to their perceptions regarding the Bidoun. The effect of this professional context was clear in official 2's statement: *"Because we are at an official institution and due to my position as an executive in the public sector, I will not differ from the official terms."* In addition, official 6, who occupy a quasi-Governmental titular position following his retirement, could be influenced in a similar way because the interview took place within this institution.

- **Activists' definition of Bidoun:**

The Activists' views can be categorised into four groups: first, those who consider the Bidoun as Kuwaiti, such as Activist 2 who said: *"the Bidoun is any Kuwaiti person without official papers"*. Activist 2 considers the Bidoun as Kuwaiti but believes that

“he does not have the Kuwaiti citizenship. Did you get me?” He stated: “The Bidoun is a Kuwaiti in reality but not a Kuwaiti in legal terms. The Bidoun is a de facto Kuwaiti”.

Second, those who argued indirectly that the Bidoun are Kuwaiti, such as Activists 1 and 4. Activist 4 stated that, *“Large numbers, maybe most of them (Bidoun) have resided in Kuwait since 1920, 1930, 1940, 1950, and 1965...1965 is the date the Government specified to, kind of, be able to conclude who deserves to be naturalised”.* She mentioned 1920, as explained in the literature review. Activist 1 explained that the term Bidoun has a *“legal aspect and this aspect had been accredited by the global organizations such as the United Nations.”* He said Bidoun and stateless are the same, *“It means the stateless”*, then he gave the United Nations’ definition: *“It means a person who resides within geographical borders and at the same time does not possess a document which proves his being a citizen of this country”.* Activist 1 defined the Bidoun within the Kuwaiti context, *“It means a group of people who have been residing in Kuwait for long time, some of them before the Liberation from Britain (1961) or just after the Liberation, and others just after stopping the process of naturalisation”.* This means that Activist 1 and 4 used the same meaning that the Bidoun had arrived in Kuwait a long time ago.

The third group, Activists 3 and 5, agreed partially with the first regarding the Bidoun as Kuwaiti without official papers, as Activist 3 said *“the Bidoun are part of Kuwaitis or a large number of Bidoun are.”* He embraced the Bidoun point of view when he said: *“This term has passed through many stages. In the past, they were called the Bedouins (Nomads)”.* Activist 5 said, *“There are Bidoun or Bidoun Kuwaitis who do not have any identity or citizenship”* and that is what Bidoun say, and she provided evidence about how this group are Kuwaiti citizens: *“They were born in Kuwait and the present generation is the fourth or the fifth generation.”* The researcher asked Activist 5 if there is a fourth generation of Bidoun in Kuwait: *“Yes, if the father of the grandfather was born in Kuwait, and the grandfather, father, the son was born in Kuwait. For example, the grandfather’s age is 70 years old and his grandson will marry soon, so how many generations do we have in Kuwait?”* Activist 5 stated that they did not hide their passports: *“This type does not have any problem about their origins because they did not hide any papers”.*

Activists 3 and 5 agreed partially with the Government perspective that *some* Bidoun hid their real papers. Activist 3 said: *“Nevertheless, some of them came from outside*

and hid their papers such as passport, citizenship, etc., and he claimed that they are Kuwaitis or Bidoun.” Activist 5 agreed when she said; “*The Bidoun in Kuwait are a mix of the two types*”. She gave two justifications for Bidoun who hide their papers. Firstly, the length of residency in Kuwait: “*They hid their papers because; they consider themselves as Kuwaitis on the basis of being the fourth or the fifth generation.*” Secondly, they have blood relations with Kuwaiti citizens. Activist 5 used the word proof to support the Bidouns’ claim they are Kuwaitis: “*They are Kuwaiti Bidoun and the proof that they are Kuwaitis is that some members of their families have Kuwaiti citizenship*” and she confirmed by repetition “*those Kuwaitis Bidoun have cousins and families who have Kuwaiti citizenship*”, because it is common in Kuwait to find families which are a mix of Kuwaitis and Bidoun. Activist 5 concludes: “*So the two types exist in Kuwait.*”

The fourth group is represented by Activist 6 who said: “*There is the political or the civil definition which defines the Bidoun as a person who does not hold the citizenship of the country he claims that he belongs to*”. According to her, this definition “*has been approved by the United Nations and used in the Convention on the Reduction of Statelessness 1961*”. Activist 6 coined a social definition for Bidoun in Kuwait: “*Regarding the social aspect, the Bidoun is an isolated group from the society*”, and she stated that this is her personal understanding of the word Bidoun in Kuwait: “*This is what the word Bidoun means to me*”. She also described the feeling among Bidoun as a result of this isolation: “*It means isolation and lack of hope in the future*” and she confirmed this as her own definition. “*This is my social definition of Bidoun in Kuwait.*”

- **Activist perceptions:**

Activist 2 divided between two matters. The first is “*how the Bidoun could prove he is not Bidoun*”, and a result of that he “*deserves the Kuwaiti citizenship*”. The second matter is, “*in fact, the Bidoun belong to Kuwait*”. Activist 2 claimed that the Bidoun are Kuwaitis regardless of anything else. Activist 2 blamed the State for the Bidouns’ current situation: “*The State in Kuwait refused to acknowledge that*”. Activist 5 also claimed that there are “*Bidoun or Bidoun Kuwaitis*” however, they “*do not have any identity or citizenship*”, hence Activist 5 is convinced that the official claims that Bidoun have another citizenship are not real. She repeated this position by saying, “*There are some people without any papers*”, and that, “*There are some people without*

any papers who were born on Kuwait soil”, in addition to the fact that “their parents and their families were born on Kuwait soil too”.

- **Outsiders, the year of arrival, jobs seekers and the generations of Bidoun:**

These four nodes are connected to each other because many Kuwaiti citizens look at the Bidoun as outsiders or people who entered Kuwait illegally. For example, official 4 indirectly used this term when he stated that *“the Bidoun do not receive such care and services in their homelands”*, meaning Syria, Iraq and Saudi Arabia for example. Official 3 connected the idea of the Bidoun as outsiders and the reasons behind their arrival and the fact that there are generations of Bidoun *“The Bidoun is a group of people who entered Kuwait illegally to find jobs...who have increased in number throughout the decades”*.

Activist 6 said, *“To find a solution for any issue, you cannot do such thing without giving the proper definition of the topic under discussion (Bidoun)”*. She considered the Bidoun as outsiders, *“From my point of view, the definition chosen by the officials (the Bidoun came from outside the border), applies to the Bidoun, why? The answer is, there is no person in Kuwait who did not come from outside at one stage, of historical stages”*. Hence Activist 6 essentially made every person in Kuwait an outsider.

Activist 6 gave an example about what she meant: *“Hence, if you said about a Kuwaiti person that he had arrived from Iraq or Iran, it is senseless and makes no differences between us as Kuwaitis”*. Activist 6 mentioned Iraq and Iran in addition to Saudi Arabia⁴⁷ because these three countries border Kuwait. She asserted one cannot consider Bidoun as outsiders: *“That is why we cannot define Bidoun as a person arriving from Iraq or Iran. Because, basically, there are many Kuwaitis who came from these places”*

Activist 6 recognised any disdain towards the Bidoun because they had arrived from Iraq or Iran as irrational: *“Hence, if you said about a Kuwaiti person that he had arrived from Iraq or Iran, it is senseless and makes no differences between us as Kuwaitis; the main difference is the year of arrival”*. As Activist 6 considered the origin of Kuwaitis from neighbouring countries, stating Bidoun have a legitimate claim to citizen rights: *“Through our work on the Bidoun issue in quest of a solution, we have to look to Bidoun as a person who has a legitimate right and not as a victim!”* One should note regarding Activist 6’s stance – she refused to isolate emotions when defining the

⁴⁷ Saudi Arabia and Iraq are neighbours to Kuwait by land, where Kuwait and Iran have water frontiers.

Bidoun: *“In the end, the definition must not be devoid of emotions and the political outcomes”*.

- **United Nations definition:**

When the researcher asked for a definition of the Bidoun, two Activists mentioned the UN definition. Activist 1 stated that the Bidoun and stateless people are the same, stating that, *“The term Bidoun...had been accredited by the...United Nations. It means the stateless”*. Activist 6 also relied on the UN definition. She stated that in this Convention, there are *“clear articles in the illustrations of this Convention which had been supervised by the UN Refugee Agency”*. This agency made huge *“efforts to”* achieve two goals. Firstly, to *“coin a clear definition of a stateless person”*, and secondly, *“to differentiate between a stateless person and refugee”*. Also, to differentiate between (then she said in English: *‘stateless in situ and immigrant stateless’*). She explained the benefit of espousing the UN definition: *“Had Kuwait adopted those international laws, we would not have ended up in this situation”*.

Activist 6 connected the official claims, *“Since the officials claim that the Bidoun hold passports for other countries”*, so as a solution *“let us go back to why I chose the approved definition in the Convention on the Reduction of Statelessness 1961 (then she said in English ‘statelessness’)*. If a Bidoun says *I do not hold any citizenship and there is no evidence that he is”*, she proposed a solution which is to classify the Bidoun as, *“an interior Bidoun, an indigenous Bidoun, but he did not get the citizenship”*.

After presenting who the Bidoun are from the participants’ perceptions, one should understand what led the Bidoun to their current position; this is explained in the following section.

7.2.3 Sub-theme 2: “Why the Bidoun became Bidoun”:

After defining the Bidoun, it is important to analyse the causes that led to the Bidoun’s present status. Some Activists considered that society, and not the Government, is involved with this issue. However, accusing the Government of being the primary reason behind the Bidoun problem is common because the executive power remains the main power in the State. Other causes will be analysed.

- **Problems related to the social system problem:**

Activist 6 provided a social definition of Bidoun, as *“an isolated group from the society.”* She considered the Bidoun experience social isolation, and this isolation has affected them educationally as well. She explained that as well as changing the

educational system, the social system needs to be changed. *“The issue is not accepting them (Bidoun students) at university, it is not about providing them with places at university,”* she explained, *‘NO, what is needed is a complete social system’*. She suggested that a Bidoun may face difficulties to be accepted in the social surroundings, if admitted into private universities; *“if a Bidoun student has been accepted at the American University⁴⁸... I guess she will need a lot of efforts to be included socially before she can start learning*

- **Government fault:**

Three participants mentioned that the Government is to be blamed for the Bidoun situation. For example, official 3 blamed the Government for not solving the Bidoun situation earlier, *“The State did not take appropriate action to solve their problems from the beginning”*. Activist 1 stated the Government *“had legalized this word when the official bodies issued ID cards...they wrote Bidoun in the nationality field”*. This means in educational documents where the students’ nationalities have to be registered, it was acceptable to write Bidoun, and the same for driving licence and employment cards. Activist 1 stated, *“The Kuwaiti Government promised them that their situation shall be resolved, however, their situation is still undecided”*. Official 6 gave the two viewpoints of the Bidoun and the Government regarding the current situation of the Bidoun. *“A Bidoun thinks he could not obtain citizenship for many reasons; these reasons are connected to the Government or the Authority”*. Official 6 reiterated what the Bidoun said and the Government’s response – *“The Bidoun [stumbled a bit] blames the Authority for being late in giving him citizenship”*. About the Government, *“At the same time, the Authority tells the Bidoun: If there is any evidence which proves that you belong to this land (Kuwait), then we are ready to grant you the citizenship”*.

- **Lack of legislation:**

This node is about the need to establish laws that deal specifically with the Bidoun or applying the existing laws. Official 6 and Activist 6 were the participants who spoke about this issue. Official 6 reminded the researcher of an important law which was made jointly by the Government and the Parliament in 2001 *“the Parliament made a recommendation about granting the citizenship for 2000 Bidoun every year”*. He wondered if this existed law was implemented, *“and the question is, has anyone of*

⁴⁸ The American University is a private university in Kuwait.

Bidoun been granted Kuwaiti citizenship?” He gave the answer, relying on his personal information: “I cannot remember that 2000 of Bidoun have been granted Kuwaiti citizenship in any year”. When Activist 6 discussed the lack of legislation, she talked about their efforts with Kuwaiti citizens. “In reality, we say to people in order to increase their awareness that the problem of Bidoun is not denying their right of citizenship, but it is the lack of legislation.” So, Activist 6 considered that legislation is not enough, whereas official 6 considered that the problem is that the existing laws are not being implemented. Activist 6 stated the solution is to look “to the Bidoun as a person who has a legitimate right and not as a victim!”

- **Fallout from the Iraq-Iran War (1980-1988):**

The researcher heard about the relationship between this War and the Bidoun in the pilot study. This participant called the researcher’s attention to rumours of a terrorist cell in the Kuwaiti army. He did not say directly that they were Bidoun, but the connection between the change in Government policy towards the Bidoun and this cell suggested that. Activist 1 agreed that the Bidoun issue has *“a very important political dimension, the harassment of the Bidoun started after the Iraqi-Iranian War”*. Activist 5 mentioned that, *“Political reasons were behind this restriction and it was the repercussion of the Iraqi-Iranian War”*. So, these two Activists agreed that what happened to the Bidoun at that time was a result of the Iraq-Iran War, as Activist 5 stated, *“because of – as has been said, without any confirmation, there were sabotage networks where some members of this net were Bidoun. I need to remind you that there is not any official announcement about this so-called sabotage network which includes some Bidoun.”* Activist 1 said *“the official processes started when the war ended in 1988”*. Activist 5, however, is certain that these restrictions were implemented during the War, *“so in 1985-1986 the restriction towards Bidoun started”*. Both Activists discussed how this War affected the Bidoun. Activist 1 talked about how *“the harassment of the Bidoun started”* and the *“official process started when the War ended”*. Activist 5 explained one example of this process when *“the Bidoun had been asked to bring out their real citizenships”*. Activist 5 illuminated an important outcome of this official demand: *“the result was a large number of Bidoun emigrated from Kuwait”*.

7.2.4 Summary:

This theme has analysed how the participants viewed the Bidoun. The officials in general embraced the Government title for Bidoun, and repeated the Government statements about the real countries of origin of the Bidoun, i.e. Saudi Arabia, Iraq and Iran, mainly, and some stating they entered Kuwait illegally. The officials appeared to be satisfied with Government's treatment of the Bidoun and they justified the official policy towards them. On the other hand, Activists had a different opinion – some of them said directly or indirectly that the Bidoun are Kuwaitis who do not have Kuwaiti citizenship. It is worth mentioning that there are some Activists who believed that some Bidoun are hiding their papers and claim they are Bidoun. The reasons behind the Bidouns' situation was discussed, and the participants have different points of view regarding this issue. For example, an Activist regarded the social isolation practised by the Kuwaiti society as a reason for the Bidoun's troubles. Another participant discussed the absence of laws in Kuwait that can deal effectively with the Bidoun issue, and the failure to implement the existing laws issued by Parliament.

In the next section, the second main theme, "Perceptions of the historical stages of Bidouns education" will be presented. This covers the period 1961-2016.

7.3 Analysis Theme Two: “The instability of Bidoun education in Kuwait and educating them through the Charitable Fund”

7.3.1 Introduction:

One should understand the instability of Bidouns’ educational state in Kuwait. This uncertainty could be understood through an examination of the educational historical stages from the day of Independence 1961 until the time of these interviews 2015. The role of the “Charitable Fund” to help the destitute Bidoun students will be presented.

7.3.2 Sub-theme 1: The perception of the participants towards the different stages of Bidoun education from 1961 until 2016:

Since the Independence of Kuwait in 1961 until the date of the interviews in the summer of 2015, the Bidouns’ education had passed through different stages:

1. 1961-1986: The golden period of Bidoun.
2. 1986-1991: The beginning of the restriction.
3. 1991-2003: The harshest period for Bidoun.
4. The Charitable Fund: In 2003, established to support Bidoun education in private schools.
5. A step towards inclusion 2015-2017: A decision to transfer two groups of Bidoun from private schools to state schools.

• Historical elements about Bidoun education:

In this section, the researcher will analyse the perception of participants towards the different stages of Bidoun education in the State of Kuwait. The researcher will divide these stages into historical periods.

• From 1961 until 1986:

There is an agreement between the Activists and officials that Kuwait was generous and provided free education for everyone who resided in Kuwait. As official 1 stated, *“Since the first day of Bidouns’ existence in Kuwait, the MoE in Kuwait provided them with free education similar to Kuwaitis and other groups”*. Official 4 agreed: *“Since the Independence, there was not any problem in education. Everyone could study in state schools such as the foreigners (Arabs)”*. Official 5 answered *“You are talking about the period that started after the Independence from England in 1961 in which this group were studying pari passu with us in state schools”*. The Activists repeated the same opinions. Activist 1 stated, *“The education became free in Kuwait since the Liberation (Independence), and the Government provided education for every person who resides*

in Kuwait". Activist 3 concurred, *"In the past, the Bidoun were included in Kuwaiti state schools"*. Activist 5 discussed how the Bidoun students were treated in schools: *"The Bidoun were treated similar to Kuwaitis in state schools...so there is no difference between students"*. She repeated that *"the Bidoun children were studying in state schools"* and confirmed that *"in the past, education was free for every child in Kuwait: the state schools in Kuwait were open to everyone"*. In the end, she concluded: *"From 1961 until the second half of 1980s, everyone has the right to enrol in state schools"*. Activist 6 agreed, *"In the past, the Bidoun were studying in state schools exactly like Kuwaitis"*. Activist 5 shared her own experiences of this period: *"I was a student in a state school in Kuwait and here I want to clear an important point: I actually did not know who was a Bidoun and who was a Kuwaiti. For example, I did not know whether my classmate was Kuwaiti or Bidoun"*. Activist 6 repeated the same information, *"Thus, if my classmate did not tell me she is Bidoun, there was no way to know she is Bidoun"*.

- **From 1986 until 1990:**

From the establishment of the Secret Committee until the Liberation from Iraq. Activist 5 said the only resource about this Committee was from a report published by *"Altaleea newspaper is the only one that wrote about this Secret Committee"*. She requested that the researcher examined this point declaring, *"You as a researcher must search about this point"*. She connected between the Secret Committee and the Iraq-Iran war: *"The Iraqi-Iranian War is the reason behind many changes"*. Official 4 stated that, *"The problem of educating the Bidoun started in the end of 1980s"*. Official 4 used the term harassment twice and then changed it to applying the regulations to describe new Governmental policy towards the Bidoun: *"The harassment against those who are described as Bidoun started"* then he corrected himself by saying: *"I prefer to use applying the legal regulations"*, rather than the word harassment. Official 4 stated that the reason behind this policy was *"to force them (Bidoun) to bring out their official papers"*. The new educational policy had started in the 1980s: *"From that time, the policy of denying the Bidoun children state schools' entry started"*. Official 4 provided new information when he talked about a specific *"group of Bidoun, who arrived late to Kuwait"*. Official 4 argued *"this group faced a problem in educating their children because some of them could educate their children in private schools whilst the others could not"*. Official 5 discussed the transferring in 1980s *"The MoE decided to transfer them into the private education"*. He talked about the financial purpose behind this

decision when he stated that *“in the 1980s, a decision had been taken to support private schools”*. He explained the Governmental support: *“The order to give half-educational expenses for students of illegal residents and foreigners to study in private schools...in addition to 10% of teachers’ salaries. This was the State’s support in the era before the Invasion”*.

The Activists agreed about the fact that the changing of Government policy was in the second half of 1980s, the difference is only about the year. Activist 1 said that *“the situation remained until 1988 when the Government declared – all of a sudden – the Bidoun is a group who live illegally in Kuwait”*, education was an official “weapon”, *“The weapon of preventing the Bidoun from education became one pressure instrument the Government used from 1988”*. Activist 1 considered that the Government wanted to achieve *“one of two goals: removing them [Bidoun] from Kuwait, or forcing them to show their real nationalities”*. Activist 3 agreed with the others: *“The Bidoun students used to study in the state schools but after that, these schools did not accept them and they have to study in private schools”*. He agreed with the period of transferring the Bidoun: *“In the end of 1980s...the treatment of Bidoun changed compared to the past, especially in education”*. Activist 4 agreed about the Bidoun and Kuwaiti students studying together: *“The Bidoun used to go to Kuwaiti schools, governmental schools”*, Activist 4 specified the year: *“In that year, 1986, the Government issued a document saying that they have a policy of pressuring the Bidoun”*. Activist 4, official 4 and Activist 1 agreed about the purpose behind this policy: *“To show their legal documents”*. She repeated the year 1986 three times to connect this year and the Secret Committee. Activist 5 agreed that the period was in 1980s, according to her, *“The treatment towards Bidoun changed in 1985 when the restriction towards Bidoun started”*. She repeated the year: *“So in 1985-1986 the restriction towards Bidoun started”*; however, the academic year usually includes two years. Activist 5 connected between the Secret Committee and the changing of Bidoun treatment: *“In 1986 the Secret Committee was established”*; however, she said, *“The Bidoun received the same treatment as Kuwaitis and they continued to receive education in a regular way”*. Activist 5 talked about groups of Bidoun who did not transfer from state schools into private schools. The first group was the children of *“Bidoun who continued in their jobs in the army and the police, so their children can study at state schools”*, while the second group was *“the children to Bidoun fathers and Kuwaiti mothers [who] can study at state schools”*. Activist 5 commented on the new policy: *“signs of restrictions*

started a little, the restriction in the educational policy started". Activist 5 specified this period as *"the second half of 1980s until the Iraqi Invasion had some restrictions"*. Activist 6 specified the year and she stated that this new policy was after the recommendations of the Secret Committee: *"It is in 1986 when the Bidoun were dismissed from the state schools...After issuing the document about dealing with Bidoun"*. Activist 6 refused to use the word *change*, she stated, *"It is not change, but the beginning of isolation and segregation of Bidoun"*. She repeated the word segregation *"It was really a segregation of Bidoun when they have been dismissed from the schools"*. Activist 6 talked about the literature regarding this issue: *"No one wrote in details what had happened in 1986, and we as Activists did not care about this issue at that time"*. Activist 6 described this period as *"a harsh period on Bidoun group"*. Activist 6 agreed wholly that these restrictions in general were the ramifications of the recommendations of the Secret Committee. *"It was a harsh period since the recommendations of the Secret Committee until the Invasion 1990"*.

- **From 1991 until 2003:**

From the Liberation from the Iraq Invasion until the establishment of the Charitable Fund in 2003. Official 6 described this period *"As you know, at one time, Bidoun had been prohibited from all types of services"*. He gave examples of these difficulties: *"They could not even get married. At that time, the Bidoun could not register cars in their name, all these restrictions were to put pressure on them"*. Official 6 believed if a Bidoun provided a document that shows he is citizen from another country and not a Bidoun anymore, then he will be rewarded. *"On the other hand, there were many incentives such as granting them visa for five years and other things"*, this policy was successful: *"Those incentives achieved success"*.

Many participants considered there to be a connection between the Invasion and the harsh policy towards the Bidoun:

Activist 1 said *"As far as I remembered, it is after the Iraqi Invasion of Kuwait (1990) and the Liberation (1991), that the view of the Kuwaiti Government was that: there is no place for educating Bidoun in the state schools"*. Activist 5 agreed with association regarding the connection between the Invasion and the harsh official policy *"In 1990, Iraq invaded Kuwait, and after the liberation in 1991, the discrimination policy against Bidoun started"*. Activist 5 gave the reason behind this policy: *"This policy was a result of the Kuwaiti Authority thinking that the Bidoun cooperated with the Iraqi Army"*. Of course, she meant during the Invasion. Activist 5 agreed partially with these

accusations, *"I do not claim that the Bidoun are angels, there was a group of Bidoun that did not cooperate with the Iraqi Army, but they have been seen in the Iraqi Militia uniforms"*. She gave two excuses for them: firstly, *"there was a Kuwaiti group that did the same"*, and secondly *"You do not know the circumstances which forced them to do so"*.

Official 2 explained the new policy, *"The children of illegal residents' soldiers [who] were accepted in state school until the Invasion and Liberation (1990/1991), at that year state schools stopped accepting the children of illegal residents' soldiers"*. Official 5 confirmed this information: *"After the Iraqi Invasion of 1990 and the Liberation in 1991, the Government had a decision which was paying the children of illegal residents in Arabic schools if they work in military"*. Official 5 explained the outcomes of this decision; *"Therefore, the new decision after the Invasion eliminated two types of students from the Governmental support: children of foreigners and children of illegal residents whose parents were working in civil sectors"*. Official 5 provided detailed information about the support that the Bidoun, had and how this support stopped after the Liberation. The support will be for Bidoun whose parents work in the military sector and were transferred from state schools to private ones, after the Liberation.

Official 5 confirmed that this law was issued immediately after the Liberation of 1991: *"This decree had been issued straight away after the Liberation"*. Official 1 agreed with this point: *"Thus, after the Liberation (1991), it was allowed for the Bidoun, who could afford to pay the tuition fees of private schools, to teach their children"*. He repeated the same information; *"There was a group of the Bidoun who did not have enough money to pay for private schools"*. Activist 5 said, *"So after 1990 or let us say after 1991, the restriction policy against the Bidoun started: their children were prohibited from enrolling in state schools"*. The researcher asked Activist 5 about the Bidoun's choices during that period. Activist 5 replied: *"Some of the Bidoun have financial capacity, so they registered their children in private schools"*. She mentioned the source of the financial support for Bidoun at that time: *"There was support from the native citizens to help the Bidoun children"*, Activist 5 mentioned the type of schools that the Bidoun enrolled into: *"The majority of them did [registered in private schools]"*, which means there was a minority who could not enrol during that period. Activist 5 mentioned the fears among the Bidoun as a reason to avoid educating their children *"You have to remember that after the Liberation 1991, there was fear, everyone was afraid, the Bidoun were afraid, the situation was not normal"*.

Official 4 talked about a card from the Central Agency the Bidoun must have before enrolling their children in the private schools immediately after the Liberation: *“Anyone who did not have this card at that time faced a problem”*. Activist 1 agreed and said, *“There were stipulations before they could register in private schools”*, he explained: *“For example, the father had to have a Valid Security Card”*, which proved that the father had not committed any crime. Another prerequisite was *“the father had to write a pledge that he would bring his real nationality the thing which proved that he was not a Bidoun anymore”*. Activist 3 said: *“After the Iraqi Invasion, the Bidoun education came with tuition fees”*.

Activist 6 agreed with this information and named this period as, *“The period of plea and mercy mendicancy”* for Bidoun. She described what happened during this period: *“A great number of Bidoun wanted to enrol their children in schools, but at the same time, they did not have enough income to do so”*. Consequently, there were a great number of Bidoun students who could not enrol their children in schools because of financial difficulties. Activist 6 mentioned the case of those destitute Bidoun: *“They relied on charities and almsgiving (Zakat⁴⁹)”*. Activist 6 observed that the Arabic private schools *“increased apparently in 1990s”*. She repeated that the Bidoun asked for help to educate their children: *“The Bidoun were demanding help to enrol their children”*, so this: *“is why I said earlier that this period was the period when Bidoun used to beg as if it was not their right”*.

- **The Charitable Fund 2003**

Because it is an important act, the researcher will allocate a specific sub-theme for this title.

- **2012 Higher Education for Bidoun:**

The Activists prepared a sit-down in 2012 in front of the University of Kuwait, asking for the Bidoun to have higher education rights. Activists 4 and 6 took part in this sit-down, and Activist 4, an ex-member of Group 29, stated, *“In 2012, Group 29 and other groups all demonstrated in front of the Kuwait University so they issued a decision to*

⁴⁹ Zakat is the amount of money that every adult, mentally stable, free and financially able Muslim, male or female, has to pay to support specific categories of people. This category of people is defined in surah at-Taubah (9) verse 60: "The alms are only for the poor and the needy, and those who collect them, and those whose hearts are to be reconciled, and to free the captives and the debtors, and for the cause of Allah, and (for) the wayfarers; a duty imposed by Allah. Allah is knower, Wise." (At-Tawbah: 9:60).

allow the Bidoun above the average of 90% to join the Kuwait University". Activist 6 concurred with Activist 4, but she mentioned the number of students: "This sit-down was in 2012...they provided the Bidoun with 100 places at the University of Kuwait annually".

- **2014-2015-2016: Out of Schools:**

Three Activists discussed this issue directly, only one official talked about it indirectly. Official 2 said, *"I am dealing with the Bidoun, but shall I allow every person alleging he is Bidoun to enrol in private schools? The answer is No"*. Official 2 mentioned that the father of a Bidoun student has to reveal two important papers as prerequisites before he could register his child at private schools and getting the Governmental Fund. The first paper is pertaining to the father which is *"A "services card" from the Central Agency"*, and the second paper is pertaining to the student which is *"A birth certificate for his children"*. Official 2 continued to detail the processes of enrolling Bidoun children: *"Those papers arrive to the Public Administration for Private Education where I filter the papers"*, because: *"There is what can be called an agreement between the MoE and the Central Agency ... about the groups that can be accepted in the private schools because they sorted out their problems"*. Official 2 clarified: *"When I say a person sorted out his problems that mean this person is being serious about solving his problems, and to change his state from Bidoun to a legal resident in Kuwait"*. In other words, there is a strong link between the Bidoun efforts to gain citizenship and the permission to educate their children in private schools.

Regarding the Activists' thoughts about some Bidoun students outside schools, Activist 2 talked about other prerequisites necessary before getting the Fund *"In the last period, more requirements have been asked from Bidoun to prove that they deserve the support of this Fund"*. Activists 3 and 4 agreed with Activist 2. For example, Activist 4 explained that: *"Until today (2015), children who are born without birth certificates merely have proclamation of birth or announcement of birth; even children who have that are still until today out of school"*. Activist 4 mentioned why this ruling is in place: *"They are not allowed to attend because they [the officials] said they might not be Bidoun, they crossed the border"*, Activist 4 added: *"Despite the fact they were born on Kuwaiti soil and have the birth announcement"*. Activist 2 believes, *"as a result a new group of Bidoun has been totally deprived of enrolling in schools in the last six or seven*

months (this interview was on the 4th of June 2015)". Activist 3 repeated: "Unfortunately, there is a group not included in the Charitable Fund".

Regarding the number of this group, Activist 4 stated, "Until today we have 40 children with proclamation of birth who are not allowed to attend schools even if the schools are private". The Activists tried to help this group as Activist 4 added "Every year we speak to the MoE and we try to help those children like the 40 children...those 40 children are not allowed anyway". Activist 3 talked about the temporary alternative for this group: "The places where they study are called the Kutatib of Bidoun".

- **Kutatib of Bidoun and its aim:**

The reason behind denying this group of Bidoun students from enrolling in private schools is the lack of certain papers. Activist 2 stated, "There are the Bidoun students I meant who enrolled in the Kutatib of Bidoun because they do not have birth certificates". Activist 2 also mentioned this; "Those children who have been denied enrolling in private schools are the children of this group, and as far as I know, they could not find a solution for them yet". Activist 3 shed light on that notion; "This group (Bidoun) studies at what is called 'the Kutatib of Bidoun'". He talked about his observation. "I went to Al-Jahra Province, attended and saw young children of Bidoun who are denied any kind of education, free or paid". Activist 3 agreed, "The students in these Kutatib are not included in the support from this Charitable Fund". He added, "Thus, if there were a philanthropist who wanted to contribute for a student of Kutatib to enrol in school, they would not be able to do so" because of their lack of papers. He also described the Arabic private schools being the only place the Bidoun can study: "The Bidoun have no choice other than studying at these Arabic private schools, yet some of them do not have even this choice". He concluded that the Bidoun's problem "is not financial only", but it is the lack of papers, "but another aspect of the Bidoun children's misery is to be able to enrol in schools".

Activist 3 explained the aim of establishing the Kutatib of Bidoun. Regarding the teachers, "teaching the Bidoun is done by volunteers" whereas the type of education "is irregular education". The aim behind that "is the fear that these children will be illiterate". He repeated, "The aim is to teach the Bidoun children how to read and write". Regarding the fees of these teachers, "those who teach them, volunteers, do not receive regular salaries, but they receive rewards".

- **2015-2016 A Step towards Inclusion of Bidoun:**

Officials 2 and 5 stated that there is a new decision issued by the MoE to include two types of students of Bidoun within state schools. These two types are: children of Bidoun soldiers and children of Kuwaiti mothers and Bidoun fathers. Official 2 stated, *“Recently, (2014) a ministerial decree has been issued which allows the children of Bidoun’s soldiers and children of Kuwaiti mothers and Bidoun fathers to enrol in state schools”*. He described it as *“a step towards including the Bidoun students in state schools”*. Official 5 agreed and he stated that *“a decision was issued last year (2014) stating that illegal residents who work in army and police will have their children transferred into state schools under certain conditions”*. These conditions are the Bidoun should *“meet the requirements and register in the Central Agency”* which means solving the problem of providing official papers. He confirmed this by saying: *“This decision is not an absolute one. Not every person alleging he is Bidoun is treated according to that”*. Activist 5 discussed the two groups: The MoE *“decided to include two groups of illegal residents in state schools”*, and he explained that they are *“the children of soldiers...and...the second group is illegal residents’ students from Kuwaiti mothers”*. He also mentioned the implementation of this law: *“These two groups will join state schools in the 2015/2016 academic year.”*

There is confusion within Kuwaiti society about the previous situation of children who descend from a Bidoun father and a Kuwaiti mother. An example of this is Activist 5, who stated that the children of these two groups, soldiers and descendants from a Bidoun father and a Kuwaiti mother, were studying in state schools before and after the Iraqi Invasion: *“There was a large percentage of Bidoun who continued in their jobs in the army and the police, so their children can study at state schools. Moreover, the children to Bidoun fathers and Kuwaiti mothers can study at state schools”*. Official 2 explained the situation before this law (2014): *“In the past, the state schools accepted children of Kuwaiti mothers if the father has a known citizenship. For example, if the mother is Kuwaiti and the father is Egyptian, or the mother is Kuwaiti and the father is Syrian. Those will be accepted in state schools”*. This means that before this law; children of Bidoun fathers and Kuwaiti mothers could not enrol in state schools. Official 2 declared that *“You have to understand the philosophy behind this decision”* regarding the children of Kuwaiti mothers and Bidoun fathers. *“If the student’s mother is Kuwaiti and his father is illegal resident, then this student is half Kuwaiti”*. The reason behind including children of Bidoun soldiers is *“If the State of Kuwait trusted this soldier from illegal residents to defend the country and defend the border then why*

can't his children study in state schools". Activist 2 provided another reason, which is to "encourage illegal residents to solve their legal situations" which leads "to obtaining additional services for themselves and for their children".

7.3.3 Second sub-theme: The Charitable Fund (Nodes: establishment of the Fund, financiers of the Fund, beneficiaries from the Fund, case study for student's family financially, problems of the Fund, future of the Fund).

This sub-theme will analyse the perception of the participants towards the Charitable Fund. In 2003, a decision had been issued to allocate financial support to pay the tuition fees for destitute Bidoun students. Many issues associated with participants' views towards this sub-theme will be analysed, such as motives behind its establishment. An evaluation of the groups that deserve this Fund will be provided.

- **The Charitable Fund (2003):**

The establishment of the Charitable Fund is a milestone in Bidoun history. In 2003, a Charitable Fund was established to help destitute families educate their children in Arabic private schools. There are some differences between the statements of the participants, for example, an ex-MP said this Fund was established because of his threat to question the Minister of Education, while an official at that time said it was an outcome of the efforts of many important figures and the decision was taken by the Cabinet. An Activist said it was the fruit of different group's efforts.

Activist 1, who was MP during this time, explained the reasons behind this decision: *"To make the whole picture clear, the Charitable Fund was established as a result of political, parliamentary, and people's pressure – and thanks to Allah – I was part of this pressure".* He described his role in the foundation of this Fund: *"I was a Member of Parliament at that time and I threatened to question the Minister of Education at that time".* Activist 1 concluded, *"The Government considered the charitable fund as a loophole to avoid questioning".* Official 6 stated that, *"The issue of educating Bidoun children was tackled at that time...in 2003 by several figures and groups".* He named the daughter of the Sheikh Jaber the Emir of Kuwait as one example, *"Such as Sheikha Awrad who made great efforts (stumbled a bit) regarding this issue".* According to official 6, *"Sheikha Awrad who proposed the idea of the Charitable Fund to the Government and the Parliament as well (stumbled a bit) asking for this project".* Official 5 agreed with this point, *"Sheikha Awrad played a great role in establishing this Fund",* and Activist 6 also agreed. According to the participants there are two declarations of this Charitable Fund, the Activist's declaration and the Governmental

declaration. The reason is explained by Activist 5: *"In 2003, the decision of the Charitable Fund had been issued and declared in Graduate Society"*, and, according to her, *"There was a seminar in the Graduate Society about the Bidoun and the participants raised the education's issue"*. She described her position at that time. *"I was at that time the General Secretary of this Society"*. Activist 6 approved that the declaration took place in the Graduate Society: *"Yes, there was a big seminar under the title The Bidoun Speaks"*. Activist 5 explained the demand at this seminar. *"In the seminar, we asked to find a charitable fund for Bidoun students"*. Official 6 stated that the MoE had discussed the issue of this Fund. *"The Minister of Education brought up this issue to the Cabinet and committees had looked into it"*. He said, *"An agreement had been finalized in the cabinet to establish a charitable fund for education"*. Official 6 justified the reason behind establishing this Fund, *"I know there exist many international conventions about free education for every child... [and]...relying on this principle, Kuwait established the Charitable Fund to provide education for the needy such as Bidoun and foreigners"*. However, official 4 did not agree with the idea that this is free education, *"This is not a free education"* but it is an *"education for the impoverished"*, whereas Activist 4 agreed that this Fund is a type of free education stating, *"Kuwait are trying to guarantee the free education through the funding of the schools"*.

Activist 6 was not convinced that the reason behind establishing this Fund is to provide education for all, but *"the Kuwaiti Government pretends for International public opinion that it is a fund to support Bidoun education"*. Activist 6 suggested as *"an alternative to enrolling the Bidoun and foreign students in state schools"*. Official 2 and Activist 6 agreed that this Fund deals only with Arabic private schools, and as Activist 6 said, *"The Charitable Fund pays only for Arabic private schools"*.

- **Financers of the Charitable Fund:**

Three officials and one Activist discussed the financers of this Charitable Fund. Two officials gave this information from experiences in the Public Administration as executives. Both of them explained that when this Charitable Fund was established it relied on donations, and they agreed about the donors. Official 5 stated, *"When this Fund was established, it relied on donations"*. Regarding the donors official 2 said, *"When this Fund was established, there were two financers: first, Kuwait Finance House (KFH) which is considered as an Islamic bank, and second, Bait Al Zakat (House of Alms)"*. Official 5 agreed with the two names of the donors; however, he added

another two names, and he believes, “*The main sources of donations were the Zakat House, Kuwait Finance House and Kuwait Public Awqaf (mortmain) Foundation...and some companies*”. Officials 2 and 5 agreed that the Government is the primary financier at the moment. Activist 5 agreed with these two officials about the past financiers, “*The Charitable Fund was financed by the Ministry of Awqaf & Islamic Affairs and Kuwait Finance House (KFH) and the enrolling of Bidoun children in private schools started and this Charitable Fund undertook paying the tuition fees*”.

The researcher asked official 2 about the current financier, he answered, “*The Ministry of Finance is the financier*”. Official 5 concurred stating, “*Nevertheless, later, the required budget became four million Kuwaiti Dinars (£8 million), the Kuwaiti Government became the financier*”. Regarding the donors, “*These bodies stopped paying for this Fund*”. Official 5 talked about the current budget: “*Now (2014-2015) the required budget is six million Kuwaiti Dinars (£12 million) and the Government is the only financier*”, and, “*to conclude, the subsidy is completely governmental*”. Official 5 explained the process of transferring the money. “*The finance comes directly from the Ministry of Finance; it is the body that transfers it to Charitable Fund account in the MoE*”. He also explained that this budget is not accounted for within the Ministry’s budget, “*Hence, the finance is not part of the MoE’s budget*”. Official 5 explained that in the past the process was different. “*In the past when the Ministry of Finance transferred the money directly to the Public Administration for private education and this is the logic*”. He provided background about the financing process in the past, “*When the Charitable Fund was established in 2003, the Financers transferred us the money directly, and the State Audit Bureau was dealing with us directly and monitoring our expense to this money according to the set plan*”. Official 5 also explained the reason behind switching the budget from the Public Administration for Private Education into the MoE. “*But after that – as you know – when this budget came to us in the Public Administration for Private Education, a committee was allocated to do the procedures*”, and he explained this committee was working on overtime. “*We were allocating payments for them...because while the money was coming to us in the Public Administration directly from the Ministry of Finance, we were working on another shift, an afternoon shift and we get paid for that*”. As a result of these payments the individual in the MoE asked for the responsibility of this task to be moved to them. “*The individual in the MoE became greedy regarding these payments and asked to be*

responsible for this budget, and that is what happened". Official 5 accused them of envy: *"It is envy . . . the employees in the MoE envied us for that"*.

Official 5 explained the process of paying the tuition fees: *"We do the payment applications for the eligible people and transfer them to the MoE, and the Ministry pays the tuition fees"*. This is the current situation, and *"in the past, we issued the cheques for eligible people from the Public Administration for Private Education itself"*. Official 5 repeated: *"We transfer the application to the Financial Administration in the MoE and they issue the cheque"*.

- **Beneficiaries of the Charitable Fund:**

Officials 2, 3, 4 and 6, and Activist 6 agreed that this Charitable Fund helps destitute students of the Bidoun and foreigners (Arabs students) as official 4 stated, *"I can name this type of education as education for the impoverished"*.

Official 3 said: *"The State established a Charitable Fund for the Bidoun and other Arabic nationalities who need to be educated in private schools, so their tuition fees are paid by the Charitable Fund"*. Activist 6 stated, *"This Fund had helped a lot of needy people regardless of their nationalities"*; however, she added, *"But at the moment, the Charitable Fund mainly helps Bidoun students"*. Official 4 agreed that *"a poor Bidoun ... can take money from this Fund. As such, this fund is only for the needy from those groups"*.

Official 6 summarised the discussion of this Charitable Fund during his service in the Cabinet. He explained that in the beginning, the aim was to help the Bidoun students only; however, *"there are also other people in need living in Kuwait, so if we are going to help the needy in the education field, this help has to cover all the residents"* *"Because education is a right for all"*. He added that, *"In fact, there are poorer people other than the Bidoun who need our help"*, and he compared certain Bidoun to some foreigners: *"The father of a Bidoun student might be a businessman, but there are many foreigners who are destitute...so how could he educate them?"* Official 6 gave what was the final decision of the Cabinet: *"Thus, the agreement was the following: this Charitable Fund will cover all needy groups' Bidoun and foreigners"*.

- **Case Study for student's financial situation:**

Officials 4, 5 and 6 stated that there is a *"case study"* before allocating funds. Thus, if the Bidoun family has sufficient income they will not receive any help from the Fund. As official 4 stated, *"There is what we call the 'case study'"*, and he explained the meaning of this by saying, *"In which officials check the parents' financial background*

and the number of children, then the officials' estimate how much everyone should be paid". Official 6 agreed with that. "Yes, there is a case study before paying any tuition fees to claimants". Official 5 explained who undertakes these case studies. "Regarding this group (Bidoun), there is a committee in the Public Administration for Private Education, and its task is to study these cases". He explained the Committee task, "when a father brings to the Public Administration all the requirements that the Charitable Fund asks for such as [stumbles a bit] the family expenses, such as house expenses and car instalments, salary report and this salary has to be written in his job permission which is issued by the Ministry of Social Affairs". Official 5 added: "If this committee considers his salary to be little compared to his financial burden, then the Charitable Fund will take over his children's tuition fees". Official 5 disclosed the amount of financial help the Bidoun will receive: "The Charitable Fund will pay the whole tuition fees, so when the foreign father is in need, the tuition fees will be paid in full". When asked if he is sure about this information he responded, "Of course I am sure. I have been responsible for this Charitable Fund since it was established in 2003 until my retirement in 2014".

• **Problems of the Charitable Fund:**

Only the Activists talked about problems with the Charitable Fund. Activist 2 considers it as "A temporary option, but the question is how long this fund will have the capacity to pay the tuition fees of Bidoun students". He repeated again "I believe that this Charitable Fund is a temporary solution to educate Bidoun students". He then commented: "Until when?" Activist 1 explained his personal attitude while he was the Head of the Educational Committee in Parliament. He said, "This Charitable Fund does not convince me from my personal point of view". He refused to provide education as a charity for two reasons: "Firstly, education in its essence is an investment; it is building knowledge for human beings". He stated that education could achieve an assignment, which is to "prepare people for job life". Activist 1 talked about the delay of the instalments from this Fund. "The tuition fees which are guaranteed by Charitable Fund are always tainted with some delay". He explained the effects of this delay. "This delay affected the students. Sometimes, students had been prevented from attending schools or exams which resulted in disruption". He explained the ramifications of this: "This means that the Bidoun students do not have a strong and continuous educational basis, which would negatively affect them in later stages". Activist 4 considered that the budget "cannot cover a large group of Bidoun... this means the father has to pay more

than what he receives from the Charitable Fund". Activist 4 believes that *"Sometimes this fund does not cover everything; there are few other things they have to pay which are not covered by the fund"*.

7.3.4 Summary:

In this section, the participant's perceptions towards the education of Bidoun since the Independence in 1961, until 2016, was examined. The participants explained how education was free and available for Kuwaiti, Bidoun and foreign students from 1961 until the mid-1980s. A secret Committee was established in late 1986, which initiated many restrictions against the Bidoun, including education. Following the Liberation of Kuwait 1991, the Government ceased paying Bidoun students if his father worked in the private sector. In 2003, an important decision was undertaken to establish the Charitable Funds, which help destitute Bidoun students enrol in Arabic private schools. There was a group of Bidoun who were denied education because their official papers were missing, thus some Activists established volunteer schools to teach this group. A significant step towards including Bidoun within state schools has been established by a new decision to transfer two groups of Bidoun students from private schools to state schools.

The different stages that Bidoun students passed through during residence in Kuwait from Independence until these interviews in 2015. After this historical presentation, the next section will focus on the third theme, the issues regarding the educational environment, quality in Kuwait and the operation of the "Free Education for Every Child" concept in Kuwait.

7.4 Analysis Theme Three: A general approach to Kuwait education: the system, the scope of applying the free education concept and the efficiency of the education:

7.4.1 Introduction:

Following history of Bidoun education, it is essential that the reader be informed of how the current educational system. The educational system is a reflection of the political system, the “Rentier state”. There remains a disagreement amongst the participants if Free Education is truly applied to the Bidoun students and we will see how the participants evaluated education in Kuwait.

First sub-theme - The educational system in Kuwait: In this sub-theme, some topics will be analysed to provide the reader with important information regarding the structure of education in Kuwait.

Second sub-theme: Kuwait and the free education concept: an analysis of what the participants know about the International Conventions which define, explain and encourage free education for every child, and what the result is of signing the International Convention.

Third sub-theme: The quality of education in Kuwait: the definition and aspects of adequate education will be analysed. The participants themselves will provide this information. The researcher investigated the general perception of the participants towards the standard of Arabic private schools before delving deeper within this issue in theme four (the following theme).

7.4.2 Sub-theme 1 - The Educational system in Kuwait:

The role of Kuwait as a cultural radiant point can be divided into two stages; the first commenced with Independence (1961) until the Liberation (1991). The second stage is from the Liberation (1991) until this moment. During the first stage Kuwait played a great role in aiding other Gulf and Arab countries; however, following the Liberation (1991) Kuwait became more isolated in direct reaction to the attitudes of some Arab countries regarding the Invasion of 1990. This solitude reflected on Kuwaiti internal life, which can be seen in the treatment of the Bidoun. Regarding the Free Education concept, it is clear that the Government offered it to nationals and exceptional groups. The main point of disagreement amongst participants is whether the Bidoun gain free education or not.

The standard of the Arabic private schools (ordinary) is unclear because the media does not discuss it in comparison with other institutions in Kuwait (Universities, for example). The contributions of the participants showed that only those who are involved in Bidoun education could offer suitable and legitimate opinions regarding this issue.

- **Role of Kuwait (Governmental and non-Governmental):**

Introduction: Before the Iraqi Invasion, Kuwait played an important role in supporting certain countries in many aspects of their social strata, such as education, culture and finance. This support slowly declined partly due to the fact that many countries who gained help from Kuwait in the past refused to support the latter during the Invasion.

- **The analysis:**

Activist 1 considered that the cultural role of the official Kuwait (Government) in the past was better than its role currently. He stated, *“The State of Kuwait had adopted the policy of spreading culture and civilization”*. Activist 1 explained the period he meant as being *“since the Independence from Britain (1961) and even before that, the Liberation (Independence)”* and this role ended during the second half of 1980s, *“That situation remained until 1988”*. Activist 1 narrowed his talking: *“I will narrow my talk to the period after the Liberation (Independence)”*. He claimed, *“Kuwait was a pioneer in many educational and cultural services”* during that time, and he also discussed the scope of this role when he stated, *“these services were directed to many regions, such as the Gulf, the Middle East, and the Arab World”*.

Activist 3 talked about the role of Kuwaiti citizens regarding philanthropy: *“In poor countries such as Bangladesh, Philippines, and others, the Kuwaiti charitable institutions established schools for orphans”*. He explained the purpose behind his talk regarding donors, explaining that *“the donators in the State of Kuwait, whether they are from charitable institutions or any other, can build schools especially for the Bidoun such as those they built outside Kuwait”*.

- **Availability of education for everyone:**

There are two officials who talked about this idea. The first, Official 4, said, *“Regarding the State of Kuwait, education is available for everyone”*. Notably he used the term ‘available’ and avoided ‘free’, whereas the term “free education” is only used in the context of Kuwaiti citizens, as he mentions, *“free education is available for all Kuwaiti citizens”*. He refused to classify the Charitable Fund as free education *“This is not a free education”* it is *“education for the impoverished”*. The researcher asked official 6 about International Conventions, *“I know there exist many international*

conventions about free education for every child", and after that he mentioned the availability of education: *"I know that these conventions call to make education available for all people"*. However, official 6, in contrast with Official 4, regarded the Charitable Fund as a type of free education *"relying on this principle [free education] Kuwait established the Charitable Fund to provide education for the needy such as Bidoun"*.

- **Exceptional groups who can study in state schools:**

Every year the MoE issues a statement about the exceptional groups which have the right to free enrolment in state schools. There are diverse reasons behind this, and many participants mention these groups, highlighting the importance of this issue in State schools. Official 1 stated that *"there is the exception of the children of foreigners who work in the Government and thus can teach their children in state schools"*. Official 2: *"There are other groups covered by free education called exceptional groups, as per Ministerial decree implemented in public education"*. Official 4 repeated the same information with some examples about these exceptional groups: *"Regarding non-citizens, there are exceptional cases for those who can enrol their children in state schools because of their jobs such as teachers, doctors, and judges"*. The researcher asked official 6 if there were many Bidoun and foreigners in state schools during the 1980s he replied, *"They had to be from the exceptional groups"*.

Official 5 provided more details. He explained that the list of these groups is subject to change every year as *"these exceptional groups are different from year to year"*. Official 5 provided examples of exceptional groups because of their jobs, and *"those groups include children of physicians, children of teachers in state schools, children of lecturers in Kuwait University and the Public Authority for Applied Education and Training"*. He then provided examples of groups formed because of humanism, and Kuwait deals with them as refugees or guests: *"they [groups] also include some exceptional nationalities who reside in Kuwait such as Yemeni and Djiboutian"*. He repeated with doubt the number of these groups *"[hesitantly] I think there are twelve or thirteen exceptional groups who could enrol in state schools"*.

The Activists hold a similar view that there are exceptional groups. Activist 1 mentioned that due to the changing of educational policy, *"the State of Kuwait had stopped offering the free education for non-Kuwaitis"*. He then discussed the exceptional groups, concluding, *"Free education for non-Kuwaitis is connected to some regulations"*. Activist 1 illuminated an example of these regulations, *"Some (non-*

Kuwaitis) who work for the Government have the right to educate their children in state schools”, and he concluded, “Apart from that, the majority of non-Kuwaitis are studying in private schools”. Activist 5 shed light on the restrictions during the 1980s, declaring that “the second half of 1980s until the Iraqi Invasion had some restrictions”. She considered these exceptional groups: “The children of doctors, engineers, judges, teachers, lecturers at University, and the Bidoun children to Kuwaiti mothers”. She confirmed by saying, “Therefore, the aforementioned categories are those who can enrol in state schools”. The researcher mentioned to Activist 6 that Kuwaiti students mix with the marginalised groups, to which she replied, “they are few”. She gave an example of the temporary workers in Kuwait as they “have no opportunity of free education except few exceptional groups”.

- **Types of schools in Kuwait:**

As in many other countries, there are two types of schools: state and private. Official 2 claimed that *“The private schools are divided into two types: Arabic and International”*. Regarding the Bidoun students he said, *“The illegal residents’ children study in both types”*. The main focus of this study centres upon the Arabic private ordinary schools only. This is because the International schools are extremely expensive for the Bidoun, and regulations prevented them from enrolling in state schools. Finally, attention will be paid to the Arabic ordinary type, and not the Arabic model schools, because the Bidoun (with the scarce help of the Charitable Fund) can register their children in this type of school. This will be explained briefly in this section, and in more detail within section four.

7.4.3 Sub-theme 2: Kuwait and Free Education concept:

The International Conventions about Free Education for every child:

In general, the Activists talked about International Conventions more than the officials. The officials largely said they had no knowledge about these Conventions. Activist 1 mentioned the Conventions he knows: *“Yes, there are international conventions such as the Convention on the Rights of the Child...there is the International Covenant on Economic, Social and Cultural Rights, and there is the Convention of Education”*. Activist 3 said he knows one convention: *“There is the Child Convention”*; however, he mentioned that *“the State of Kuwait is a member of UNESCO, UNICEF, and the United Nations”*. Activist 3 clarified his point by saying, *“these Institutions have relations with free education for every child”*. Activist 3 explained the role of two organisations:

“UNICEF has relations with children issues, whereas UNESCO has relations with education”.

Activist 5 explained her own knowledge, that *“the Convention of the Child ... [means] every child has the right to free education”*. Activist 6 named various International Conventions, namely *“the International Covenant on Economic, Social, and Cultural rights, Child Rights Convention, and the Convention on the Elimination of all Forms of Discrimination against Women”* drafted from *“the Universal Declaration of Human Rights (UDHR) in 1948 which became a basis for all rights”*.

According to Activist 6, if you want to *“follow the Universal Declaration of Human Rights 1948, the Child Rights Convention, and the International Covenant on Economic, Social, and Cultural Rights”* then you must *“implement quality in education, you have to guarantee the education right, free and for all”*.

Official 6 is the only official who talked about these conventions, having read it but not in detail. He knows that these Conventions are calling for free and readily available education: *“I know there exist many international conventions about free education for every child”* and *“call to make education available for all people”*. He regarded the Charitable Fund to be a type of free education *“Relying on this principle [free education for every child] Kuwait established the Charitable Fund to provide education for the needy such as Bidoun and foreigners”*.

- **The lack of knowledge among some interviewees about these Conventions:**

All of the officials in this study who worked as decision-makers in the MoE denied knowledge about these conventions. Official 1 stated, *“I know there are some International Conventions about this matter, but at the moment I cannot remember all the details”*. Official 2 denied honestly any knowledge of the notion of free education when he said *“No, I do not have a clue about this concept”*. Official 3 also replied frankly about his unfamiliarity with these conventions: *“I do not have any idea about the International Conventions about Free Education”*. Official 4's answer was similar: *“No, I have not heard about these International Conventions about Free Education for Every Child. I know it exists”*.

Official 5 gave the same answer when he said, *“I have never heard about these conventions”*; however, he remarked *“But what I know as an educator is that every child has to be provided with an education”*. Official 6 was not clear with his answers: *“Frankly, I have not read these International Conventions in detail”*. However, there

are also two Activists who replied that they do not know much about these conventions. For example, Activist 2 is certain that *“There are Conventions – I believe – issued by the United Nations regarding the free education for every child”*; nevertheless, *“I am not familiar with the details because I have not researched it before”*. Activist 5 admitted that she is not familiar with these conventions: *“I do not know about the International Conventions associated with free education for every child”*.

- **The results of Kuwait signing and sanctioning a convention:**

The Activists talked from their own knowledge about the relation between Kuwait and these International Conventions. Furthermore, they explained the consequences of signing these Conventions. Activist 1 stated: *“The State of Kuwait signed this Convention [the Convention on the Rights of the Child] in 1996”* he also decided through relying on his own experience as a member in the Educational Committee in the Parliament that *“There are nearly six conventions signed by Kuwait and ratified by the Parliament in Kuwait”*. Activist 4 claimed that *“all the Conventions and Treaties Kuwait signed, such as the International Covenant on Economic, Social, and Cultural Rights, and signed the International Covenant on Civil and Political Rights”*. She added that *“Kuwait signed and sanctioned these treaties”*. Activists 3 and 5 discussed the relation between the State of Kuwait and the Convention of the Child, and Activist 3 stated, *“There is the Child Convention, which has been signed by the State of Kuwait”*, and Activist 5 agreed wholly when she argued, *“the State of Kuwait had signed this Convention two years ago, [she thinks for a while and says] I forgot when Kuwait signed this Convention”*. Activist 3 mentioned the relations between Kuwait, UNESCO and UNICEF, *“the State of Kuwait has signed Conventions with these two International Institutions, and these Conventions oblige teaching and educating the first stage of education”*. He also stated that *“the state of Kuwait had signed the International Conventions associated with Human rights”*.

Regarding the results of signing a convention, a group of Activists suggest that when a state signs a convention this convention becomes a domestic law. Activist 1 explained that the State of Kuwait signed and ratified six international conventions which resulted in *“These conventions became as domestic law”*. Activist 3 agreed wholly with this, and he talked about how the state of Kuwait founded a law for child rights when he said, *“The parliament has endorsed this law so it is an effective law”*. He confirmed that: *“When the State of Kuwait signs a convention, it becomes an effective law”*. Activist 4 also has the same opinion: *“If you sanctioned the convention then you are*

obliged to produce legalisations or create laws to uphold those laws in the country"; however, Activist 4 feels that the State of Kuwait needs to achieve its commitments regarding these conventions. She stated, *"Kuwait have to start some laws to honour what they signed and this has not happened yet"* and *"After the signing of the treaties, the Bidoun are still suffering from the abuse and violation of their human rights"*. Regarding the officials, official 4 said he did: *"not know if the Government of Kuwait signed it or not"*.

- **No reservations from Kuwait on these conventions:**

Three Activists talked about this issue and all of them said the State of Kuwait did not make any reservations about the International Conventions for Free Education for Every Child; however, Activist 3 was not completely sure. Activist 1 said: *"There is no reservation about free education for children who live in Kuwait"*. He repeated this again *"The State of Kuwait did not make any reservations about these conventions and I am sure of this information"*. Activist 1 gave the source of his information as his: *"experience as an MP and being acquainted with laws"*. He had prior experience of these conventions because he *"relied on this information to prepare the questioning"* in parliament, so he undertook the necessary research at that time. Activist 3 was not certain about the existence of any reservations regarding free education when he said, *"I do not think the State of Kuwait did so regarding the free education when they signed the Convention of the Child"*; however, he was sure about reservations in some articles in this Convention. *"What I do know is that Kuwait had reservations about articles pertaining to adoption of children but not about free education"*.

- **The right of education:**

Four participants talked about the right of education as a basic human right. Official 1 gave his opinion clearly *"it is obvious that education is a natural right for everyone on earth"*. He refused the idea of denying this right to anyone, *"regardless of whatever their racial or religious background"*. Activist 2 agreed that education is an aspect of human rights stating, *"The education issue represents a basic right"* and he believes that *"No one can deny this human right"*. Discussing the Bidoun he stated, *"So a fortiori this right has to be provided for a Bidoun student"*. Activist 2 considered the Bidoun to be *"Kuwaiti"* which meant that *"we are not allowed to look at Bidoun as quasi-Kuwaitis"*. Activist 3 explained that free education should exist especially in the first stage (primary) *"Free education, especially in the first stage, is supposed to exist, especially in the compulsory stages more than other stages"*. Official 4 clarified: *"I*

suggest that the State provide financial support for the needy to finish primary level because it is compulsory for Kuwaitis” because the secondary and high schools “are not compulsory even for Kuwaitis”.

Official 6 explained that during the discussion for this Fund there were requests to cover foreign students as well. *“If we are going to help the needy in the education field,”* claimed official 6, *“this help has to cover all the residents”*. His reasoning stems from his belief that *“education is a right for all”*. He explained that the Kuwaiti Constitution guaranteed the Kuwaiti rights and as a result of this *“education is compulsory for all Kuwaitis. If a parent deliberately does not register his kids at school, this will result in him being sent to court”*.

- **Free education for every child:**

The majority of the participants believed that the State of Kuwait does not apply the principle of free education for every child. On the other hand, few of them recognised the Charitable Fund as a type of free education. As Official 3 explained, *“The law guarantees free education for Bidoun ... who cannot pay their tuition fees, through the Charitable Fund which is allocated for impoverished students”*. Regarding official 4, when the researcher asked him if the Kuwaiti law governs the principle of free education, he answered *“yes, it is. I believe no countries in the World will offer free education for illegal residents”*. Official 4 made a comparison between the tourists and the Bidoun as he stated: *“For instance, if a tourist went to Germany and stayed there for six months, can he enrol his children in state schools? I do not think so”*. He said indirectly that the solution of private schools (exclusion from state schools) is acceptable for the Bidoun by saying *“he might (the tourist) enrol them in private schools but he has to pay”*.

Official 5 considered that education is free for three groups only as he said, *“In Kuwait, there are two groups receiving free education: Kuwaiti students in state schools and illegal resident students in Arabic private schools (he thinks for a while and continues). Also, there are thirteen exceptional groups who have the right of free education in state schools”*. This means Official 5 considered the Charitable Fund as a type of free education. Official 6 was confident that *“the State of Kuwait does not implement the principle Free Education for everyone”*. He explains further: *“If Kuwait had implemented this principle, there would have been no need for private schools”*.

Activist 4 believed that Kuwait makes efforts to achieve free education, and she stated, *“Kuwait is trying to guarantee the free education through the funding of the schools”*.

Activist 1 considered that the Kuwaiti law has implemented it since the 1980s. He said, *“The State of Kuwait had stopped offering the free education for non-Kuwaitis”*. Activist 1 added *“So free education for non-Kuwaitis is connected to some regulations”* and he gave examples of these regulations such as *“the length of residence in Kuwait”*. He then concluded, *“The majority of non-Kuwaitis are studying in private schools”*. Activist 2 talked about the past: *“Kuwait, in a previous historical era, until the mid-1990s was providing free education for everyone”*. He confirmed that *“there is no implementation of free education for every child in Kuwait”*.

Activist 6 made a connection between the international conventions that call for free education and the situation in Kuwait. *“When you look at these Conventions you discover that the education is not free in Kuwait”*. She will answer anyone who argues that Kuwait applies free education: *“There are those who say Kuwait implements free education for every child, and I say this is a deceptive sentence!”* Activist 6 explained that there are two groups who are not covered with free education: Firstly, the *“foreigners whom we refused to call migrant workers or temporary workers”*, secondly, the Bidoun. She stated, *“Regarding the Bidoun, allegedly, the State guarantees free education for the Bidoun through the Charitable Fund to educate needy students”*.

• **Free education for Kuwaiti students:**

All the officials mentioned this point with only one Activist. Official 1 stated, *“I believe that the policy of ... the MoE is to provide free education for every Kuwaiti in the state schools”*. Official 2 repeated this by saying *“every Kuwaiti citizen receives free education, and the Government guarantees this right for Kuwaiti students”*. Official 3 agreed; however, he added the exceptional groups: *“Kuwaiti law guarantees the free education for Kuwaitis with some exceptions for non-Kuwaitis”*. Official 4 mentioned the same: *“The free education is available for all Kuwaiti citizens”* repeating, *“for all Kuwaiti citizens”*.

Official 5 mentioned two groups that receive free education in Kuwait: the Kuwaiti students in state schools and Bidoun students in private schools. He said, *“There are two groups receiving free education: Kuwaiti students in state schools and illegal resident [the Bidoun] students in Arabic private schools”*. The researcher asked official 6: *“Is the free education guaranteed for Kuwaitis only?”* He replied: *“Exactly, the free education is guaranteed for Kuwaitis only.”* Activist 6 agreed with that: *“The State of Kuwait provides free education in state schools for Kuwaiti students only”*.

- **No free education in private schools:**

Free education is available only in the state schools, whereas anyone who wishes to educate his children in private schools has to pay tuition fees. Official 2 clarified that there is not *“any exceptional groups”* in private schools. He stated that the Public Administration *“takes tuition fees from all students regardless of their nationality”*. Official 2 *“In the private, there is nothing called exceptional groups”*. He then mentioned the important prerequisite for any Bidoun and foreign student before he can enrol in school in Kuwait as he declared, *“Any student living in Kuwait with valid visa and civil identity card issued from Kuwait can study in private schools”*. Official 4 explained that the free education is available for Kuwaiti and exceptional groups only, whereas *“the other groups have to enrol their children in private schools and pay for their expenses”*.

- **Every child has to go to school:**

Official 4 focused on this point, and said, *“If I have the decision, then I will make sure to achieve one target which is enrolling every child in school”*. He recapitulated, *“I mean providing education to all the children, this is the target”*. He argued *“that every child has to go to school without exception”*. He considered the right of education as undeniable: *“We must not deny any children from going to school”*. This official used the verb must to show how vital education is for this group; however, he said it is his personal opinion: *“From my point of view, we must enrol all children without exception in schools”*. Official 4 differentiated between enrolling Bidoun students in schools and the type of schools: *“But how to enrol the children of Bidoun in schools is something different”*. To show how important this is he said, *“The fundamental solution is every child has to go to school”* because leaving any students without education is an *“unacceptable matter”*, and he repeated this idea *“keeping children without education in Kuwait is a red line and not acceptable at all”*. Official 5 said he sympathised *“with these children, because the children have no faults and they must be educated”*.

7.4.4 Sub-theme 3: The quality of education in Kuwait:

- **Defining adequate education:**

The participants differ in opinion regarding “adequate education” with interesting similarities between Official 2 and Activist 2, and between Official 5 and both Activists 1 and 6 which is not what might have been expected. Both Official 2 and Activist 2 believed that adequate education is that which can prepare students for working life. Official 2 defined it as the type of education which *“provides integrated educational*

services for students, so that the student in the end can obtain a degree” which helps him to *“find a job through this degree”*. Similarly, Activist 2 believed that adequate education is the *“education which takes place after high school ...whether a university which grants a bachelor degree, or a college which grants a diploma”*. With both, the benefit behind these degrees is that *“the person can find job”*. However, official 2 gave another definition, connected with Bidoun: *“Adequate education is that ... which provides all educational services for illegal residents inside Kuwait”*, but *“according to the regulations”*.

Official 5 and Activist 1 made a connection between adequate education and the educational environment. Official 5 considered it can be achieved if *“students can find schools, books, teachers, and administrative individual at schools, in addition to the suitable educational environment”*. Activist 1 considered that adequate education could be achieved via *“providing teachers, schooling environment, educational curriculum, and appropriate climate for learning”*.

Other participants have their own definitions. Official 3 coined a type of scientific definition: *“the education which makes change in the individual’s behaviour”*. Official 4 believed in the father’s right to choose a school: *“Adequate education is to give the father of the student a chance to choose the type of education he wants for his children”*. However, official 4 had one prerequisite for the father’s choice: *“This option has to fit with the father’s capability”*. Activist 3 provided two opinions regarding adequate education, calling for *“unified standards for Bidoun and other groups”* to *“create an educated and cultured generation”* and it *“international standards”* which *“the work of the four pivots which are: teachers, curriculum, student, and teaching methods”*.

- **Aspects of adequate education:**

According to four participants, there are some aspects that will make education adequate if achieved. Official 6 and Activist 5 have some similarities in their opinion of these aspects. Official 6 asserted that adequate education *“has been achieved...in both state schools and Arabic private schools”*, and the aspects of this achievement are *“through unified curriculums...providing of educational aids, books, social and sports activities in both types of schools”*. Activist 5 mentioned the UN report which calls to provide Bidoun with adequate education: *“If the United Nations Report is concerned with human rights and education quality”* then *“this means quality of education will come from the kinds of schools where the children study”*.

In the opinion of Activist 4, *“Adequate education has to stand at least to the standard”*, she explained: *“At least to the standard of governmental schools”*.

Activist 6 mentioned five aspects to achieve adequate education:

- i) *“to make the educational environment a suitable one...a peaceful, clean, and suitable schooling environment”*,
- ii) *“achieving the inclusion of the student in the society”*,
- iii) *“providing the school with qualified teachers”*,
- iv) Activist 6 mentioned the importance of *“providing the school with an adequate administration”* and
- v) *“Providing suitable school building”*.

Activist 6 called for inclusion: *“This inclusion cannot be achieved if Bidoun students receive education in the private schools”*, Activist 6 concluded if we provide all these things, *“I believe that we provide adequate education”*.

• **General perception towards the standard of Arabic private schools:**

The majority of the Bidoun students receive education in these schools, according to an official, the amount of money the Charitable Fund pays is sufficient for the tuition fees of the Arabic private schools (the cheapest). Generally, the officials are satisfied with its standards, yet the Activists view them negatively. Official 1 stated *“The Bidoun children receive...a perfect education, the same as the Kuwaiti children receive”*. He also believed that the Bidoun students are privileged because *“Many Kuwaitis go to these schools and pay money to find a place for their children in these schools, whereas the Bidoun children find free places in these schools”*. He reiterated: *“The Kuwaiti children said: the Bidoun children have a preferential treatment, because they can study free in private schools, whereas we as Kuwaitis study in state schools”*.

Official 2 admitted that the Arabic private schools have differences within its levels, and he described this as a fact: *“When we talk about Arabic private schools we have to understand one fact: these schools do not have the same standards. These Arabic private schools have different levels”*. As these schools do not have evidence, he gave an example from the Kuwaiti educational culture, which is the fifty top students in high school⁵⁰. He stated, *“Let us give examples about private schools without mentioning names, and the best example for study excellence in the State of Kuwait is the fifty top*

⁵⁰ Traditionally, in Kuwait, the names, nationalities, and the schools of the top fifty students in the science branch, Kuwaiti and non-Kuwaiti are published, as well as publishing the first fifty Kuwait students only, the same happens in the art branch of high school.

students in high schools". He explained his point: *"When looking at school names, you will discover repetition of some private schools, and the most distinguished students in Kuwait might be from a private school not a state school"*.

Official 3 repeated exactly the same idea as official 2: *"Evidence of this is the fact that the Arabic private schools always achieve the premier ranks in the results of high schools"*. He noted a similarity between these schools and the state schools: *"These Arabic schools participate in the exams of high schools with state schools"*⁵¹. Official 3 talked about some negative points related to the quality of teachers and their professional regulation. These issues will be presented under 7.5.4.

Official 4 gave two different opinions in evaluating the Arabic private schools. He is confident that *"the standards of the Arabic private schools; range between good and bad"*; however, he stated later, *"If we draw a curve representing excellent and weak, we can say that the standard of these schools is between good and very good. Of course, there are excellent schools and bad"*. So, in the beginning he restricted the standards between good and bad, nevertheless he changed his assessment later. Official 4 talked about closing *"some of these Arabic private schools because of their bad management, and bad education standards"*. Official 6 holds the same opinion as official 4: *"private schools have different levels of education and we cannot make them all the same level"*. He admitted that *"there are some schools with low standards"*. However, he repeated exactly what Official 4 said regarding the standards of these schools. He stated, *"The quality in Arabic private schools are not all at the same level; however, there are three types of them: good, very good, and excellent"*.

Official 5 talked about the importance of period and the locations of Arabic private schools. He started by saying, *"There is a contrast between the private schools themselves."* This was in the past, *"however, I can say from my experience that this contrast became less than it was before, and the standard among private schools became closer"*. Regarding the locations: *"In the past, private schools in al-Jahra⁵² and al-Ahmadi Governorates were less than private schools in other provinces"*, yet he considered this situation has changed. *"But now, the Arabic private schools in these two provinces are developing"*. Again, Official 5 relied on the same evidence as Officials 2 and 3 which is that of the fifty top students. *"We can see students from these provinces*

⁵¹ He means they have the same exams, in the same places and at the same period.

⁵² Al-Jahra is the centre of Bidoun in the State of Kuwait.

among the fifty top students in high schools on the Kuwaiti level . . . whereas in the past, the fifty top students were only graduates of al-Farwaniya and Hawally Governorates". Official 5 confirmed this improvement when he stated, *"There is an improvement in the Arabic private schools' standard for those schools located in al-Jahra and al-Ahmadi Governorates in the last few years".* As evidence of improvement, he said, *"The best evidence is finding students from these two Governorates among the fifty top students on the Kuwaiti level".* This *"gives an impression that the gap between Arabic private schools has been narrowed"*.

The researcher asked him: is he certain about this improvement in the Arabic private schools?

He replied quickly, *"Yes, there is a visible and observed improvement in services which are provided by Arabic private schools in the last five years (2010-2015).* Official 5 provided three reasons: firstly commercial: *"the competition between the schools' owners to attract students"*. He provided an example of this competition, *"as far as I know, some schools' owners offer 'free places' for excellent students"*. Secondly, the economic reason, as the *"economic level has improved in Kuwaiti society"*⁵³. The final reason is technological as *"the schools' owners try to bring any technological and educational aids for their schools"*. He gave an example: *"The smart whiteboard is available in the majority of private schools"*. He concluded, *"Those educational aids contributed in developing these schools"*.

- **The Activists' perception:**

Activist 2 described Kuwaiti education in general as *"miserable,"* he claimed, *"The weakness is not only in Arabic private schools where the Bidoun study"* and that *"The Bidoun's situation is the worst"*. A British Committee came to Kuwait to evaluate the bilingual and foreign schools in Kuwait, Activist 2 said: *"I have heard about this committee and the Minister of Education knew about the committee report, and this evaluation included all foreign and bilingual schools"*. Nevertheless, the Committee's report was not encouraging. Activist 2 expanded, *"If the foreign and bilingual schools achieved D, what do you think about the Arabic private schools, which are established to gain profits for the owners?"* Activist 2 called education in the private schools *"a tragedy"*.

⁵³ As a result of increasing oil price started in 2005, the Kuwait economy improved rapidly before its declining in 2015 which resulted in deficit.

Activist 2 compared between the education of Kuwaiti and Bidoun students: *“If the education provided for Kuwaiti students in state schools is bad, then what is provided for Bidoun in Arabic private schools is worse”*. He judged them as *“bad, bad and more than bad”*. Activist 3 agreed about the poor standard because: *“Due to the Bidoun’s poor financial status, they study at private schools, which are inferior in terms of the educational quality”*. Activist 6 holds the same opinions with other Activists: *“The standard is poor in the Arabic private schools”*. The weaknesses are, *“The teachers’ standard is poor, and the services are poor”*. She explained: *“My judgement does not rely on my reading about these schools, but from my investigation about these schools”*. Activist 4 described the education of Bidoun in Kuwait as a *“problematic issue”* because *“a lot of the Bidoun go to ...private schools which have low standards of education”*. She talked about exclusion: *“since the Bidoun were pulled out of the governmental schools and go now to private schools that are very poor in terms of education”*. According to her, these *“private schools ... have very low standards where everything is poor such as, buildings, equipment”*.

She reiterated: *“The Arabic private schools ... are not equipped; some of them do not have air conditioning”*. She repeated *“these schools are very troubled and very poor”*. Regarding her evidence, Activist 4 replied: *“we have pictures”* and she talked about *“people going and visiting these schools and we documented it”*. She talked about Group 29 who are Activists supporting Bidoun. This Group *“had issued a report that went to Geneva about this subject”*. Activist 4 asked for a standard of education to the Bidoun students: *“similar ... to the standard of governmental schools”*. Activist 4 is sure that the standard of Arabic private schools is lower than the state schools, and according to her, *“In terms of academic level, it does not stand to governmental schools”*. She gave examples: *“In terms of the buildings, in terms of the equipment; nothing is up to the standard of the governmental schools”*. Activist 4 concluded that *“these schools themselves are troubled and not up to the standard”*.

Activist 1 critiqued the Arabic private schools as *“bad schools in both quality and educational standards”*. He repeated the same judgment: *“These schools...do not have any logical or educational standards, and they lack educational quality”*. He believed that there are four elements that are needed for adequate education: *“teachers, schooling environment, educational curriculum, and appropriate climate for learning”*, and these four elements *“unfortunately are not available in schools wherein the Bidoun learn at the moment”*... *“I am positive about that”*. He talked about complaints against

the Arabic private schools and there were “*some investigations*”. These investigations “*had clear evidence that some of these schools are not prepared for education and there were many question marks about these schools*”. The punishment was that “*many of them had been closed because of educational reasons*”. Activist 1 provided evidence (see 7.5.4) under the title “overcrowded classrooms”. Activist 1, who was a member of the Parliamentary Committee, talked about “*strong evidence and an investigation that had been done inside the related Parliamentary Committee*”, as a result of these investigations and pressure from the Educational Committee “*the MoE decided to close some of these schools*”. Activist 1 concluded, “*From my point of view, there is no adequate education for Bidoun children in Kuwait*”.

7.4.5 Summary:

To conclude, the researcher has provided analysis of the education in Kuwait; which fits into three sub-themes: firstly, the educational system in Kuwait. Some officials considered education as available for everyone in Kuwait, and there is unanimity among participants that Kuwait provides free educational provisions for specific groups of non-Kuwaiti students inside state schools. Secondly, Kuwait and the Free Education concept, which explained the understanding of the participants regarding the international conventions, and what these conventions call for, and the implementation of these conventions in the State of Kuwait. Thirdly, the quality of education in Kuwait, which explained the understanding of the participants towards adequate education. The participants shaped their own definitions, and it became apparent that there were similarities within some definitions. An evaluation of Arabic private schools has been provided, and the officials in general were satisfied; whereas the Activists considered these schools to be low standard and were not satisfied at all.

The next section will examine theme four, the nature of private education and the Central Agency.

7.5 Analysis Theme Four: Bidoun's education affairs: type of schools, quality of schools and the institutional issue:

This theme includes three sub-themes, which are:

- **Sub-theme 1: Private education in Kuwait:**

Containing analysis of many topics related to private education. It is worthy of mention that 40% of students in Kuwait (Kuwaiti, foreign, and Bidoun) attend these schools. This sub-theme will illuminate many issues, such as Bidoun students in Arabic private schools and the perception and evaluation of provisions therein.

- **Sub-theme 2: The role of the Central Agency for remedying of Illegal Residents:**

This sub-theme will analyse the role of this Agency regarding Bidoun issues in general, and education more specifically. It is important to understand that many Kuwaitis and Bidoun consider this Agency as the “Cabinet of Bidoun”, because if a Bidoun needs official papers, he must deal with this agency. The papers issued by this Agency permit the Bidoun acceptance in private schools and allow them to receive an allowance from the Charitable Fund.

- **Sub-theme 3: The quality of Arabic private schools:**

Herein, more detail will be provided regarding the Arabic private schools (ordinary, not model). Given these schools are the primary locations for Bidoun students to be educated, an analysis of their quality will be provided. This will include many aspects, such as student numbers inside classrooms and schools, extra fees these schools ask Bidoun parents to pay, the curriculum and the varied relations between the Public Administration for Private Education and these schools.

7.5.1 Sub-theme 1: Private education in Kuwait:

- **Bidoun in private schools:**

Official 2 noted that Bidoun students are not restricted to Arabic private schools as *“There are students from this group (Bidoun) who study in the International school such as Pakistani and Indian schools”*. Official 6 believed that privately educating the Bidoun has *“many advantages for ... state education, private education and the Bidoun students”*. Official 6 talked about the marginalised groups and concluded that, *“the rest do not have the right to enrol their children in state schools and have to study at private schools”*. Activist 4 repeated this, stating: *“Bidoun are allowed to go to private schools”*.

- **Perceptions towards the Bidoun in Arabic private schools:**

Official 1 discussed the right of Bidoun, saying *“any Bidoun who have children have the right to register them in Arabic schools which follow the private education”*. Both Official 1 and Activist 5 agreed that the Bidoun father could choose the school. Official 1 explained further, *“The father (Bidoun) chooses the school and after that the Government, represented by the MoE, pay their tuition fees for the three stages: primary, secondary, and high school”*. Activist 5, however, considered that *“if the father of Bidoun student does not want his children to enrol in one of the designated schools by the MoE”*, then in this case the father has the right to *“ask for his part of the tuition fees and he can register his son in the school he prefers and he will pay the remaining amount”*.

Official 2 mentioned that a group of Bidoun students study at non-Arabic private schools such as the Indian schools. However, the researcher asked him: *‘But I heard that the majority of them study in Arabic private schools?’* To which he answered: *“Yes, your information is correct”*. Activist 1 concurred with Activist 5 that the MoE selected specific Arabic private schools for enrolment of Bidoun. Activist 1 stated that the *“MoE allocated schools to educate Bidoun children which are the Arabic private schools”*, and Activist 5 restated this information, affirming: *“The MoE pointed out specific schools for Bidoun to enrol their children”*.

Activist 3 expounded that Arabic private schools open their doors for any person who wishes to enrol his children. He stated, *“These Arabic private schools are available for: Kuwaitis, of course, foreigners, and the Bidoun”*; however, he considered the Bidoun as *“the least fortunate compared to others”*, Activist 3 explained that is because: *“The available chances for them (Bidoun) are few”*. He clarified this point: *“Some foreigners have enough money and have the option to teach their children at their homeland. It is possible the quality of education at their homeland is very good”*, whereas the Bidoun *“have no choice other than to study at these Arabic private schools”*. In other words, *“The Bidoun students have very limited options: The Arabic private schools”*.

- **Kuwait students in Arabic private schools**

When discussing the differences between Kuwaiti and Bidoun students, Official 1 emphasised that Kuwaiti students also study at Arabic private schools. He stated, however, *“Many Kuwaiti students go to these schools and pay money to find a place for their children in these schools, whereas the Bidoun children find a place in these*

schools". Official 2 called the doors of Arabic private schools open for everyone stating, *"I cannot prohibit Kuwaiti students from enrolling in private schools because there is free education in state schools. We accept everyone: Kuwaiti, foreigners, and illegal residents (Bidoun)"*. Activist 3 agreed: *"These Arabic private schools are available for Kuwaitis, of course, foreigners, and the Bidoun"*.

- **Locations of Arabic private schools:**

The Arabic private schools where the Bidoun enrol are usually in a specific province. Activist 3 said, *"If I asked you now, where do the Bidoun live? You will answer me: the Bidoun live in al-Jahra Governorate especially in Assulaybiyah town"*. Activist 4 reiterated this adding: *"These private schools are in al-Ahmadi and Taimma, and al-Jahra"*. To clarify, Taimma is a town and it is one of the Bidoun centres in Kuwait; however, this town is located in al-Jahra province, where the majority of Bidoun live.

- **Perceptions towards the provisions of Arabic schools:**

The participants were divided into three groups towards evaluating the provisions of these schools: The first group considered the provisions to be good. The second group believed there is contrast between these schools, and the third group pondered and could not make a definite judgment.

- **First group:**

Officials 1 and 5 and Activist 4 believed the provisions in general are the same in these schools. Official 1 stated, *"There is no chance to have any differences in provision in the private schools where the Bidoun study"*. He provided an example of his point: *"these Arabic schools use the same curriculum used in the state schools"*. He added, *"there is no chance that there are any differences in the curriculums being taught to the Bidoun, Kuwaitis, or foreigners in these schools at any stage"*. Official 5 said, *"All the Arabic private schools are at the same level"*. Official 5 ensured this equality as there is a committee responsible for monitoring the services of private schools. According to him, *"The Public Administration establishes a committee called the Preparedness for the Academic Year Committee annually"* and: *"The task of this Committee is to make a round through all private schools, without any exception, to evaluate the services"*. He provided examples of the issues they evaluate, *"for instance, they write about the water, is it affordable or not? Are the classrooms ready or not? Are the laboratories ready or not? The committee ask the schools to address any shortages in their schools"*. Activist 4 concurred with official 5, declaring that provisions remain the same across the board,

claiming “*primary and secondary are kind of the same standard*”. The difference is that Official 5 evaluated these schools positively, whereas Activist 4 presented a negative image.

- **Second group**

Officials 2 and 5 who believed the provisions are not the same. Official 2 declared that these schools are divided into: ordinary and model; he concluded, “*The provisions in these schools (ordinary) in facilities are less than the Arabic private model schools*”. Official 5 talked about two aspects; the different stages of Arabic private schools, he said, “*There are no differences between the different levels of Arabic schools in which the illegal resident (Bidoun) students study*”. He then mentioned the differences between private schools: “*Yes, there is some contrast in services*”; however, official 5 considered this gap as being less than before as the researcher explained earlier in 7.4.4.

- **Third group**

Activists 2 and 3 struggled to make a judgment about this issue. Activist 2 said, “*I do not have a clue about the type of provisions provided for Bidoun students in the primary level or the following levels*”. Activist 2 described the standard as worse than bad. Activist 3 stated, “*The differences in provisions are not clear to me*”. However, he considered the provisions in general as poor, stating, “*My evaluation for these schools is that they are relatively poor*”.

- **Differences between state and private schools**

Officials 2 and 6 talked about this issue. Official 2 stated “*There are differences between the state schools and the private schools*”.

- **First difference (Budget):**

Official 2 said: “*The differences in educational provisions*”. Regarding these schools official 6 said, “*We have to consider some facts; the state schools receive generous subsidies from the Government, whereas in Arabic private schools (ordinary) the school owner has to provide the minimum of educational aids, books, and activities to achieve learning*”. Activist 6 gave an example: “*For instance, in the state schools, there is a meal provided for some levels, whereas the school owner in private education is not obliged to do so*”.

- **Second difference (multi-nationalities):**

Official 2 stated it is *“the differences in nationalities. In state schools, you do not find many nationalities, all the students are Kuwaitis”*. Whereas in private schools: *“there are multi-nationalities...You can find Egyptians, Lebanese, Syrians, Palestinians, and Jordanians, so there is more than one nationality”*.

- **Benefit of diversity:**

Official 2 mentioned the benefits of these differences: *“This diversity in nationalities greatly helps promote healthy competition amongst students, whereas in the state schools the majority of students are Kuwaitis”*. He added: *“I do not mean that Kuwaiti students lag behind, no, never; I worked at state schools and there are top Kuwaiti students”*. Yet, stating: *“However, the nature of diversity existing in private schools gives more chance for competition”*. Official 2 provided evidence of the advantages of this: *“Then you will observe the recurrence of some private schools’ names and the top students in high school in Kuwait might be from private schools not from state schools”*. Official 2 mentioned his experience when he declared, *“I was a student in Khaitan (a suburb of Kuwait City), the students of this town were Palestinians, and they have the reputation of studying hard that was why I had the feeling of competition with Palestinians”*. He discussed the period before the Iraqi Invasion of 1990: *“In the past, the state schools’ doors were open for Palestinians to study; this had created a kind of competition between Kuwaitis and Palestinians”*.

7.5.2 Sub-theme 2:

- **The perception towards the role of the Central Agency for Remediating of the Illegal Residents’:**

In 2010, a Princely Decree to establish this agency had been issued, and in 2015 another decree was issued to extend the agency’s work for two more years. One Activist entitled this; *“the Cabinet of Bidoun”* because the Bidoun has to deal with this agency regarding their official papers.

- **Problems of papers:**

Activist 1 gave his impression about this title: *“registering children of Bidoun includes: procedures, complexities, stipulations, and obligations”*. Officials 2 and 5 explained that a Bidoun has to have papers from the Central Agency before he can enrol his children at private schools. There are various types of official papers such as:

The Security card:

Official 2 said, *“The father of this student (Bidoun) has to have a Service⁵⁴ Card from the Central Agency”*. Official 5 concurred; *“If a person says, ‘I am Bidoun’ the official will ask him to show them his Security Card”*. Official 5 explained how important this card is; *“this card is the basis for illegal residents to register in private schools”*. Activist 1 gave an example of this; *“There were stipulations before they (Bidoun) could register in private schools; for example, the father had to have valid Security Card”*. Activist 3 also mentioned: *“The Central Agency demands them (Bidoun) occasionally to bring evidence such as ... what is called the Green card which is issued by the same Agency”*. Activist 3 stated it is not an easy to gain this card; *“Bidoun cannot obtain this card because of the security restrictions, the thing which subsequently affects their children”*.

- **The birth certificate:**

Another paper the Bidoun are asked to provide before they can enrol children in private schools is the *birth certificate*. Official 2 mentioned, *“The father has to follow the procedure of issuing birth certificates for his children”*. Official 5 agreed with this saying this person or the father *“has to bring evidence from the Central Agency for proving that he has issued birth certificates for his children”*.

Activist 3 also discussed this when he mentioned Bidoun children outside schools. He stated, *“The officials justify this by the following reasons: they (Bidoun students) do not have birth certificates”*. Activist 3 agreed about the importance of this certificate for Bidoun students: *“Regarding the students who have the chance to attend the private schools, the Central Agency demands them occasionally to bring evidence such as (stumbles a bit) a birth certificate”*. Activist 4 explained that if the Bidoun child had trouble acquiring a birth certificate then he will gain birth announcement or proclamation, which means the father of this child did not solve his papers’ issue. She stated, *“Until today (2015), children who are born without birth certificates merely have proclamation of birth or announcement of birth”*. Activist 4 explained the ramifications of this: *“Even children who have that are still until today out of school”*, meaning the children at Kutatib of Bidoun.

⁵⁴ Sometimes they title it as a Security Card or a Green Card.

- **Another paper required by officials:**

Another issue regarding papers is the father has to prove he is serious in solving his papers' issues. Meaning, the father needs to provide proof that he is not without citizenship or he is trying to end his status as illegal resident. Official 2 provided one reason why the Government accepted two groups of Bidoun students at state schools in the 2015-2016 Academic Year, stating it is "*a new motive for illegal residents to solve their papers issues and ask for an official card*". Official 2 extended his talk to Bidoun students at private schools; "*Even those whose children are studying in private schools, the Charitable Fund pays their tuition fees, so why don't they solve their legal situation?*" He blamed this group: "*It is a mistake to accept living as an illegal resident*". Official 5 agreed with official 2, insisting that the Bidoun have to make a serious effort to solve their papers issue.

- **Restrictions:**

Official 5 discussed "*the illegal resident children who have the right of free education in Arabic private schools*", and then stated; "*Not all the members of this group have this right*" this right is restricted; "*Only those who were serious about solving their problems, and changed their status from Bidoun to legal statuses in Kuwait, have this right*". Activist 1 agreed with officials 2 and 5; "*The father had to write a pledge that he would bring his real nationality – the thing which proved he was not a Bidoun anymore*".

- **Refused paper:**

Official 5 illuminated the problem. "*Many illegal residents asked to register their children in private schools and they (the officials) asked them for their official papers*", because "*(You) cannot register anyone without knowing his citizenship*". Official 5 explained the type of papers that Bidoun provide the Public Administration: "*They gave hand written papers and in front of the term nationality, they wrote: Bidoun*". He said the officials "*could not register them as Bidoun*". Another important issue raised by official 5 was "*any person who claims to be Bidoun has to be registered in the Central Agency*". Official 5 explained this issue further. "*The problem in registering some Bidoun students is when asking the Central Agency about them, the Agency replies: they are not Bidoun, they hold different passports but they refuse to bring them out*".

- **Different interpretation:**

Activist 2 shed light on some of the Bidoun who solved their issue; however, they discovered that they had been deceived and some of them are the fathers of students at Kutatib of Bidoun. Activist 2 said, *“As I understood ... these children are the victims of their fathers”* he explained this issue: *“The Kuwaiti Government forced these parents to bring foreign passports from countries such as the Dominican Republic”*; however, after these parents paid money and obtained passports, *“The parents discovered they had been deceived and that these passports were forged”*. Consequently, *“their children paid a high price”*. However, Activist 2 is against forger; *“What I object to in Bidouns’ case is when the person is a forger. I mean if he forged his papers and alleged he is Bidoun to enjoy advantages provided by the State. I do not consider such kind of people as Bidoun”*.

- **Official’s human touch:**

Official 4 held a different view from officials 2 and 5. He agreed with them that *“education is available for everyone; however, you have to have a legal visa in Kuwait”*. However, in the last sentence, he talked about foreigners, nevertheless when he talked about Bidoun he stated, *“The issue of official papers and providing education and health service are completely different issues”* because *“We must not punish the children because of their fathers’ misdeeds, especially in these two issues: education and health care”*. He reiterated the importance of providing education for every child in Kuwait, *“Therefore, from my point of view we must enrol all children without exception in schools”*.

Official 4 made an association between residency in Kuwait and the right of education. He said, *“No one should be denied education as long as he lives in Kuwait. As long as the Government allowed him to enter Kuwait and gave him a visa, then he must be granted education”*. He believes the Government should provide children with education, *“otherwise he should be asked to leave Kuwait”*. Official 4 refused unequivocally to leave any child outside school. *“It is an unacceptable matter to keep children in Kuwait without education”*. He considered, *“Keeping children without education in Kuwait is a red line and not acceptable at all”*.

- **Risky situation:**

To conclude, these requested papers are what Activist 1 means by saying, *“Bidoun’s registering of their children in private schools was not plain sailing, but the fathers of*

Bidoun faced impassable obstacles that prevented their children from registering in private schools". Activist 1 concluded; *"There are no guarantees about continuation of education"*. He provided an example of the consequences for a Bidoun student because of paper problems. *"It is possible that a Bidoun student, in his final year of high school, will be expelled from school without any logical, practical, or legal reason"*.

Activist 4 explained the importance of these papers in higher education; *"If their families do not have any papers, they are not allowed in private universities, even if they can afford to pay"*. Activist 4 provided one example: *"For instance, we have a student who had an average of 97% but she did not have papers. Her civil identity⁵⁵ expired, and they did not allow her to attend private university"*. Activist 4 reiterated this; *"If they (Bidoun students) do not have legal papers, or if their parents do not have legal papers"* then the lack of papers will affect Bidoun as follows: *"The Bidoun cannot go to any university and have no chance to work"*. To conclude, Activist 3 said, *"It is worth mentioning that the student certificate is issued without any reference to the nationality of the youth or child in the schooling stages"*.

7.5.3 Sub-theme 2: The perception towards the Cooperation between the Central Agency of the Illegal Residents' Status and the Public Administration of Private Education:

- **Type of relation:**

Official 2 talked about the relations between these two institutions as he said there are *"direct communications. There are meetings between them and they issue recommendations"*. He stated, *"There is what can be called an agreement between the MoE and the Central Agency"*. He outlined that, *"There is coordination between the Public Administration and the Central Agency"*. Official 2 explained the purpose of these relations is connected to the Bidoun: *"the groups that can be accepted in the private schools because they sorted out their problems"*. He added, *"All these efforts are to achieve one goal: all Bidoun children who are of school age have to go to school and not stay at home"*.

- **The Controller of Bidoun Life: The Agency**

Official 5 explained how strong the cooperation between the Public Administration and the Central Agency is, he stated, *"Not every person alleging he is Bidoun is treated*

⁵⁵ The Security Card.

according to that". The Central Agency has the last word regarding this issue; *"He (Bidoun) has to bring evidence from the Central Agency proving that he has issued birth certificates for his children in addition to other proceedings"*. Official 5 restated this stating, *"Many illegal residents asked to register their children in private schools"*; however, the Public Administration *"asked them for their official papers, because they cannot register anyone without knowing his citizenship"*. Official 5 explained that many Bidoun bring handwritten papers on which they write the word 'Bidoun' under nationality. He stated, *"no one could register them as Bidoun, and in the meantime, any person who claims to be Bidoun has to be registered in the Central Agency"*.

The Central Agency is responsible for issuing regulations regarding Bidoun education, official 2 expounded, *"The Public Administration put into effect any recommendations issued by the Central Agency"*. Official 5 gave an example of the influence of the Central Agency, stating; *"2015-2016 is the first academic year which the illegal residents who work in military (and the same group descended from Kuwaiti mothers) will have their children enrol in private schools (he corrected himself quickly), no, I mean in the state schools"*.

- **The joint committee:**

Official 5 explained further the cooperation between these two institutions. *"There is a joint committee and almost daily contacts between these two institutions"*. The reason behind this daily contact is *"because the students' numbers of illegal residents are big"*.

- **The Agency accusation:**

Official 5 stated, *"The problem in registering some of Bidoun students is when we ask the Central Agency about them, the Agency replies: they are not Bidoun, they hold different passports but they refuse to bring them out"*. The agency often accuses the Bidoun of holding *"Saudi or Iraqi passports"*. Official 5 discussed the action of the agency towards these Bidoun: *"When the Central Agency asks the father to register according to his real passport, he refuses and insists to register as Bidoun"*. He also elucidated certain details about them: *"The members of this group were holding old and expired cards when they have been registered as Bidoun"*. The Public Administration asked *"to renew these cards in the Central Agency. They refuse because the Central agency wants to register them as citizens of other countries and they refuse that"*. This group refused because, *"they know that the Central Agency will not renew their old expired cards as Bidoun"*. Official 5 accused these Bidoun of being *"the source of*

trouble in work” for the Public Administration. He summarised the relationship between the Central Agency and these: *“the Central Agency for Remediating Illegal Residents’ Status insists that this group has other citizenships and the illegal residents insist that they do not”*.

- **The Kutatib of Bidoun:**

Introduction:

This is a group of Bidoun students who had been denied from enrolling in the private schools in the academic year of 2014-2015 and the researcher could not find any source to verify if this issue still exists not in the following academic years 2015-2016 and 2016-2017.

- **Cause of this denial:**

Activist 2 explained the reasoning for this. *“These are the Bidoun students I meant who enrolled in the Kutatib of Bidoun because they do not have birth certificates”*. Activist 3 talked more about this group: *“There is a group which is not included in the Charitable Fund, and this group studies at what is called the Kutatib of Bidoun”*. He confirmed that *“the students in these Kutatib are not included in the support from the Charitable Fund”*. According to Activist 3: *“The Bidoun children who are studying at Kutatib cannot enrol in schools even if a philanthropist wanted to pay the tuition fees”*. Activist 3 concluded, *“The Bidoun have no choice other than studying at these Arabic private schools, yet some of them do not have even this choice”*. Because this issue is associated with the problem of papers, and not the money, he explained, *“Then the problem is not financial only, but another aspect of the Bidoun children’s misery is to be able to enrol in schools”*.

- **Number of students:**

Activist 4 talked about the number of this group stating, *“Until today, we have forty children with proclamation of birth who are not allowed to attend schools even if the schools are private”*.

7.5.4 Sub-theme 3: The perception towards the quality of Arabic private schools:

The researcher will attempt an analysis of the perception of the participants towards the quality of the Arabic private schools. This sub-theme will discuss the number of students inside classroom, teachers and head-teachers, types of Arabic private schools and many different aspects.

- **Overcrowded classrooms:**

Introduction:

Five participants talked about the overcrowded classrooms, and there is an agreement that the ordinary Arabic schools, where the majority of Bidoun students study, suffer from this problem.

- **Officials' perception:**

Official 2 observed the minimum number of students at these schools; *"The number of students in the classroom is thirty-two (32) and above"*. Official 5 considered a project the Public Administration addressed the MoE about transferring all Bidoun students from private schools into state schools. This project *"was submitted last year, in 2014"*, and he explained; *"The main reason behind this project is to reduce density in private schools"*. Regarding the students' number, official 5 said, *"The students' number in some classrooms in some Arabic private schools has reached fifty (50) students"*. Official 5 explained in addressing this; *"The Public Administration proposed different suggestions to reduce students' density in the Arabic private schools"*.

- **Activists' perception:**

Activist 1 talked from his experience as a member of the Educational Committee in the Parliament. He stated, *"Schools are overcrowded"*, and he gave an example of one Arabic private school: *"I will give you one example about one of these Arabic private schools. One of these private schools was overcrowded with ten thousand students (10,000)"*. Activist 5 discussed *"talks about how there are crowded schools or let us say crowded classrooms"*. She mentioned, *"The crowded classrooms issue"*. Activist 5 also mentioned the students' number at these schools: *"When there are forty (40) students or more in the classroom this will be a burden on the teachers' shoulder"*. Activist 5 asked to *"end the crowded classrooms"*, and she repeated that *"Crowded classrooms, make the task of the teacher, which is passing information to all students, too difficult"*. Activist 5 defined the acceptable or maximum number of students inside a classroom, *"Hence, there has to be a maximum of twenty-five (25) students for every classroom"*.

Activist 6 linked the density inside the classroom to the quality of education in schools; *"The crowded classrooms make the schools' standard poor"*. She talked about students' numbers in Arabic private schools: *"You can have in some classrooms*

between forty to fifty students (40 to 50) students". She justified this stating; "One reason behind this crowdedness is the small size of Arabic private non-model schools and the huge number of students".

- **Excellent tuition fees (expensive fees):**

According to Activist 3, *"Some of the Bidoun told me that some administrators of private schools told the Bidoun parents that: if you want your children in a good place and receive good education, you have to pay extra money"*. The details of this extra money are explained by official 6 and Activist 4. *"The MoE claims official 6, 'has an evaluation for schools; the school has the right to increase its tuition fees if it has high evaluation"*. Activist 4 agreed with this idea, saying, *"What is interesting is that the Ministry (of Education) sometimes in the past assigned them (Arabic private schools) with excellence for the standards. Thus, if you get excellence, it means you can raise your pay so the parents have to pay for this excellence"*. Activist 4 explained the amount of money the Bidoun has to pay in tuition fees, stating, *"Other children going to those private schools are in terrible positions because sometimes if you have to pay fifty or eighty (50 to 80 KD) in terms of extra expenses to school, it becomes too much money for the parents"*.

- **Head-teachers in Arabic private schools:**

Official 5 is the only participant who explained this issue, and his aim is to prove that the Public Administration supervise these schools where the majority of Bidoun students undertake their education: *"There is an important point you must know, the Public Administration for Private Education, is responsible for designating the head teachers of Arabic private schools"*. Official 5 explained: *"The task of the head teachers is to provide information about any shortages in those schools, in addition to deliver complaints from students' parents"*. Official 5 considered two important persons the Public Administration appoints. The first is *"the head-teacher, and before approximately two years, another decision was issued to appoint a head teacher's assistant (second man in school); this is also done by the Public Administration for Private education"*. He clarified these roles: *"They report any shortages in services inside the schools such as shortages in teachers' numbers, lack of secretary, or lack in services, such as water and air-conditioning"*.

- **Teachers in Arabic private schools:**

Introduction:

It is important to understand that the owners of private schools are responsible for bringing teachers to their schools, whereas the MoE prepares committees each year to conduct interviews with teachers in Arabic states, such as Egypt, Jordan and Tunisia.

- **Teachers' standard:**

Many participants discussed the teachers of these schools. For example, Activist 6 said, *"Another issue regarding Arabic private schools is the teachers' standards"* and she considered *"poor teachers standards"*, concluding that *"the teachers' level is poor"*. Activist 5 agreed.

- **Causes of weakness:**

There are many reasons behind this poor standard of teaching in Arabic private schools:

Officials 2 and 3 talked about the teachers' certificate of graduation. According to Official 2, *"The Arabic private schools employ teachers even if their bachelor's result is pass (D⁵⁶)"*. Official 3 concurred; *"These private schools accept teachers who graduated from university with a D, which means pass"*. Official 3 shed light on the regulations for employing teachers. *"The law of the Ministry of Social Affairs gives the owner of the private school the right to have the teachers for nearly two-month's trial without any verbal or written exams from the inspection in the Administration of the Private Education"*. He considered the ramifications of this; *"This might result in employing incompetent teachers in these private schools"*.

Official 6 provided another reason stating, *"Some schools accept teachers without experience"*; however, he acknowledged, *"some owners of Arabic private schools insist on employing teachers with experience"*. He reiterated this adding, *"Some Arabic private schools employ novice teachers . . . because their salaries will be low"*. Again, official 6 did not generalise this idea, explaining that *"some owners of Arabic private schools insist on bringing experienced teachers . . . to attract more students"*. He said this is logical because *"the private education is not for Bidoun only, it is open for everyone; Kuwaitis, foreigners, and Bidoun"*. Official 6 stated that the Arabic private schools have different standards, for example, *"The disparity in one aspect"*. This *"is*

⁵⁶ In the Kuwaiti higher education system, A is excellent, B is very good, C is good, D is pass, and F is a fail.

due to the type of teachers who are employed by Arabic private schools". Official 6 repeated for the role of teachers in the promotion or the degradation of schools. He said, *"Some schools employ teachers without experience, whereas others employ teachers with good experience in their field"*. He praised the latter stating these schools *"are more desired by parents"*. Official 2 took a similar stance, explaining that there are two types of teachers in these schools; the first type is classified as *"owners of private schools [who] make a contract with teachers, some of them make sure to bring a teacher with experience in his field and who is able to simplify information for students"*, whereas the second type is when *"other owners sign a contract with newly graduated teachers which means that they have no experience in their field and they want to gain experience in Kuwait"*.

Official 3 believes the reasoning behind bringing good or poor standard teachers *"is downright financial"*. It is logical that *"teachers with experience will ask for high salaries whereas teachers with little or no experience will accept a little salary"*. He added, *"Therefore, if I had an educational institution, and was looking for profit as a main aim without any consideration about experience, this would lead me to bring in teachers with little experience"*. Activist 3 agreed with this stating *"The Arabic private schools; nonetheless, have problems regarding their standards of employing teachers"*. He classified *"the teachers in these schools [as being] the least competent"*. He approved Official 2's observations, *"because the salaries at these schools are low, so these schools accept weak teachers"*.

Activist 6 believed *"all Arabic private schools are poor in terms of standards for various reasons"* one reason is *"poor teachers' standard"*. Activist 6 suggested that some teachers are accepted with less than a university degree, she stated, *"You might find a teacher with a high school degree, or diploma after high school (less than baccalaureate)"* Activist 6 confirmed this; *"In the Arabic private schools, it is not necessary for a teacher to be university graduate"*.

- **Types of private schools:**

Few participants talked about these types of schools. Official 2 said, *"The private schools are divided into two types: Arabic schools and international schools"*. Activist 6 explained these types. She mentioned firstly the international schools: *"If their family have money and want to enrol them in a high-level school, then they will enrol them in the English or American schools"*. She stated, *"They will (Bidoun families) enrol their*

children in these high- standard schools". She then mentioned the Arabic schools and her opinion; *"They will never enrol their children at the excellent schools or the Arabic private model schools"*. Activist 3 talked about two types of schools: bilingual and international. *"In Kuwait, there are different schools, such as bilingual schools, which are considered as perfect schools. There are also Western schools such as British, American and a few French schools, these are model and ideal schools"*. The researcher considered all three as correct, concluding that there are three types of private schools: Arabic private schools, bilingual schools, and Western schools. However, the Arabic model schools belong to these types of high standard schools. Official 6 gave a good example of this, the Fajer Alsbah School. He gave a description of this school; *"This school is distinguished and if you want to register your children, you might not find a place for them"*. Official 6 provided another example from his experience proving how some parents in Kuwait regarded this school and how the registration is difficult: *"I still remember when I was [senior] in the MoE and I tried to talk to some connections to enrol my friends' children at this school. When I called the head teacher to find a place, she replied: "There are no places for more students, they are all taken up"*.

- **Equivalence of state and Arabic private schools:**

Three officials considered some similarities between these types of education in Kuwait. In general, they agreed that the education in these two types is the same. Official 1 stated, *"What the children of Bidoun receive, especially in Kuwait, is exactly the same education provided to the Kuwaiti children in state schools"*. He reiterated this, stating, *"The education provided to the children of Bidoun has exactly the same level"*.

Official 3 agreed, stating, *"The quality of education must be the same quality that is provided for state schools"*. Officials 1 and 3 regard the unified curricula between state schools and Arabic private schools as the reason behind this.

- **Unified curricula between state and Arabic private schools:**

There is a consensus among the participants that the Arabic private schools apply the Kuwaiti curricula. Official 1 said, *"These Arabic schools use the same curriculum used in the state schools"*. He confirmed, *"There is no chance that there are differences in the curriculums being taught to the Bidoun, Kuwaitis, or foreigners in these schools at any stage"*. Official 3 agreed, stating, *"The curricula used in private schools and state schools are the same"*, and again adding, *"The same curriculums of the MoE are used*

in Arabic private schools". Official 5 approved the previous officials' statement; *"All owners of private schools, including the private schools and including the Arabic schools, are committed to teaching the Kuwaiti curricula"*. Activist 5 concurred, *"The curricula are standardized in the state schools and Arabic private schools"*.

- **Perception towards inspection and supervision of Arabic private schools:**

Similarly, to state schools, the private education in Kuwait is subjected to inspection and supervision from the Public Administration for Private Education. Official 6 said, *"The MoE represented by the Public Administration ... supervises everyone"*. He explained that, *"supervision works via supervisors who visit these Arabic private schools and write reports about its standards"*.

Official 4 mentioned the inspection of these schools as an evidence of good standards. He explained, *"There is inspection of these schools"*. Official 1 mentioned the building of private schools, *"The buildings of the private schools are under constant inspection of the MoE represented by the Public Administration ..."*. Official 3 added two other aspects under supervision, which are modules and exams invigilation: *"The inspection of the modules in private schools is the same in state schools"*. Regarding the exams invigilation, he did not fully explain this: *"The supervision during the exams of primary and secondary stages are not effective"*. Regarding the Activists, Activist 3 classified these schools by saying *"unfortunately, the Arabic private schools are last in the schools' ranking"* and he indicated the assessment as one reason behind this weakness stating: *"these schools, unfortunately, suffer from inconsistency and disorder in their teaching and assessment; I mean how they evaluate the students"*.

- **Internal and external supervision:**

Official 5 explained that the Public Administration *"supervise these private schools internally and externally"*. He explained that internal supervision is done *"through the head teacher and his assistant who are appointed by the Public Administration"*, whereas the external supervision is done through *"inspectors, managers, and the head-department"*.

- **Task of the supervision:**

Their task, is to *"make sure that there is no shortage of services in private education schools"*. He explained that this is controlled by the Public Administration; *"The supervisors of those schools is the Public Administration ... which identifies any*

shortage in services". He elucidated which aspects are supervision of both: bilingual and Arabic private schools; *"The Public Administration for Private Education supervises administratively, financially, and technically on the private schools"*. In the beginning, he mentioned all types of schools, *"The Arabic, bilingual, and International schools"*. However, when the researcher asked him about the International schools, he stated; *"We supervise the International schools administratively and financially, but we cannot supervise these schools technically"*. Official 5 clarified another aspect under supervision which is *"the technical standard of teaching through model supervisors who supervise all schools' subjects"*. He explained who undertakes this supervision as *"some directors from the Public Administration ... who have the right to visit the private schools"*. He gave more details about who administers this supervision, stating that with Public administration *"there are heads of departments, managers, and supervisors who have the right to visit schools"*. He described them as *"accurate in writing their reports, for example, if they find an unpainted wall, they will report it"*, this means they make sure that the educational environment is suitable.

- **Importance of these reports:**

Activist 1 explained that the educational committee in the Parliament relied on these inspectors and supervisors to evaluate schools, which suggested they are trustworthy. When he explained the evidence behind the closure of an Arabic private school, he stated that the Committee did not conduct an inquiry, *"but we quoted what the inspectors and specialists from the Public Administration ... who visited these schools told us"*. The reports of those specialists are in the Parliament records.

- **Summary:**

The researcher analysed three sub-themes. The first considered perceptions towards private education in Kuwait in general, focusing mainly on the Arabic private schools. This focus is well grounded because these schools are the main centres for Bidoun students. Certain aspects of these types of schools were considered, such as the geographical locations like Al-Jahra Governorate and an evaluation of the provisions these schools provide. The second, examined perceptions regarding the role of the Central Agency issues, and its intervention in every aspect of Bidoun life. An analysis of Bidoun problems related to official papers was provided. The Bidoun need papers, issued by the Agency, to access services in Kuwait, such as education, health and

employment. There are two officials who shed light on the agreement and the cooperation between the Central Agency and the Public Administration.

The third, observed perceptions towards the quality of Arabic private schools. There exists no literature review regarding these schools where the majority of Bidoun students undertake their education. The participants considered different issues associated with the quality of these schools, such as density, where the participants considered the schools to be crowded. An analysis was provided as to how the Public administration supervise these schools via head-teachers, supervisors and inspectors who work in the Public Administration, and ensure these schools apply the plan which has been generated by the Administration.

The next section addressed the final theme, theme 5, which considers issues of inclusion and exclusion of Bidoun in state schools and emerging issues.

7.6 Analysis Theme Five:

7.6.1 Introduction: The Perception towards Inclusion of Bidoun Students within State Schools: There are three sub-themes at this theme:

Sub-theme 1: Reasons for including Bidoun students in state schools: some participants mentioned reasons and benefits for society, State, and educational environment will profit from including Bidoun students within state schools. The Activists suggested certain steps, which need to be executed before or during the process of including Bidoun in state schools.

Sub-theme 2: Continuing exclusion of Bidoun students from state schools: the officials gave their own opinions behind why they prefer to continue excluding Bidoun to Arabic private schools and refusing to include them within state schools. The main reason offered was: the quality of education that the Bidoun receive in Arabic private schools is exactly the same with the quality of state schools.

Sub-theme 3: Emerging issues during the interviews for future research: some participants talked about issues which are connected to the research topic. The researcher considered providing Bidoun with higher education as an area which needs to be researched, especially if we know the Charitable Fund covers schools only.

7.6.2 Sub-theme 1: Reasons for including Bidoun students in state schools:

- **Competition importance:**

Introduction:

Two participants talked indirectly about how important this aspect is in improving students' standards because of competition between students from different backgrounds.

The perception of Official 2 revolves around the importance of competition between students. Private education in Kuwait, under the heading "Benefit of diversity". Activist 1 mentioned indirectly the importance of competition, he mentioned the competition aspect during his interview about a group of Kuwaiti citizens who refused any contact with other Arab nationalities and their excuse is to protect Kuwaiti culture. Activist 1 celebrated the mixing between the different nationalities in Kuwaiti schools, he said *"the mixing between the Kuwaiti students and Arab students created competitive environment between us (Kuwaiti students) and them (the Arab students)"* this competition was in different aspects *"this competition was in: creativity, distinction,*

and quality”. Activist 1 similar to Official 2 provided his experience *“I still remember when I was in different school’s stages, there was strong competition between my Palestinian schoolmates and myself to obtain the first”* Activist 1 concluded *“this type of mixing encouraged the competition and the challenge”*.

- **Hard working group:**

Introduction:

The only participant who talked about this aspect is Activist 1 because he was member of the educational committee in the Parliament.

Evidence:

He said, *“I still remember when I have attended the first graduation for the Bidoun from high school; these students were from the same group which I had helped by the Charitable Fund”*. Activist 1 mentioned the number that there were of Bidoun students among the top fifty students graduate *“from the best one hundred (100) students in Kuwait, there were between forty to fifty (40-50) Bidoun students”*. Activist 1 admired the results of Bidoun students in spite of their difficult circumstances *“this result shows us how the Bidoun are hardworking despite the obstacles they face”*. Activist 1 justified this assiduousness by Bidoun *“they try to prove for themselves, for the Kuwaitis and for Kuwait as a state that they deserve to be educated”*.

Personal perception:

Activist 1 provided his opinion about Bidoun students: *“the majority of the Bidoun are distinguished”* he repeated again about the Bidoun students and their families regardless of their situation *“because the Bidoun as students with the help of their families spare no effort to overcome the obstacles in the Arabic private schools”*. For the third time, this Activist praised the Bidoun students because they are hardworking: *“the children of the Bidoun prove day after day that they are distinguished in their studies”*. Activist 1 is proud of his efforts in supporting Bidoun, he said *“that is why I feel happy that I defended this fair case, the case of Bidoun”*.

Finally, this Activist mentioned why he supported Bidoun *“I defended this case not only because of humane, legal, and national reasons, but also because of practical reason”* this practical reason materialised in *“the results of the Bidoun children prove that they deserve the educational support”*.

Enriching the society:

Activist 1 used this term “*enriching*” as an answer to anyone who holds fears that Kuwaiti culture may be affected by saying, “*we have been affected by other cultures such as Arabic and Islamic cultures which is a great thing ... we did not lose our Kuwaiti culture ... on the contrary, we preserved our culture and gained excellent qualifications*”.

- **Surplus state schools:**

Introduction:

One reason had been provided by officials for excluding Bidoun students from state schools into Arabic private schools, namely, the shortage of state schools and how the state schools were overcrowded because of Bidoun and foreign students. However, Activist 1 disagreed.

Evidence:

Activist 1 differed because of his experience in the Educational Committee. He stated, “*We have the capabilities, great budgets, infrastructure, and a great number of unused⁵⁷ schools*”, so there are unoccupied schools in Kuwait. Activist 1 gave an example from his experience: “*I still remember that in 2012, there were roughly thirty (30) unused schools which were transformed into residence for soldiers who were present at that time in Kuwait and some of these schools had been demolished*”. Activist 1 is sure that Kuwait “*have a large number of old schools, and a large amount of land which had been allocated to be schools since 1960s and nothing has been done yet*”.

Human aspect:

Two Activists discussed human rights as a reason to include the Bidoun students in state schools. Activist 1 stated “*the human, constitutional, and legal aspects: we (the Kuwaitis) are entrusted with these children, our mission to make them good people in the society whether they obtain the citizenship or not*” Activist 1 added; “*the Bidoun have the right to have good education even if they want to work in a country other than Kuwait*”. Activist 4 rejected the notion of excluding the Bidoun students from state schools, she states: “*You cannot segregate children like this, it is very inhuman, very backward, and very old idea to classify and divide the society, making the lower class*

⁵⁷ This opinion is against what official 1 said.

go to low schools and the higher class, because they are Kuwaitis, go to different schools!”

- **Inclusion as an investment:**

Introduction:

Two Activists asked to deal with the Bidoun as a future investment.

Activist’s 1 perception:

Activist 1 believed the inclusion of Bidoun has many dimensions, one of which is the practical dimension, which is to *“treat the Bidoun as human investment on the basis that they have spent a long time in Kuwait”*. This long residency might be a reason for *“a lot of them (Bidoun)...to obtain the Kuwaiti citizenship”* so they are *“potential citizens”* therefore, *“we have to invest in this group”*. Providing the Bidoun with good education will benefit the market and the state: *“if they obtain the Kuwaiti citizenship, they have good education so we benefit from them in the market, which leads to building a shiny future for Kuwait with the help of Bidoun”*.

Activist’s 3 perception:

Activist 3 agreed: *“Why does not the State try to benefit from Bidoun children in future”*. Activist 3 repeated; *“why do not we (as Kuwaitis) benefit from the Bidoun children in the future?”* He justified his calling to benefit from Bidoun *“as long as Kuwait cannot send the Bidoun out of the country, so why does not the State benefit from them?”*

He gave one example of this, *“why are not the Bidoun students accepted in higher education and why they are not being utilised after graduation?”*

Activist 3 talked about employing the Bidoun after educating them because it is much better than preventing them from education in their childhood and being jobless in their youth *“to benefit from the Bidoun by employing them is better than letting them continue as a burden on the State and society”*. He gave examples of how it will benefit the society: *“if one Bidoun got an education and after that he enrolled in the Faculty of education and became teacher, he would benefit the State. The same thing applies if the Bidoun graduates as doctors, engineers, or labourers, whatever job is.”* He described the Bidoun being a ‘wasted energy’; *“by applying this, Kuwait will benefit from this wasted energy”*.

- **Social security:**

Introduction:

This is an aspect which some officials and Activists agreed on and they associated this dimension with educating Bidoun children.

The officials:

Official 4 said *“if the children are educated then society is protected. Making education available for everyone will protect the social security”* to achieve this, *“my target is to enrol every child in school”*. Official 4 gave one example from his experience as MP about the bribery of some Bidoun to gain the Kuwaiti citizenship; *“When I was MP, many of Bidoun were visiting me to tell me that some people asked for bribes of 30,000 to 40,000 (Kuwaiti Dinars) to enrol them in the List of Naturalization”*. Official 4 explained his reaction, *“I said in the Parliament: the person who pays 40,000 K.D. for the citizenship will not be loyal to Kuwait”* he believed that the person who *“bought this citizenship with his money and therefore he will try to bring back his money after obtaining the citizenship”*.

Official 5 also mentioned this and refused to punish Bidoun children because of fathers' faults. Stating, *“The children have no faults and they must be educated. When the children are educated, it is an advantage for Kuwait, do you know why?”* then he talked about the social security aspect, in his own words *“if this child does not go to school then he will stay in the streets, and what will that make him? A thief! He will learn all dirty things”*.

The Activists:

Activist 1 mentioned the solution: *“The solution [for Bidoun education issue] from my point of view has many aspects”* he talked about one of these aspects, *“the social security aspect: to achieve this aspect, it is required that every person living in Kuwait have to be educated and have good upbringing”* Activist 1 talked about everyone living in Kuwait including Bidoun and foreigners. He considered this as a guarantee to protect Kuwait in future, *“this will ensure that these children will not be time bombs that threaten the society in the future”*. Activist 1 regarded ignorance as reason to commit crimes *“one reason of crime is the spread of ignorance in society and that is what the State has to consider”*.

Activist 2 considered this situation of Bidoun as inadmissible; *“the current situation is not acceptable at all”* the situation he meant is *“leaving a Bidoun child to grow up without any chance of education”* he believed leaving Bidoun without education will deny him the chance to have job and resulted in denying him *“source of income”* all these will lead to *“make him an enemy to you when he becomes an adult and this will increase the crime rate”*. Activist 3 associated between benefiting from the Bidoun and social security; *“if we do not benefit from the Bidoun children, then the Bidoun children*

might become delinquents and possibly criminals” he added, “especially taking the fact that there is a certain percentage of crimes committed by the Bidoun”.

- **Unjustified segregation of Bidoun:**

Introduction:

Some Activists talked about current treatment towards Bidoun and described it as segregation.

Comparison:

Activist 2 compared between the Bidoun and the black citizens in the USA in the past, in his words *“this current situation reminds me of Racial Segregation in the USA until 1950s, when the Supreme Court issued a decision to end this segregation”.*

Segregation and separation:

Activist 4 used the same term: segregation: *“the idea is you are segregating those kids, you are pushing them away from state schools and not letting them mix with Kuwaiti kids”.* Activist 4 described this segregation as *“a big problem”* because *“the problem of segregation and trying to separate the Bidoun from Kuwaiti children as if they were two different human categories”.* Activist 4 explained why she refused it *“you cannot segregate children like this”* adding, *“it is very inhuman, very backward, and very old idea to classify and divide the society”.* She considered the type of school as a sign of student’s class, *“making the lower class go to low schools and the higher class, because they are Kuwaitis, go to different schools”.* She again mentioned: *“you are dividing the society according to class which is a very bad thing”.* Activist 4 believed that this segregation will affect Kuwaiti students *“you are separating the children and you are creating very strange ideas among the Kuwaitis about the Bidoun”.* She expounded the negative outcome of this, *“Today’s children do not know who the Bidoun are! Sometimes they think they are strange people or they do not even speak like us because the government’s segregation”* and she concluded that this policy *“is not the right path”.*

Geographical & social segregation:

Activist 6 also believed there is a geographical segregation that works against Bidoun, *“the location of the Arabic private schools is poor, the concept for which those schools were built is segregating”.* Activist 6 believed Arabic private schools created a ‘social segregation’: *“I consider the Arabic private schools as an isolated environment; those schools were founded on this concept: social segregation”.* She rejects that there should be this educational segregation *“the Bidoun students must be included with Kuwaiti*

students and other nationalities living in Kuwait to ensure that they could live their lives normally"; including Bidoun students will put an end to this phenomenon.

- **Perception towards preparation steps before including Bidoun students within state schools:**

Introduction:

Only the Activists talked about this issue, however, some of them considered the necessity for steps to pave the way for including Bidoun students within state schools whereas some of them denied the necessity to do so.

A matter of decision only:

Activist 1 disagreed in taking steps before including Bidoun: *"the issue does not need more than a decision to end this educational segregation"* because the MoE has the capability to include them *"we have ready infrastructure, and an executive and functional staff"*. The researcher asked if these children need any psychological preparation before transferring them into state schools, he answered, *"not at all, the children of Bidoun do not need anything like that"*. Activist 2 agreed, *"Including the Bidoun and Kuwaiti students in state schools needs only a decision"*. Activist 2 added, *"From human perspective, I do not understand what you mean by preparatory steps"* because *"the Bidoun are Kuwaitis, they are part of the social fabric of our homeland"*, again he repeated *"so what do you mean by preparatory steps?"*

A prediction:

Activist 2 predicted that some clashes will happen between Kuwaiti and Bidoun students in case the MoE issued a decision of inclusion: *"in case a similar decision issued in Kuwait, some incidents of hatred will happen in the beginning between the Bidoun and Kuwaiti students, but in the end, we have to accept the new situation"*. He believed the Kuwaiti society will adjust with this new situation because the Kuwaiti society already has what he described as ill-will: *"as the Kuwaiti society have ill-will between the different parts from Kuwait; for example, there is an ill-will between Urbanised and Bedouin, full-blooded and non-full-blooded, Sunni and Shia is another division in Kuwaiti society, these divisions exist in the society"*. Activist 2 concluded: *"Hence, what makes it forbidden to add one more division to the society, namely Kuwaitis and Bidoun"*.

Angry reaction:

Activist 5 refused any steps before inclusion. When the researcher asked if she considers any necessary steps before inclusion, she answered with anger *"STEPS! What*

kind of steps? What do you want to do with the Bidoun children?”. The researcher gave Activist 5 an example of preparatory steps: including the first stage of primary schools only and we start the inclusion with this stage only. Activist 5 denounced this suggestion, *“what the preparatory steps?”* she stated, *“Why we do not include them at once, this is my opinion, to go back to pre-1985 and treat the Bidoun children in the same way we treat Kuwaiti children”*.

Ambiguous perception:

Activist 4 was not clear in her opinion, in the beginning she agreed with Activist 1, 2 and 5: *“it is one decision, children of Bidoun have to be back to state schools nothing else than that to be done. I do not think there are steps”*. However, she asked later for a preparation step; *“we do need to include human rights subject or modules in our schools”*. The purpose being, *“to enlighten the younger generation... [and]...to facilitate the road to the Bidoun back to the community and to let them back and mix them with Kuwaitis, you need to prepare the new generation”*. Activist 4 then said, *“I mean no preparation”* she refused to delay inclusion *“actually, we cannot wait for preparation, and it has to be done immediately”*. She eventually compromised between the two opinions; *“I mean meanwhile, while we are doing this, we need to introduce human rights: basic principles to the younger generation, so it is very important to add this subject”*.

Necessity for social workers:

Activist 6 talked clearly about preparation step, she asked for one thing to facilitate the way for including Bidoun students within state schools. She stated, *“You cannot include the Bidoun with strange students and then you asked him to acclimatise!”* if we included them all at once, *“he will be excluded by his schoolfellows and he might be harmed (she said in English the word bullying), moreover, someone might want to control him”*. Firstly, Activist 6 wanted protection for Bidoun, *“a protection must be provided for Bidoun students, especially those who are young, because they might get harm from others”*. Activist 6 clarified what she meant and discussed what she and her Activists’ colleagues in Group 29 wanted; *“among our recommendations in Group 29 is to appoint a social worker in every school”* she explained the assignment of social workers *“the task of this social worker is to study the Bidoun cases and ensure they integrate psychologically in state schools in case they face any challenges”*.

Activist 6 repeated; *“the task of these social workers is to examine the situation and help the Bidoun child to be included and overcome any challenges”* she mentioned that the

Group 29 called for such social workers since 2013 *“we demanded this, I mean social workers three years ago (she corrected herself quickly) no, two years”*. Activist 6 considered preparing competent social workers as a vital issue, stating, *“the urgent issue is to have a qualified and trained social workers with clear aims to achieve these goals”*. She justified the necessity of these social workers; *“including the Bidoun students means that isolated students will be included with the other groups. This student is different from others because of isolation that he lived in, so he sees himself in the middle of a new group that he does not belong to”*.

Activist 6 considered the social worker's advantage to start at this moment *“here will surface the social worker's role is protecting the Bidoun student from any material or psychological harm, and to help the Bidoun student to accept the new situation”*. Activist 6 gave an example of differences between Kuwaiti and Bidoun students, *“another task of the social worker is to understand that the Bidoun student came from a lower economic background than the Kuwaiti students”* the social worker will establish a folder for the family of the Bidoun student, *“the social worker will make a case study about the Bidoun student's family and provide him with help if possible (then she said in English): you have to be realistic”*.

7.6.3 Sub-theme 2: The perception of officials towards continued exclusion of Bidoun students:

- **Officials' opinion about including Bidoun in state schools:**

Introduction:

Three officials talked about keeping Bidoun students in Arabic private schools and there is no necessity to include them within state schools. All the three officials believed that the state schools suffer from overcrowding and there is no space to add more students to these schools.

Overcrowded schools:

Official 1 said *“I believe that the primary schools across Kuwait are suffering from too many students”*. The researcher asked him if he considers ‘suffering’ to be the suitable word to describe this situation, answering; *“Yes, the schools in Kuwait suffer from dense students' numbers and additional classes are always being built”* he gave an example of one solution, *“because of the students' numbers, sometimes classes are built on the playgrounds of schools”*. Official 4 agreed about students being overcrowded in state schools, *“because in Kuwait we suffer from density of students inside the state*

schools, so I agree to enrol the children of Bidoun in private schools". Official 5 stated that overcrowding is the main reason for his stand *"as a result, I believe it is difficult to achieve the inclusion of Bidoun with Kuwaiti children under these circumstances"*. However, official 1 restricted his comments to the primary level only *"I think including Bidoun children with Kuwaiti children in state schools for the primary level is a difficult thing"*.

Charitable Fund's role:

Officials 4 and 6 believed the Charitable Fund is part of the solution to educate the Bidoun students. Official 4 stated that, *"the Charitable Fund is a part of the solution, so this Fund can help and support within its budget"*. Official 4 believed in the right of education for every child *"every child has to go to school"*, however he defined these schools: *"the private schools of course"*. Official 6 considered keeping Bidoun students in Arabic private schools as being the only solution: *"The only educational solution for Bidoun children is to continue studying at Arabic private schools"*. He repeated; *"this group has to study in private schools"* he was sure the Bidoun will continue studying at these schools *"the Bidoun children will not enrol in state schools"*. Repeating it to be the only solution *"thus, the only solution to educate them is through the Government continuing to pay their tuition fees via the Charitable Fund"*.

Obstacles facing inclusion:

Introduction:

Official 6 believed there are three obstacles or reasons behind excluding Bidoun students from being included within state schools. These reasons are: identity, financial, and the overcrowding.

First obstacle:

He explained his two principles: education in state schools is associated with identity and the education is a right for everyone. Regarding the first principle, he stated *"there is a principle regardless of anything else; this principle is: if I treated the Bidoun children in the same way as Kuwaiti children, why would I call them Bidoun?"* however, he believed education everyone's right: *"hence, there is a principle which is the State has to educate them"* and this education has two aspects, firstly *"this education does not have to be in the state schools"* secondly, this solution has to rely on the Charitable Fund *"that is why I think it is necessary for Kuwait to educate them via the Educational Fund"*.

Second obstacle:

Official 6 described the financial reason behind excluding Bidoun students from state schools as a hidden agenda: *“secondly, there might be a hidden aim from the MoE” as, “the need of many private schools for financial support to carry on, and so these private schools increased their income by increasing their students’ numbers”*. He made a comparison between the private universities and schools *“this situation is like private universities”*, to understand how the Kuwaiti Government supports the private schools, Official 6 said *“the Government established the internal scholarship programme (inside Kuwait) which provides these universities with good number of students”*. He mentioned; *“the private schools’ situation is exactly like those private universities where educating Bidoun students in these schools granted them Governmental support”*.

Third obstacle:

Overcrowded state schools, *“thirdly, educating the Bidoun in private schools alleviated the burden of state schools”*. Official 6 concluded: *“Educating the Bidoun children in private schools has many advantages for more than one side: state education, private education and Bidoun children”*.

Shortage of state schools:**Official perception:**

Official 1 explained, *“The schools in Kuwait suffer from dense student numbers”* he mentioned the type of solution the MoE puts forward, *“additional classes are always being built, and because of the students’ numbers, sometimes classes are built on the playgrounds of schools”*. Official 5 stated that the matter of density was one reason behind transferring Bidoun and foreigner students from state schools into Arabic private schools during 1980s *“the students’ numbers increased in the state schools, which meant the density of students inside the classrooms increased, as a result the MoE decided to transfer them into the private education”*.

Activist perception:**Unused schools and lands:**

The Activists disagreed. Activist 1 believes there are many vacant schools as he said, *“I still remember that in 2012, there were roughly thirty (30) unused schools which were transformed into residence for soldiers who were present at that time in Kuwait and*

some of these schools had been demolished” he repeated this again “we have a large quantity of old schools” and “a large quantity of land which had been allocated to be schools since 1960s and nothing has been done yet”.

Spare classrooms:

Activist 6 agreed with Activist 1, but Activist 6 mentioned unused classrooms inside the schools. Activist 6 stated, *“There are empty classrooms in state schools, and these classes could be enough for Bidoun students”* she believed if the MoE used these vacant classrooms to include Bidoun students, then the *“the six million Kuwaiti Dinars [Charitable Fund] could be saved for the Treasury”*. She confirmed this idea by saying *“there is no crisis of classrooms in state schools”*, Activist 6 mentioned an official source that confirmed this; *“there are official statistics published in 2013, and in that bulletin, it was pointed out that the MoE closes two empty classrooms every year”* she explained, *“the closings are a result of declining of student numbers and the change in the Kuwaiti society”* perspective, she said *“in Kuwait, some towns became old and thus the new generation of families moved to new towns, and their children enrolled in the new towns’ schools”*. Activist 6 linked these vacant classrooms in these old towns with including Bidoun students *“as a result, the population number has reduced in the old towns, so has the students’ number. Thus, we can enrol Bidoun students in those schools”*.

Evening schools:

Official 5 is the only participant who talked about this by stating *“there was another proposal which is opening schools for evening shifts to teach illegal residents [Bidoun] students”*. He mentioned what does he meant by schools *“I meant the Arabic private schools”*, Official 5 clarified this point *“therefore, our second proposal is to make Arabic private schools work in two shifts: the morning shift and evening one”*, he explained this proposal *“in order to reduce students’ density”*.

7.6.4 Sub-theme 3: Emerging issues during the interview for future research:

During the interviews, many participants digressed or talked about an issue not associated with the Bidoun education at schools. The researcher considered some of these issues deserve to be a topic for future research.

- **Bidoun and higher education:**

Introduction:

During the interviews, many participants mentioned this issue because when Bidoun students finish their high school, many of them have ambition to do higher education,

however, it is not an easy task to do so and to add insult to injury there is no Charitable Fund for Bidoun at this level. There is one official who explained that the State of Kuwait provides good educational provisions for Bidoun students after finishing high schools, whereas the other four: one official and three Activists have different point of view.

The officials:

Official 2 believed that the Bidoun students receive educational services after they finished high schools, stating: *“we talked about educating Bidoun before university, so what about after high schools?”* He confirmed Bidoun students can enrol into higher education after high school because *“there are some places which have been allocated for children of illegal residents”* then Official 2 defined the two educational governmental institutions as places the Bidoun can attend, firstly *“in the Public Authority for Applied Education and Training”*, secondly, *“the University of Kuwait”*. Official 2 concluded; *“to conclude, there are educational provisions that have provided for the children of illegal residents by the State of Kuwait even after they finish high school”*.

Official 5 differed in comparison with official 2. He mentioned his experiences during his inspections and circuits to Arabic private schools. He explained his feelings during these circuits *“I felt pain through my interviews about Bidoun students who achieve high results in high school and their results give them the chance to attend the universities inside and outside Kuwait”*. He felt pain because *“those students get surprised that there are no places for them inside Kuwait”* exactly the opposite to Official 2. Official 5 talked about what some Bidoun students say during their time at high schools *“some of those students become frustrated during their studies and wondered, why I shall study? And what can I achieve after finishing high school?”*

The Activists:

Higher education and jobs:

Activist 3 called for two things: accepting the Bidoun in higher education and provide them with jobs after graduation: *“Why are not the Bidoun students accepted in higher education such as university after high school?”* and he reiterated this idea *“why are not the Bidoun students accepted in higher education”* then adding, *“why are not they being utilised after graduation?”*.

Activist 4 talked about higher education of Bidoun in her answer about differences in provisions for Bidoun children in schools *“the difference is when it comes to higher*

education, for example: universities” she explained; “the Bidoun go through primary, secondary, and high schools but then after they graduate the problem starts”. Activist 4 associated the problem with the results the Bidoun student has to achieve to be accepted into higher education; “only students with an average of 90% or above are allowed to go to Governmental institutions”. Activist 6 also said, “I was expecting you to ask me about higher education for Bidoun students”. The researcher asked her about the sit-down done by Group 29 in front of Kuwait University: “This sit-down was in 2012. Yes, that is true; they provided the Bidoun with 100 places at Kuwait University annually”. Activist 6 talked about the necessity to do research at this point “we were (Group 29) looking forward for a PhD student to make a research about: To what extent are the Bidoun students prepared to enrol at the University”.

Teaching human rights:

One Activist mentioned the necessity to teach human rights in school classes. Activist 4 said: *“I think that maybe one thing I would add is that we do need to include human rights subject in our schools”*. She said in order to, *“enlighten the younger generation, and the teachers need to deal with this too”* she it to be crucial, *“to prepare the new generation.... [and]... to facilitate the road to the Bidoun back to the community and to let them back and mix with Kuwaitis”*.

• Granting Bidoun with Kuwaiti citizenship:

Introduction:

One official and one Activist talked about granting Bidoun with Kuwaiti citizenship.

An important law and statement:

Official 6 wondered; *“how long will the situation of Bidoun continue like that?”* he asked for an official solution *“it is a big question and the State has to put an end to this situation”*. Official 6 mentioned studies had been done to find solutions; *“many studies about this issue have been done”*, he talked about an important law was agreed by the Government and the Parliament in June 2001 to grant 2,000 of Bidoun, citizenship; *“the Parliament made recommendation about granting the citizenship for 2000 of Bidoun every year, and the question is, has anyone of Bidoun been granted Kuwaiti citizenship?”*. Official 6 denied any implantation for this recommendation *“I cannot remember that 2,000 of Bidoun have been granted Kuwaiti citizenship at any year”*. He also mentioned an official statement said by the head of the Central Agency *“the*

Central Agency ... said there are 34,000 persons of Bidoun who deserve the Kuwaiti citizenship, and the question is why not they have been granted yet?”

Official 6 mentioned the stick and carrot policy towards Bidoun: *“as you know, at one-time Bidoun had been prohibited from all types of services; they could not even get married. At that time, the Bidoun could not register a car in their name, all these restrictions were to put pressure on them”* and then adding, *“on the other hand, there were many incentives such as granting them visa for five years”*, he believed this ‘carrot policy’ achieved some success *“those incentives achieved success”*.

Citizenship law:

Activist 2 called for the same issue, he stated in his opinion; *“regarding the ‘political rights’, my opinion is to be clear about this issue, naturalise them or do not naturalise them”* he believed that the best solution is; *“to implement the Kuwaiti law of nationality”*. Activist 2 provided examples of this law *“such as if the Bidoun was born in Kuwait, and he has a valid visa since he was in Kuwait, so we implement the law objectively and grant the citizenship to those who deserve it”*.

Summary:

In theme five, three sub-themes had been analysed: the first sub-theme is about reasons or benefits which inspire the inclusion of this group within state schools. The participants offered many ways of implementation, for example including a hard-working group such as Bidoun students within state schools which are limited for Kuwaiti students will increase competition inside these schools. The second sub-theme is about keeping Bidoun students in segregated schools, and the participants who supported this provided some reasons for this segregation such as the quality of Bidoun in Arabic private schools is similar to the quality in state schools. The third sub-theme is about some topics which raised during the interviews. The researcher assumed there is one important issue mentioned by the participants: providing Bidoun with higher education. The Activists put pressure on the MoE resulting in offering Bidoun with 100 seats in Kuwait University.

The next Chapter provides the discussion of the results in the light of the previous literature.

Chapter 8 The discussion

8.1 Introduction:

The discussion Chapter is divided into two parts: the first part is about the relationship between the Bidoun and the internal affairs of Kuwait, such as; how officials and Activists regard the Bidoun. The second part focuses on lessons learned from examining how other countries face issues with stateless people, especially those who have a long and complex history with the countries they inhabit, such as the Bidoun in Kuwait.

8.2 First part: Issues about the research questions relating to Kuwait:

8.2.1 The first subsidiary research question:

How Human Rights are viewed from a United Nations perspective and how does this compare with an Islamic perspective on this issue?

There are two aspects regarding this issue:

First: There is a disagreement between the Islamic perspective (represented by Islamic countries) and the perspective of the United Nations regarding many areas such as women rights (e.g. CEDAW), however, there is agreement between the two perspectives regarding the right to provide children with free education

In the literature, there is a disagreement between the Conservative and the Liberal Muslims. The Liberals, influenced by Western culture give different interpretations to the Conservatives particularly regarding religious texts and scripture. The issue of women is perhaps the most controversial between these two groups and this can be seen from their perception towards the CEDAW convention. Regarding the participants, only one Activist mentioned this convention. Activist 4 said she does not *think* there were any reservations from the officials in Kuwait regarding any conventions calling for free education. She said the reservations were on the issue of women.

No one among the twelve participants mentioned the right to have free education in Islam. There are some possible interpretations of this situation: firstly, only one participant (Activist 3) could be considered as a religious person as he lectures in Sharia and Islamic Studies at Kuwait University. The others are not. This Activist was not expert about Conventions because he mentioned only one which is the Convention on the Rights of the Child (CRC). Secondly the disagreement among religious (Conservative) groups inside Kuwait affects perspectives towards the Bidoun.

International Conventions have called for school age children to be provided with free education. For example, the Covenant on the Rights of the Child in *Islam* article 12.1 and 12.2 calls on the State Parties to provide children with compulsory and free education. Importantly, this Covenant was called to keep this education connected with “Islamic principles”. In other words, both officials and Activists adopted the concept to provide children with free education, though they differed regarding curriculum content.⁵⁸.

Regarding the United Nations perspective, there are many conventions calling for school children to be provided with free education. The Convention on the Rights of the Child (CRC) is a good example. Kuwait ratified this Convention in 1991, which, in article 28, calls on the State Parties to make primary education compulsory and free, develop the secondary stage and make higher education accessible to all on the basis of capacity.

The Activists have more knowledge about these Conventions than officials. For example, Activist 1 said “*there are international conventions such as the Convention on the Rights of the Child...there is the International Covenant on Economic, Social and Cultural Rights, and there is the Convention of Education*”. and Activist 6, who said that if you want to “*follow the Universal Declaration of Human Rights 1948, the Child Rights Convention, and the International Covenant on Economic, Social, and Cultural Rights*” then you have to “*implement quality in education, you have to guarantee the right to education, free and for all*”.

Regarding the officials, their answers showed a lack of knowledge. Official 2 denied any knowledge: “*No, I do not have a clue about this concept (free education)*”. Official 3 also said, “*I do not have any idea about the International Conventions regarding free education*”. The researcher considers that the reason behind this lack of knowledge is the belief among officials that domestic law supersedes the International Conventions, and this will be discussed in the following aspect.

Another reason might be the belief among officials that the majority of the Bidoun are foreigners -in reality even if not according to their papers- so they are not actual

⁵⁸ The researcher was a teacher of an Islamic module and there are three classes weekly for the intermediate stage in state schools. Two out of these classes are allocated to teach the worship (Ibadat) and a set of rules related to worldly matters (Mumalat). The third class will be allocated to educate the Noble Quran. The results of this module are accounted for through a student’s certificate.

stateless persons. This can be concluded from the repeated statements issued by officials that the majority of the Bidoun are citizens of other countries. This point needs some explanation: foreigners in Kuwait have set rules organising their affairs in Kuwait. The officials do not recognise the Bidoun either as citizens or ordinary foreigners who have official passports, but they consider them to be a third group: a foreign person who alleges not to be so. The State therefore established a specific system, different from the systems to deal with nationals and foreigners. To clarify this, the State coined a specific title for them (illegal residents), a specific body to deal with their affairs (the Central Agency), specific papers (such as passport Article 17) and many other such formalities. This means that an official who works in the MoE, dealing with Bidoun affairs does not need any knowledge about the International Conventions related to free education for every child. This official will get all directions from the Central Agency and his role is to perform these directions in respect to the Bidoun students.

Aspect No. 2: There is a clash between domestic law and both Islamic and United Nations Conventions:

The chief cause of the clash between officials and Activists is their different perspectives, with the officials taking a narrower view, focusing on domestic law, whilst the Activists tend to view issues more widely, especially in the light of international conventions on Human Rights. For example, in the literature, the head of the Central Agency said: “The only way for the Bidoun to live in Kuwait is to bring out their hidden passports; otherwise they will not have a normal life. We have documents that show the real passports of the Bidoun and there is cooperation between the Government of Kuwait and the neighbouring countries.” The Head of Law School at Kuwait University wrote a series of articles arguing against the granting of extra rights, such as free education, to the Bidoun, arguing that doing so would violate Article 40 of the Constitution which says: “Education is a right for Kuwaitis, guaranteed by the State...” These perceptions, however, conflict with the Covenant on the Rights of the Child in Islam and many International Conventions of the United Nations.

In the data, Official 4 made a comparison between the Bidoun case and a tourist case whose visa had expired while visiting Germany and who then asked to enrol his children in state schools. The researcher, however, considers this comparison invalid, because if we accept what Alnajjar & Alnajjar (26 April 2012) and Lund-Johansen (2014) state, some Bidoun entered Kuwait in the 1980s, meaning that their parents

might be similar to the tourist but not the current generation which is actually the second generation. Another example of this clash can be seen clearly when the MoE prohibited a group of Bidoun students from attending Arabic private schools in the academic year 2014/2015, which led to the establishment of the Kutatib of Bidoun by Activists. An official in the MoE said that this group was dealt with based on a decision issued by the Home Office. The officials did not mention anything regarding the International Conventions. The Kuwait Society for Human Rights reminded the officials, however, that the State of Kuwait had signed many conventions, such as; the International Covenant on Economic, Social and Cultural Rights without any reservations and that denying Bidoun access to education violated articles 13&14 of this Covenant.

8.3 Issues related to the third subsidiary research question:

Who are the Bidoun in Kuwait and how is their status affected by this classification?

Officials and Activists disagree in defining the Bidoun:

This part is divided into two:

Part one: Who are the Bidoun?

The officials are unified referring to Bidoun as “illegal residents”. Activists are more tolerant towards them but without a unified definition. The officials repeated that this group came from outside legally or illegally, as, Official 3 said the Bidoun is “*a group of people who entered Kuwait illegally to find jobs*” however, in the literature, Alnasser declared that: “‘illegal residents’ was coined according to the Princely Decree 467/2010 . . . and this group entered Kuwait illegally, or their visas expired so they hid their real passports”. ‘Their visas expired’ means some of this group entered Kuwait legally.

The Activists, however, were more sympathetic to the Bidoun. For example, Activists 1 and 4 said that a large number of Bidoun are Kuwaitis, whereas Activist 2 considered them as “*Kuwaitis without citizenship*”, Activists 3 and 5 said a large number had resided in Kuwait for a while. Nevertheless, Activist 3 added that some of them came from outside and hid their papers such as passports, and claimed that they are Kuwaiti or Bedouin (nomads). In the literature, Abdullatif Aduaij (18 January 2012) agreed with the third group, saying: “The current generation of Bidoun is the second or third generation and they do not know any other country apart from Kuwait . . . it is

impossible to take them back to their homeland, Kuwait now is the only state they know to live and to work in”.

Activist 6 coined her own definition ‘a social definition’, namely, “*an isolated group from society*”. There was also a TV discussion (25 October 2013) entitled “The Bidoun and their Systematic Segregation”, with the three participants being the three charter members of Group 29: Shaikha Almuhareb, Dr. Rana al-Abdulrazaq (a blood bank director) and Mona al-Abdulrazaq (the interviewer). The three participants agreed that there is a systematic policy to isolate the Bidoun from the Kuwaitis.

Part two: How is their status (of the Bidoun) affected by this classification?

Participants agree that the Bidoun’s situation was very good until the mid-1980s as Activist 5 said “*The Bidoun was treated similar to Kuwaitis in state schools...so there were no differences between students*”. The Government provided the Bidoun with many services and employment for nearly 25 years. The participants generally agreed that this policy had changed after 1986 as Official 4 stated “*The problem of educating the Bidoun started in the end of 1980s*”. In the data and the literature, they mentioned the reason for changing the policy: The Secret Committee in 1986 issued recommendations resulting in changing the official policy towards the Bidoun.

The *Altaleea* newspaper (30 August 2003) published a story about this Secret Committee. This means that for roughly 17 years (1986 until 2003) the Kuwaiti public did not know who issued these recommendations which marked changes in the Bidoun’s situation. For example, any Bidoun working inside the private sector had to have official papers and any private company offering a job to them after a specified date would be fined; marriages could not be verified if one of the couple lacked official papers; Bidoun could no longer claim their monthly rations. Beaugrand (2011) agreed with *Altaleea* and gave an example about the Bidoun education, saying that in 1987 the Government of Kuwait enforced new policies regarding Higher Education; cutting scholarships for Bidoun students to study abroad and preventing them from registering at Kuwait University.

In the data, Activists 5 and 6 discussed this Committee, for example Activist 5 said “*It is in 1986 when the Bidoun were dismissed from the state schools...after issuing the document about dealing with the Bidoun*”. Since then the Bidoun’s status was affected badly and the new title given to this group is great evidence showing how the officials

perceived this group. They are not Bidoun “stateless” any more but are “illegal residents” who hid their real papers hoping to obtain Kuwaiti citizenship or get benefits from being stateless which is refused by this new policy.

However, since the Liberation in 1991 until the Cabinet Decision 409/2011 (20 years), the Bidoun faced the harshest period in their life. Official 6 described it *“As you know, at one time, the Bidoun had been prohibited from all types of services...they could not get married. At that time, the Bidoun could not register cars in their names”*. In the literature, the reason behind this harsh policy was the accusation towards the Bidoun of being collaborators with the Iraqi army during the Invasion. In the data, Activist 5 stated *“This [harsh] policy was a result of the Kuwaiti authority thinking that the Bidoun cooperated with the Iraqi army”* however, she defended the Bidoun as *“You do not know the circumstances which forced them to do so”* which meant the Iraqi army forced them to do so. In the literature, many researchers such as Lund-Johansen (2014), Barakat and Skelton (2014), and Abu-Hamad (1995) comment upon these accusations. Abu-Hamad (1995) has the same interpretation of Activist 5, who had said that while some Bidoun served in a faction of the Iraqi militia, they were forced into this. In the words of Abu-Hamad:

In September 1990, the Iraqi occupation authorities ordered, under the penalty of death, all non-Kuwaiti citizens living in Kuwait to join the Popular Army, the militia that supported the Iraqi Army... some Bedoons ... registered with the Popular Army. While some may have joined voluntarily, many felt they did not have a choice. Still many Bedoons joined the Kuwaiti resistance against the Iraqi occupiers and many died at the hands of the occupation forces. Out of 320 people known to have been killed in resistance acts, 82 were Bedoons. (A report published by HRW in 1st August 1995).

This accusation affected the status of the Bidoun because it created an environment of distrust between the officials and the citizens generally on one side and the Bidoun on the other. Activist 5’s description for the period just after the liberation *“You have to remember that after the Liberation 1991, there was fear, everyone was afraid, the Bidoun were afraid, the situation was not normal”*. There were many practices of harassment against the Bidoun as Official 6 stated in the previous paragraph. The educational situation of the Bidoun was damaged considerably after the Liberation.

There is an absence of substantial literature about what happened to the Bidoun in the period from 1986 until approximately 2000.

Two reasons relate to these dates. First, Alwagian (2009) considered the end of Saddam Hussein's regime as an end of an external enemy enabling nationals in Kuwait to start thinking about ending the internal problems of which the Bidoun are considered as a main one. Second might be the Law number 3 for the Year 2006 on Press and Publications in Kuwait. This Law gave the right to establish new newspapers and gave more freedom in publishing news. These two factors might be two important reasons for publishing the miserable state of the Bidoun which was unseen for the majority of the population. According to Alanba (19 April 2013), the Kuwaiti Government and the Parliament supported the Bidoun with eleven new rights. These rights are important for the Bidoun to have a normal life and include free primary, intermediate and high school education funded by the Charitable Fund. People with disabilities in this group are authorized to benefit from all the services provided by the public sector: hospitals, schools and employment. Bidoun can have jobs in the public and private sectors. They can also have ration cards, where they receive staples (rice, sugar, flour, etc.) cheaper than in the market.

An important point found only in the data and not in the literature is that. The Government was providing soldier's children with free education at state schools in the first period of restriction (1986 until 1991) whereas the other groups of Bidoun students were getting education in the Arabic private schools with *some* Government financial support. In this harsh period (1991 until 2003) the Government issued two decisions: firstly, all children of Bidoun soldiers will be transferred into Arabic private schools at Government expense. Secondly, stopping all financial support for other groups of Bidoun resulting in any Bidoun father who was incapable to pay his children's tuition fees not having a chance to enrol them within schools.

In the literature, there are some hints about the educational state of Bidoun children during this period (1991-2003). For example, Sheikha (title) Awrad (name), remembered by the Bidoun as a great advocate of Bidoun rights, hired a public school⁵⁹ from the MoE with the help of some female Activists in the summer holiday of 2003

⁵⁹ The name of the school is Umm al-Baraa Bint Safwan and it is located in al-Jahra Governorate which is the main centre of the Bidoun in the Country.

and employed private teachers to teach Bidoun girls. The aim behind this project according to Sheikha Awrad (2003) was “To eradicate illiteracy among one hundred innocent little Bidoun girls who do not know how to read or write Some of them have reached 12 years old and are still illiterate”; in other words, these girls have never been to school before.

When Sheikha Awrad and some Activists launched this project; ameliorate the situation of the Bidoun in Kuwait, some Kuwaitis had openly opposed her efforts. To take two examples, one was a female who worked as (head teacher and a senior in the Motherhood & Childhood Centre) and one was a male journalist. Each wrote an article blaming Sheikha Awrad for interfering in matters that are the concern of the State not individual citizens. It attracted attention that a head teacher had criticised efforts to educate illiterate Bidoun girls and described this project as not charity but a political assignment. This head teacher advised Sheikha Awrad to restrict her efforts to help divorced and widowed Kuwaiti women only. Awrad replied in an article (2003) saying:

I found it strange that a head teacher and senior in the Motherhood & Childhood Centre which is associated with UNESCO, which does not make any distinction because of race or nationality, opposes this humane project ...I would like to invite you to attend our classes and you will see a twelve years old girl who has never been to school before.

These partially successful official policies were approved by official 6. It could be seen that many Bidoun persons brought or bought passports from various countries. These passports ended their status as Bidoun making them foreigners, with negative outcomes on the Bidouns' lives.

Both the literature and the data suggest the status of being Bidoun means that:

1. Since the founding of the Secret Committee (1986) until writing this thesis (2017), Bidoun status is not comfortable. The Government is clear since 1986 the majority of Bidoun belong to different countries and they have to reveal it;
2. Harassment differs periodically, though, the restriction always existed. Education is an important instrument in the Government's hand. Though, since 2003 the Government became more tolerant regarding educational provisions.
3. This policy partly achieved the Government's target because a large number of the Bidoun left Kuwait and another group revealed their real passports (e.g. Saudi or Iranian) or bought passports (e.g. The Dominican Republic). This

might be because they discovered living as a foreigner is better than as a Bidoun or they lost hope of obtaining Kuwaiti citizenship.

4. The effect of being Bidoun could be seen in every aspect of Bidoun life: type of passport they use (Article 17) and travel restrictions with this passport (e.g. Saudi Arabia refused to recognise this passport for Pilgrimage). The Central Agency controls their affairs, type of identity card (Security Card), title they are named with (illegal resident), type of schools they study at (mainly the ordinary Arabic private schools), and so on.

8.3.1 Issues related to the fourth subsidiary research question

What is the form of educational provision in Kuwait for Bidoun?

The State of Kuwait accepted the concept of free education for Kuwaiti students, exceptional groups and specific groups of the Bidoun students:

Free education within state schools in Kuwait is limited to two types of students: Kuwaitis and exceptional groups. Exceptional groups are those that can attend state schools for free. Each academic year, the Ministry issues a list explaining which groups can enrol in state schools, and usually these are children of people whom the Government needs for their services, such as medical doctors and lecturers at the University. The Bidoun students were transferred partly at the end of the 1980s and totally from state to the Arabic private schools in the 1991/1992 academic year. In the literature, a statement issued by the Acting Minister of Education, Dr. Al-Medej (23 September 2014), notified that state schools would include two groups of Bidoun students in the next academic year. The first is the children of Bidoun soldiers together with children of retired soldiers, and the second group is the children of Kuwaiti mothers and Bidoun fathers. This situation changed in 2015/2016, when the MoE issued a decision to transfer back two groups of Bidoun students from private (mainly Arabic) into state schools and to transfer a third group in 2016/2017. An official statement was issued (19 June 2016) by Dr. Bader al-Essa the Minister of Education about including the grandsons⁶⁰ of Bidoun retired soldiers in state schools.

Some nationalities also enjoy this exception, such as citizens of the GCC. In the literature, the ex-Minister of Education, Dr. Moudi Al-Homoud, issued a statement regarding the academic year 2010/2011 about the 16 groups who have the right to enrol

⁶⁰ This decision was issued after the interviews had taken place, thus participants had no knowledge of it.

their children within state schools. In the data, official 2, official 5 and Activists 1 and 5 agreed that the Kuwaiti students and the exceptional groups are receiving free education in state schools.

8.4 Issues related to the main research question:

What can be learned from the situation in Kuwait about the interpretation of Human Rights Conventions regarding the provision of education for the children of the Bidoun?

Both officials and Activists agreed that the Bidoun should be educated but for different reasons: the officials were not influenced by human rights. They were more concerned with potential security issues arising from a substantial and disaffected minority in the population. The Activists gave many reasons to educate the Bidoun and the Human Rights Conventions were among these arguments.

Points of Clarification:

Firstly, there exists basic agreement among officials and Activists that; *“No one should be denied education as long as he lives in Kuwait”*. (Official 4)

Secondly, providing every Bidoun student with education is acceptable among the officials which the data highlights. The officials in the data are more tolerant than in the literature towards educating the Bidoun and this might be a result of having retired from their official position. A good example is Official 4 who insisted that providing the Bidoun with education and health services is inevitable even if they lack official papers:

The issue of official papers (of the father) and providing education and health service (for the Bidoun) are completely different issues. We must not punish the children because of their fathers' misdeeds especially in these two issues: education and health care. Therefore, from my point of view we must enrol all children without exception in schools.

However, the officials insist on an association between providing this group with education and having specific papers issued by the Central Agency. The Central Agency stated many times that they know the real citizenships of many Bidoun. The interested Bidoun refuted this statement insisting they are Bidoun. The difficulty occurs when the Central Agency refuses to renew the Security Card and the Public Administration insists to see this Card before reinstating the student. However, officials' perceptions differed, for example, Officials 4 and 5 refused to deny any child the right of education because

of his paternal fault: e.g. a lack of official papers, although Official 2 insisted in applying the regulations of the Central Agency regarding the Security Card and birth certificate. Officials' status may be important in shaping their perceptions as Officials 4 and 5 are retired from their official jobs, whereas Official 2 was still in post during the interview.

Thirdly, Activists gave more reasons for providing the Bidoun with adequate education and they encouraged transferring Bidoun students into state schools. These reasons are: political and economic. Politically, since the Bidoun are potential future citizens of the state, as Activist 1 said *"To treat the Bidoun as a human investment on the basis that they have spent a long time in Kuwait, so a lot of them are likely to obtain Kuwaiti citizenship. Therefore, they are potential citizens"*. Economically, educating the Bidoun will benefit the economy through being future employees in the labour market and finally, they are considered for the most part, to be very hardworking.

Fourthly, the officials considered that entirely removing the Bidoun from Kuwait to be an impossible task and therefore the approach was to implement a policy of continual pressure towards the Bidoun driven by the Central Agency and this succeeded partly in reducing the number of Bidoun. Additionally, officials and Activists, both in the literature and in the data, considered that providing Bidoun with education was associated with social security. In the literature, both the Activist Alzuabi (2013) and Abeer Alfawaz (2016) - who holds a negative perception of the Bidoun - considered education as an important aspect to achieve social security. In the data, many participants believed that providing Bidoun children with education is important for social security. For example, Official 5 said *"if this child does not go to school then he will stay in the streets, and what will that make him? A thief! He will learn all dirty things"*. A good education will make a Bidoun person qualified to work in professional fields, therefore they will be less likely to engage in criminal activities for their source of income.

Fifthly, there is disagreement between the officials and Activists regarding the ability of state schools to absorb all Bidoun students. The Activists believe the MoE could solve this issue and the state schools have the capacity to absorb them whereas the officials do not. When the Ministry transferred some Bidoun students into state schools in 2015/2016, Alturki, (10 September 2015) described the disappointment among the Bidoun parents about this decision because many Bidoun students were transferred into

schools outside al-Jahra Governorate which is the Bidoun centre. The reason is the schools in al-Jahra cannot absorb this number of students. In the data, Activist 1 insisted that during his tenure in the educational committee in Parliament there were many unused schools and a large quantity of land, which had been allocated for schools since the 1960s which could be utilised to absorb these Bidoun students.

Officials rejected this idea however. Officials 1 and 4 said the state schools suffer from overcrowding because of student numbers. Official 1 provided evidence of how the MoE are building additional classrooms, sometimes on the playgrounds of schools. The researcher considers Official 4's answer as the clearest: that the solution is to continue educating Bidoun students within Arabic private schools, with the support of the Charitable Fund. The reason is that the state schools are suffering from overcrowding. Official 5 said that the reason behind transferring the Bidoun from state schools into private schools was overcrowding.

Sixthly, there is another disagreement between the officials and the Activists, specifically regarding the standard of the ordinary Arabic private schools. The officials participating in the study insisted that standards in the Arabic schools are the same as state schools because they teach the same curriculum. In the literature, however, an important MoE official, al-Ghais, visited several Arabic private schools during the exam period and said; "during the exam period, he was astounded by the ubiquity of cheating, especially between teachers and students". This event occurred in 2008, however, whereas official 5 said there has been a clear improvement in these schools since 2010.

In both the literature and the data there is evidence that these schools have low standards for various reasons. According to an official source, Aldahes (2012):

Standards at the Arabic private schools are very inconsistent: although more than five out of the 10 top students⁶¹ who graduated from high schools are from these schools, a large number of Arab schools are substandard.

Overcrowding is central to this sub-standard, with Activist 1 saying that when he was a head of the Educational Committee in Parliament they discovered an Arabic school that

⁶¹ Traditionally, in Kuwait, the names, nationalities, and the schools of the top fifty students in the science branch, Kuwaiti and non-Kuwaiti are published, as well as the first fifty Kuwait students only, the same happens in the art branch of high school.

had rented a building and educated ten thousand students (mainly Bidoun) in this building. Although this school was closed down, Aldahes (2012) argues “It is much better to study in a crowded classroom than keep 16,000 students in their homes without education...it is acceptable to find 300 students in a state school and to find 6,000 students in an Arab private school” (Reported in Alshahed newspaper). The majority of the students in state schools are Kuwaitis. Aldahes concluded that it is better to educate Bidoun students in crowded schools than to keep them at home. Another piece of evidence regarding this overcrowding is the permission given by the Ministry for some Arabic schools to do two shifts: morning and evening. According to Aldahes (2012), the standard of teachers is another issue at these schools, because they accept teachers with grade D, whereas the state schools only accept grade C and above.

8.4.1 Summary of the first part:

There is considerable evidence that International Conventions have called for free and compulsory education for every child. It is evident that the Activists are more well-informed regarding these conventions than the officials. There is agreement among the officials in defining the Bidoun as illegal residents whereas the Activists reject this defining them as Kuwaiti without citizenship or stateless, although some Activists do accept that there is a minority who are hiding their real papers. Regarding the educational system, the officials and the Activists did not agree about the standard of Arabic schools and officials rejected the idea of including Bidoun students within state schools whereas the Activists supported it.

8.5 Second part: Lessons which can be learned of other countries facing issues with stateless people:

There are many countries in the world that face similar issues as Kuwait. This section explores other examples of the issue of statelessness, the reasons behind it and the education of stateless children. It will suggest that compared to other countries treatment of stateless persons' education the Kuwaiti solutions are still more advanced for the Bidoun.

8.5.1 Lesson No. 1; These problems are complicated and usually have, as in Kuwait, a long history that needs to be understood.

An intergenerational issue of these marginalised groups:

The issue of marginalised groups is a complicated issue in Kuwait and elsewhere. These marginalised groups arrived from unstable countries or poor countries to stable and promising countries such as Thailand, Malaysia and the Dominican Republic. For example, the Haitians arrived to work in difficult and low-income jobs such as construction and farming. Another similarity is that these issues for both the Bidoun and the stateless persons of Haitian descent in the DR have been going on for generations. Regarding the instability, the Muslim minority in Burma have been targeted by ethnic cleansing by the Buddhists. They also arrive and end up working in difficult or low-income jobs.

The similarities:

In the literature, officials in Kuwait or prominent people who shape official perceptions towards the Bidoun, such as Almelaifi (17 October 2010), mentioned that the Bidoun status is a result of legal and illegal migration from poor and unstable areas to rich and stable areas, such as Kuwait. Shamsaldin (19 September 2012) who sympathises with the Bidoun agreed that the majority of the Bidoun came from Iraq and the minority is from Iran and Saudi Arabia. This was one reason behind the changing policy of Kuwait towards this group in the 1980s. In the data, Activist 6 also argued that many Kuwaitis arrived from these two countries. The jobs which attracted the Bidoun in modern Kuwait such as in the army, police and petroleum companies were low paid and are considered to be hard jobs in the establishment of modern Kuwait which made these sectors accept people without scrutinising their status. The majority of the Bidoun and some Activists insisted that large numbers of this group is the offspring of nomads who were in the desert during the work of the Citizenship Committees. It attracts attention that Saleh Alfadhalah, the Head of the Central Agency in 19 January 2008 agreed that there is a group of the nomads who missed the chance to be granted with the Kuwaiti citizenship.

Problem of official papers:

Perceptions towards marginalised groups arise from the lack of official papers. In Kuwait, officials regularly claim that the Bidoun are citizens of another country no matter how long they have been in Kuwait. This claim prevented the Bidoun from verifying their official papers (before the Decision 409/2011 was issued) such as marriage, divorce and birth certificates. The children of Haitian descendants in the DR have similarly been denied birth certificates, identity cards and other documents. To

clarify this point, the Bidoun child has two possibilities at birth; first when the Central Agency insists that the father has a known citizenship whereas the father rejects that, then the Ministry of Public Health issue a birth announcement including the term Non-Kuwaiti under the heading nationality.

When the Central Agency agrees that the father does not have a known citizenship, then the Ministry will issue a birth certificate including the term illegal resident under the heading of nationality. Similarly, according to the Georgetown Law Human Rights Institute Report (*Left Behind*) (2014) in the DR there are two types of birth papers for stateless persons. The *live birth certificate* which does not allow children access to services such as education, and the *official Dominican birth certificate* which allows children access to those services.

The constitutional issue:

There is a paradox between the situation in Kuwait and the DR. In Kuwait, the Constitution guaranteed the right of education for Kuwaiti citizens only, whereas the DR constitution guaranteed the right of education for every resident. In practice, however, the State of Kuwait provided Bidoun students with free education from 1961 until 1986, whereas the DR in practice has often excluded stateless children from state schools. Furthermore, the Government in Kuwait established a Charitable Fund to support destitute children to enrol in the Arabic private schools whereas nothing like this happened in the DR. The hardest period faced by the Bidoun was from 1991 until 2003, because the Government only supported the children of those in the military sectors whereas the other groups had to pay their children's tuition fees. The establishment of the Charitable Fund facilitated a large group of Bidoun children to be educated. Between 2014 and 2016, however, these moves were partially reversed with decisions to send some groups of Bidoun into state schools. Nothing similar to this took place in the DR.

In Kuwait the origin of the Bidoun is a debatable issue between the officials on one side, with the Bidoun and Activists on the other, whereas in the DR, Thailand and Malaysia the origins of these groups are known. There is another difference between the educational treatment of the Bidoun and stateless/refugees in the DR. Usually, in Kuwait, if a Bidoun student is in possession of all the required papers he can study until he has graduated from high school and if he has enough financial resources he can continue studying into higher education. This is not the case in the DR, the educational

authorities in the DR accept many students of these groups even if there is lack of official papers, however, those students cannot validate their qualifications because they lack these official papers.

8.5.2 Lesson No.2, the economic dimension, this lesson is divided into two parts which are the wealth sharing and the cost implications.

Firstly, wealth sharing: There is a perception among some nationals that Kuwait is a wealthy country and the Bidoun want to have a share of the national prosperity:

Kuwait is a Rentier state where there is a good income and the Government provides its citizens with a good quality of life: free education, free health care, scholarships and financial support for marriage. There is an official interpretation that most Bidoun arrived what they considered recently (1970-80s) from neighbouring countries, and hid their official papers. Some nationals often repeat the phrase: *“Whatever the suffering the Bidoun face in Kuwait, it is much better than their original countries”*, a view echoed by Official 4; *“What the State of Kuwait - not only the MoE - provides for the Bidoun in terms of health and education is perfect, the Bidoun do not receive such care and services in their homelands”*. According to Alqadi (2015) a similar situation took place in the UAE, where, the Bidoun were recognised by native citizens as “greedy frauds” who wanted to have a share in national resources such as free education, health care and employment.

These economic issues are a key reason for governments depriving some communities of citizenship. There is a large community of Muslims called the Rohingyas living in the Arakan region of Myanmar, where there are huge economic projects. The majority of the population in this region are Muslim whereas the majority of Myanmar is Buddhist, according to Campbell (2013) and Ten Kate (2013) there is ethnic cleansing projects perpetrated by Buddhists against Muslims aiming to move Buddhist people to the region of Arakan. It is worth noting that one of the poorest countries in the World – Bangladesh- made a final decision to grant all of the Bihrais group or stateless persons, with citizenship. This action strengthens the idea that there is an economic aspect behind denying the stateless the rights of citizenship. Granting this group with citizenship will not cost Bangladesh a lot because more than 30% of its population live below the poverty line of US \$2 per day and there is no Welfare State to be burdened by an increased population.

Secondly, the cost implications: Austerity means fewer resources as a result of falling oil prices:

The Activists support the idea of inclusion, Activist 6 and Rana al-Abdulrazaq (2013) suggested that inclusion of Bidoun students at state schools will save money that is paid to Arabic private schools. Whereas Activist 6 and Mona al-Abdulrazaq (2013) described the number of Bidoun students as relatively low which means it is easy to distribute them among state schools.

Firstly: the amount of money which is allocated for the Charitable Fund is not large (more than £12 million but it is enough to educate more than 12,000 students in the Arabic private schools in the academic year 2012/2013) because the cost of education in this type of private schools is not expensive. The cost of educating students in state schools is enormous (more than £10,000 for each student), however, and this poses a question of whether the MoE has the budget to continue implementing this inclusive policy or not. The General Manager of Public Administration for Private Education Albasri (6 September 2015) announced that the Charitable Fund's deficit for the academic year (2015/2016) was more than £700,000.

Secondly, most Bidoun families live in one Governorate (al-Jahra) which means the Ministry has to offer transportation to deliver Bidoun students to schools in other governorates or to different schools in different towns within al-Jahra. Alternatively, the Ministry could allocate a substantial budget to establish new schools in the surrounding regions of al-Jahra, or at least build more classrooms and facilities inside the existing schools.

Thirdly, including Bidoun students because of humanitarian considerations, such as equality, justice and fairness is more important than simply saving money. In the data, Activist 1 talked about educating Bidoun children because they are a "*human investment*", educating them is to ensure that they will become good people.

The cost issue exists in Malaysia too, as the UNICEF report (2015) mentioned in respect to the large number (200,000) of children of marginalised groups who are excluded from schools, with the financial costs mentioned as an important reason behind the limitations in accepting those children in schools. Compared with Malaysia, the situation in Kuwait is much better, especially from 1961 until 1991 and from 2003 until 2017. The Charitable Fund, regardless of the fact that it supports only the needy

students, is much better than leaving them entirely excluded from education. The Malaysian Government meanwhile, established “an alternative education” process which is a pilot project to educate these groups.

8.5.3 Lesson No. 3; Use of Language. An often-deliberate way of presenting the issues in particular ways:

In Kuwait, the Activists and the officials used different language regarding the Bidoun. Some Activists use the term “Kuwaiti Bidoun”. whereas other Activists used ‘stateless’, for example, when Kuwaiti Activists held a seminar regarding the Bidoun issue (2013), they called it the “First Conference of Statelessness” using the term stateless to refer to this group. Before 1986, the Government, used the term *Bidoun Jinsiyyah* (*Without Nationality*) and provided this group with free beneficial services such as free education, health care, jobs and occasionally scholarships.

Yet, officials have stopped using this term since the 1980s, and substituted it with ‘illegal residents’. This underpinned a change in treatment of the Bidoun, with many new regulations foisted upon them. These regulations resulted in the Bidoun dividing into three groups; 1. The first left Kuwait to the West or to return to their countries of origin, 2. The second bought passports from other countries, changing them from being illegal residents to being foreign. 3. The third group chose to stay as illegal residents in the hope of obtaining Kuwaiti citizenship or holding out for better treatment in the future. The impoverished among the latter group were prevented from accessing -at least for a while- many rights and services provided by the state such as free education, until the establishment of the Charitable Fund in 2003.

This situation has existed in many other places. In the UAE, the authorities called people in this situation illegal immigrants refusing to call them stateless or Bidoun and forcing them to accept Comorian citizenship changing their status to foreigner. The Malaysian Law classifies groups such as stateless persons, refugees and asylum seekers and other undocumented migrants as illegal immigrants. In the DR, in 2013, the Nation’s Constitutional Court stripped more than 200,000 persons of their Dominican citizenship because their parents were Haitian irregular migrants. Compared to the official treatment in the DR, Thailand looks more lenient towards stateless persons. In the literature, Jedsadachaiyut and Al-Jasem from UNHCR (24 November 2016) gave examples to prove the leniency of the Thai Government. They said: “More than 23,000 stateless people have been granted Thai nationality in the last four years” [And] “The

Thai Government promised to end the statelessness in Thailand by 2024". An additional example from the same source is that the Thai Government requested all districts in the country to issue official papers to eligible stateless students. This act could benefit up to 65,000 students, ranging from granting citizenship to permanent or temporary residence. Although not party to International Conventions on statelessness, the Thai Government is one of the more tolerant of those who have not signed these Conventions.

To conclude, the situation of the Bidoun in Kuwait represents a middle ground between the tolerance of Thailand and the hard-line policy in the DR.

8.5.4 Lesson No. 4. The Relationship between Domestic Law and the International Conventions. It would appear from the Kuwaiti example, that Domestic law is always considered more highly:

Kuwait is cautious regarding International Conventions because some of them are in contradiction with the Sharia Law or with domestic law. For example, Kuwait has some reservations towards CEDAW for religious reasons such as giving women the right to undertake a marriage without a *wali* (*guardian*). Other Conventions have been ratified by the Government, including those calling for free education for every primary age child. Kuwait has achieved this goal regarding Kuwaiti students but this success is more doubtful in respect to the Bidoun students. For example, Kuwait ratified two Conventions against discrimination forbidding any kind of discrimination against any group in society. These Conventions are against domestic regulations organising the life of the Bidoun, as can clearly be seen in separating Bidoun students into Arabic private schools.

Since 2003, officials have tried to take a middle road between domestic law and International Conventions by providing destitute Bidoun students with funds and offering them places in private schools. The Conventions, however, expect free education for every child, whereas this type of funding only allows for free education within certain boundaries, since a capable Bidoun father must pay his child's tuition fees. Countries which are neighbours to unstable countries, or whose economies are doing better than their neighbours, might avoid signing the 1954 and 1961 International Conventions which are associated with statelessness. A good example is Malaysia, being adjacent to the Philippines and Myanmar, another example is Thailand, neighbouring Myanmar and Cambodia, despite the recently promising project (2016) to end statelessness by 2024. The refusal to sign the 1954 or 1961 Statelessness

Conventions and defining these groups in such a way as to suggest their illegal status, and makes these groups vulnerable to arrest or deportation.

In a comparison to Kuwait, Malaysia made a reservation in respect to the Convention on the Rights of the Child CRC Article 28 (1, a) regarding the provision of free and mandatory education at the primary level. This reservation gives Malaysia the freedom to deny education to some groups. In Kuwait, when any International Conventions contradict domestic laws, the domestic is prioritised. This can be seen from the reaction of the Kuwait Society for Human Rights (October 2014) to the refusal to allow a group of Bidoun students from attending the Arabic private schools known at that time as the Kutatib of Bidoun. This Society reminded the officials that Kuwait had signed the Convention on the Rights of the Child, and Article 28 calls for the state parties to provide all children with free primary education.

8.5.5 Lesson No. 5. Xenophobia, religious differences and tribalism means that many established nationals are wary of those who ‘are not one of us’:

This phenomenon exists in many countries in the world. The Dominican people hold strong prejudices against Haitian people, since they consider themselves as being European or Latino and consider the Haitian people to be African. Similarly, many Kuwaiti people regard a large number of Bidoun to be originally from Iraq. Kuwait and Iraq have a long history of distrust, especially since the Iraqi invasion in 1990. In the literature, Rana al-Abdulrazaq (2013) confirmed that “This policy towards Bidoun might be because the majority of Bidoun are from specific regions or specific denominations”. The same situation can be seen in the UAE, where the officials had xenophobic attitudes towards some communities. This explains the establishment of a biometric data-base of the entire population aiming to categorise the population into genealogical subgrouping associated with different levels of threat (Alqadi 2015).

There is another side of this coin. More precise terms ought to be used to explain these indifferences are “tribe-phobia” and “sectarian-phobia”. There are unconfirmed rumours that the majority of the Bidoun are Shia whereas the majority of the Kuwaiti population are the Sunni. This is also the case in the UAE, where officials perceive the Bidoun as Shia who hold their allegiance to other communities (mainly Iran), and this prevented them from wanting to provide the Bidoun with citizenship.

Concerning “Tribalism”, there are also unconfirmed rumours about the origin of Bidoun, with a belief that most of Bidoun belong to the Northern tribes as mentioned on

Aljazeera (31 December 2015). The Arabian Peninsula (mainly Saudi Arabia) is the centre of nomads, and these tribes are referred to after their locations: North, South, West and East. Some Northern Tribes for example can be found in the North of modern-day Saudi Arabia, Iraq, Jordan and Syria. These tribes alleged that they did not understand the value of official papers in citizenship process so they did not register for citizenship due to their life searching for pasturage. That is -according to them- the main reason behind being without official papers in Kuwait. Alkhalifa (2013), however, argues that these unconfirmed rumours are just that: they do not contain any factual content. These tribes are extended, meaning they can be found in Saudi Arabia, Kuwait and Iraq. These rumours make the: urbanised (non-tribal people), Sunni and non-northern tribes fear the consequences of granting Bidoun with citizenship. The issue lies in the fact that in Kuwait many important positions such as: in Parliament, in Municipal Council, sport clubs, and cooperative society positions, can be obtained by elections, meaning that granting a large number of Bidoun with citizenship could dramatically change the results of such elections.

Another important issue in both Kuwait and the UAE is that the number of Bidoun in these countries is large compared to the existing nationals. In Kuwait, according to an official statement issued by the Minister of Home Office (29 August 2014) the Bidoun number is 111,493 whereas the Kuwaiti population is 1,329,239 relying on the Public Authority for Civil Information (PACI) meaning that Bidoun constitutes 7.7% of the current populace, and in the UAE the situation is debatable. Alqadi (2015) mentioned that some reports estimated their number to be around 100,000 whereas the officials talked about 10,000 persons only comparing with 947,000 (less than one million) citizens in 2016. So, if the reports are correct, then the percentage of Bidoun (before they become foreigners) is 9.5% which makes it similar to the one in Kuwait. In a country with a large population such as Bangladesh, on the other hand, granting the stateless citizenship will not significantly change the composition of its citizens.

8.5.6 Lesson No. 6. A need for pragmatic solutions: evening schools, now one third of Bidoun are in state schools. There is some mention of inclusivity which might provide a positive way forward.

The situation in Kuwait is more pragmatic than in other countries, such as Malaysia, facing similar issues. According to UNICEF (2015) the educational chances for marginalised groups such as stateless children are limited, with the same report mentioning that children of these groups in Malaysia are -roughly- twice the whole

number of the Bidoun populace in Kuwait. Kuwait established a full-scale solution in the form of a Charitable Fund in 2003 to help the destitute children of Bidoun. There is nothing similar in other countries, such as Thailand, Malaysia and the DR, facing the same issues. The policies in Kuwait have succeeded because, as discussed in Kutatib of the Bidoun, they are intended to meet the needs of the vast majority of Bidoun at all stages of pre-university education. By comparison, in Malaysia two organisations (IDEAS & YCR) conducted a pilot project helping to provide secondary education for only 300 students, over three years, to refugee and stateless students. In Thailand, a project was launched in 2009 to educate stateless and refugee children. What attracts attention is that this project was operated on the assumption that Thai society will accept stateless and refugee students into their schools and that these students actually desire Thai education. Some support for this assumption of cultural integration may be found in comments by Activist 6 who stated that, during her study in state schools in Kuwait, she could not distinguish between Kuwaiti and Bidoun students. Activist 2 was not as convinced of this apparent social harmony, noting the social divisions in Kuwaiti society such as feuds between urbanised and tribal groups, full-blooded and non-full-blooded Kuwaitis and between Sunni and Shia.

8.5.7 Summary of the second part:

The significance of this study could be that this is the first academic research to explore the educational provision for Bidoun students in Kuwait. This study organised and consolidated many scattered sources about Bidoun life and their education. This research highlights areas of agreement and disagreement between Activists and officials regarding what it means to be Bidoun, the reasons for being Bidoun, their general condition and educational state.

The information gathered in this thesis can be used in many ways. First, to encourage officials in the educational field to have a better understanding of the International Conventions associated with children's right to education. Secondly, the officials need to ponder future plans regarding Bidoun education. Thirdly, since the majority of the Bidoun live in a specific Governorate, al-Jahra, any future plans to include them in state schools or keep them in Arabic private schools would mean officials would need to examine the financial cost on this Governorate. In case officials want to distribute the Bidoun to schools in other Governorates, this means the Ministry needs to calculate the transportation to these schools. Fourthly, the standard of teachers in the Arabic ordinary

schools is debatable, given that the management of these schools accept teachers graduating from university with a (D). This debate about teachers' standards might lead to a requirement to apply the state schools' standard.

There is a necessity to do further detailed studies in this subject of "The education of Bidoun". During this study, the researcher found it difficult to come up with thorough information regarded this topic. The shortage of academic studies forced the researcher to get his information from two sources: the media and interviews. This highlights the need to do additional research regarding the following areas: the standard of teachers in the Arabic ordinary schools. The evaluation system in these schools, for example is the invigilation system effective during the exams? And the marking of exams needs to be tested as some information suggests that teachers collaborate in cheating the exam system. The Bidoun students have some difficulties registering in higher education and this area needs to be investigated to understand these difficulties and how to mitigate them.

Chapter 9 Conclusion and Recommendations:

9.1 Introduction:

This Chapter considers the findings in relation to the interpretation of the Human Rights Conventions regarding the provision of education for Bidoun (stateless people) children in Kuwait. As indicated in Chapter One, this work consists of one main research question and six sub-questions as below:

The main research question is: What can be learned from the situation in Kuwait about the interpretation of Human Rights Conventions in relation to the provision of education for Bidoun children?

There are six sub-research questions as follows:

- a. How Human Rights are viewed from a United Nations perspective and how does this compare with an Islamic perspective on this issue?
- b. What is the situation regarding 'stateless people' in a range of countries around the world and how are they viewed in relation to United Nations Conventions?
- c. Who are the Bidoun in Kuwait and how is their status affected by their classification?
- d. What form does educational provision take for Kuwaiti Bidoun?
- e. What is an appropriate methodology for researching the position of Kuwaiti Bidoun?
- f. What are the perceptions of a sample of key personnel on the issue of education for the Bidoun in Kuwait?

During the course of the thesis, these issues have been addressed as follows: four questions (A, B, C and D) were addressed through the literature review, E was addressed in the methodology Chapter, (F) through the data Chapter and the main research question was addressed through the discussion Chapter.

The data were collected via semi-structured interviews with twelve, informed individuals involved with Bidoun issues either generally, or specifically with their education. The data was analysed thematically using NVivo software. This concluding Chapter brings together the main themes of the thesis, demonstrates the findings of the study and paves the way for future studies concerning the education of Bidoun children.

This Chapter begins with a summary of the findings relating to the research questions, followed by a discussion of the contributions provided by this study in respect of the

body of knowledge, and theoretical and practical contributions. The limitations inherent in the study are also discussed. The Chapter concludes with suggestions for future studies related to the education of Bidoun children.

9.2 Findings Summary:

9.2.1 Findings related to the first sub research question:

How does the United Nations' perspective on Human Rights compare with Islam's?

There are many differences between the United Nations and the Islamic perspective on Human Rights. The UN considers Human Rights as inherent to all human beings, whereas the Islamic perspective regards them as a grace from Allah [God] upon people.

The stance towards changing one's religion is one example of the implications of these differences in perspective. Conservative Muslims totally reject the idea that Muslims can change their religion and believe that an apostate must be punished. It is important to note the strong belief among conservative Muslim scholars that any effort to implement the United Nations perspective on Human Rights will be regarded as "Westernising Muslim Society". Such conservatives reject Westernisation because they consider many aspects of Western culture to be totally opposed to Islamic values and a possible threat to the Islamic family.

Several articles in the Convention for the Elimination of Discrimination Against Women provide good examples of issues that provoke such suspicions. The International Conventions of Human Rights calls for the provision of free education, especially at primary level, for all children regardless of colour, race, religion and status; parents also have the right to choose their child's school. There is extensive evidence from within Islamic history and religious traditions of the provision of free education, and the Covenant on the Rights of the Child in Islam declared the importance of free compulsory education, stating it to be associated with Islamic principles. The new movement for inclusive education calls for the inclusion of all marginalised groups within mainstream schools.

There are also many International Conventions calling for primary education to be compulsory and for secondary education to be widely available. These Conventions give freedom to parents to select the schools they wish their children to attend, such as

the UNESCO Convention against Discrimination in Education (CADE) and Article 26 the Universal Declaration of Human Rights.

9.2.2 Findings related to the second sub research question:

How does the situation of ‘stateless people’ vary globally and how are they viewed by United Nations Conventions?

An overall perspective:

The findings suggested that stateless people generally live on the fringes of society. Their situation can be described as uncomfortable because they are exposed to many types of harsh treatment such as deportation, or are sometimes denied basic rights such as education, health treatment and employment. The reasons behind this hostile treatment include the lack of official papers, xenophobia and the fear of the financial costs involved in providing services.

Solutions:

The literature shows that countries have chosen to apply entirely different approaches to end the statelessness issue. Bangladesh chose to put forth a ‘radical’ solution in granting the Biharis (stateless) citizenship. The UAE chose a different type of ‘radical’ solution by granting them citizenship; however, citizenship was paid for. Officials in the UAE chose an unusual way by paying cash to the Comoro Government as compensation for granting this group Comoros citizenship and switching their situation from stateless people to foreigners. Other countries have chosen to apply a third ‘radical’ approach to solving the issue by stripping specific groups of citizenship in order to change their status from nationals to stateless and then deporting them to their original land. This is exactly what happened between neighbours Eritrea and Ethiopia in the 1990s when Ethiopia initiated this policy and Eritrea retaliated by applying similar measures. Kuwait has tried the UAE’s solution; however, this policy has been halted for the time being.

The United Nations Conventions:

The United Nations approved two Conventions (in 1954 and 1961) in an attempt to reduce statelessness or at least improve the situation of stateless people. The 1954 Convention attempted to provide stateless people with many human rights, such as treating this group in a similar way to nationals in terms housing, rationing, education

and public relief. The 1961 Convention attempts to reduce statelessness in the future. This Convention established some principles as norms to nationalisation.

Avoiding these Conventions 1954 & 1961:

Many states have avoided the commitments of the Conventions by simply not signing them, a behaviour common among countries surrounded by unstable or poor states. Kuwait and its allies in the GCC such as Saudi Arabia, Qatar, Bahrain, Oman and United Arab Emirates are good examples of how countries refuse to be parties to these two Conventions.

9.2.3 Findings related to the third sub research question:

Who are the Bidoun in Kuwait and how is their status affected by this classification?

The Bidoun: The officials agreed that this group entered Kuwait both legally using valid passport and illegally by sneaking through the desert. The officials are convinced that the majority of this group are citizens of other countries and are hiding their original papers in the hope of obtaining Kuwaiti citizenship. The Activists have different, though differing, perceptions. Some Activists considered the Bidoun as nationals without citizenship, some as stateless people and some consider them as an isolated, marginal social group.

Status: Generally, the Bidoun were treated similarly to other nationals in Kuwait for nearly a quarter of a century. This policy started to change in the second half of the 1980s. As in many countries, living without official papers will affect one's status in a negative way. The Bidoun in Kuwait faced the prospect of being a third group in the society: not nationals and not foreigners but different from both groups. Many Bidoun chose to change their status from Bidoun that of a foreigner, some emigrated from Kuwait though a large number still live there.

9.2.4 Findings related to the fourth sub research question: What is the nature of educational provision in Kuwait for Bidoun?

The schools with the lowest standards are the Arabic ordinary schools in which the majority of Bidoun are educated; this is because the Charitable Fund pays the tuition fees for these schools for destitute Bidoun. Although the curriculum in the state and Arabic schools is the same, the challenges outlined above undermine the quality of the Arabic schools. Although the MoE is directly involved in the Arabic schools by virtue

of appointing head teachers, their ability to effect change is severely hampered by the fact that the number of students in Arabic ordinary schools is much more than in state schools.

9.2.5 Findings related to the fifth sub research question:

What is an appropriate methodology for researching the Bidoun's position?

Chapter six discussed the issues related to research methods in general, and the reasons for embracing specific choices. This research was informed by an interpretivist philosophy. Interpretivism privileges the subjective nature of knowledge within a reality that is fundamentally socially informed. In other words, the understanding of the world around us is dependent on social and cultural perceptions. Although there may be an objective reality in respect to the situation of the Bidoun, this thesis is concerned with understanding perceptions of the Bidoun issue and establishing meanings, concepts and definitions for Bidoun life and education; thus, an interpretivist and qualitative strategy was most appropriate for this research.

The technique for accessing participants for this study was snowball (network) sampling. A fruitful pilot study was applied with an academic lecturer which resulted in adjusting the interview questions. When the researcher had achieved data saturation, he applied Miles and Huberman's (1984) approach for qualitative data analysis using NVivo software.

9.2.6 Findings related to the sixth sub research question:

What are the perceptions of a sample of key personnel concerning Bidoun education?

Views of Activists and officials overlap on the necessity to educate the Bidoun:

A cursory consideration would suggest considerable differences between officials and Activists regarding this issue. However, this research indicates some degree of common ground, with both officials and Activists supporting -in principle- providing the Bidoun with education. Some officials have a specific motive (security dimension) for this, and stipulate a number of pre-conditions before providing this service, whereas the Activists have no pre-conditions.

Activists' reasons for including the Bidoun students in the state schools:

1. Activists believe both society and the state in Kuwait will benefit from providing the Bidoun with a good education, because they are potential citizens who merit investment.
2. They also constitute a hard-working group who will achieve good results in schools; and who will benefit the market through their human capital.
3. Activists consider isolating Bidoun students from Kuwaiti students as unjustified segregation. One Activist deemed it “*making the lower class go to low schools and the higher class – because they are Kuwaitis – go to different schools*”.

The security dimension:

Officials focused on the security dimensions in Kuwait as a prime reason for providing all Bidoun students with education, although there might also be a hidden agenda to help the Arabic private schools financially.

The Activists supported the security dimension as a reason to educate the Bidoun, but rejected the idea of financial support since this would simply enrich the schools’ owners. Consequently, Activists demanded the Government transfer all Bidoun students into state schools and end segregating. Both officials and Activists considered a Bidoun outside school as a potential criminal jeopardising state security.

The main differences between the two groups lay in the officials’ focus on official documents required for a Bidoun father to enrol his son/daughter in a school, whereas the Activists both considered this as an unjustifiable denial of education and opposed enrolment in Arabic private schools.

Knowledge of International Conventions:

The researcher considers the government’s hard line towards the Bidoun as reflecting a lack of knowledge among officials about the Human Rights Convention’s requirement of free education for all children.

Senior officials in the MoE need to know administrative law, whereas the reports of the international organisations such as the HRW are mainly the responsibility of the Central Agency. It is important to note that the Government will usually not appoint to senior positions in the MoE if there is an unwillingness to implement its policies. Senior officials in Kuwait enjoy many privileges; consequently, it is accepted, and expected, that they are loyal to government policies. Moreover, many senior officials expect that

following retirement they will be re-employed in the public sector as consultants. Among the officials interviewed, those who had fully retired totally were more tolerant regarding the Bidoun than during their time in office, as they were no longer influenced by their official role.

By contrast, Activists in the literature and data are more knowledgeable about Conventions and are supportive of them because Kuwait is a co-signatory, making them effective as domestic law. Significantly, none of the Activists works in a senior government role. Three of them are academics, one a solicitor and one a journalist; hence they have no government privileges to be worried about. A good example in the literature can be seen in the Kuwait Society for Human Rights' statement during the 2014 Kutatib crisis reminding officials of the International Conventions Kuwait had signed and its legitimacy in domestic laws.

9.2.7 Main research question findings:

What can be learnt from the situation in Kuwait regarding the interpretation of Human Rights Conventions in relation to educational provision for Bidoun children?

Two lessons can be learnt:

Lessons related to the domestic situation:

There is unanimous agreement to provide the Bidoun with education.

Both officials and Activists believe in the importance of providing education, though with some officials the issue of whether or not the Bidoun have official papers is a prerequisite. Officials, and those distrustful of the Bidoun, are motivated by a concern that Bidoun children could become a potential threat to state security if left outside schools. In the literature, the "Kutatib of the Bidoun" was a good example of what some Activists regarded as the state's use of education as a weapon to force Bidoun parents to produce their real passports (which officials believe the majority of Bidoun possess). By contrast, Activists expect all Bidoun students to be educated in the same schools as Kuwaiti students regardless of a lack of documentation and provide many political and economic justifications for their demands.

In both literature and the data Activists strongly supported the idea of including Bidoun students in state schools to study alongside Kuwaiti students, whereas the officials in

the data considered only the current situation (exclusion) as appropriate. The capability of the state schools to absorb Bidoun students is another reason for this position. The officials -in the data only- insisted that the state schools cannot absorb such additional numbers, whereas the Activists -in literature and data- believe that state schools can easily absorb them.

The researcher would like to add an important point that was not raised in either the literature or the data because it only became pertinent during the period when the data was being collected. Specifically, there are consequences for any educational project seeking to include the Bidoun in state schools arising from the current austerity in Kuwait.

The financial profits of Arabic private schools:

There is an overlap between the Activists (in the literature only) and officials (in the data only) regarding this point. Some members of both groups mentioned that there is a hidden agenda for transferring and keeping the Bidoun students in these schools, and this is to enable school owners profit from state financial support. In the data, one official gave detailed information about how the Government supported the Bidoun financially before the Invasion (1990), supported the children of Bidoun soldiers after the Liberation (1991) and contrasted this with support for all destitute Bidoun students between 2003 and the present day represented by the Charitable Fund. Another official in the data also talked about this hidden agenda. The main beneficiaries of all these developments are the owners of Arabic schools. It is important to note here both that educating Bidoun students in these schools is much cheaper than state schools and the academic standards much lower.

The debate over the quality of Arabic private schools:

Officials (in the data only) rejected the idea of including Bidoun students in the ordinary Arabic private schools because of their status as illegal residents. They stated that Bidoun students in the Arabic private schools receive the same quality of education as Kuwaitis receive in state schools because the curriculum is unified, the head teacher is appointed by the Ministry and there is a good inspection regime from the Public Administration for Private Education; they also noted the shortage of state schools.

However, there is a contradiction between the officials in the literature and the data. In the literature, an important figure in the MoE (2008) revealed these schools in a bad

light because of cheating. There is one official in the data, however, who revealed that from 2010 onwards the standard of these schools has improved.

Regarding the Activists, they have a unified perception in both literature and data in considering these schools as sub-standard and have given many reasons for this evaluation including overcrowded classrooms and poor quality teachers. Currently, a large number of the Bidoun students study in the ordinary Arabic private schools.

Officials consider that domestic law is always superior to International Conventions:

Officials in Kuwait give supremacy to domestic laws over International Conventions. This can sometimes be explained by clashes between Conventions and Sharia Law -as mentioned earlier in the literature- and security concerns arising from the fact that Kuwait is a small country surrounded by three large countries. In both literature and data, some Activists considered that Kuwait had signed several Conventions regarding children and education and this imposes an obligation to end any restrictions on children living in Kuwait receiving an education; consequently, they acted to find alternative education (the Kutatib of the Bidoun) in 2014 when the Public Administration rejected some Bidoun students.

Kuwait has continuous problems with its three neighbours over coastal/land frontiers, oil/gas fields and problems with Iraq and Iran over sectarian, terrorist cells. Many Kuwaiti citizens have viewed the Bidoun as citizens from these three countries who arrive in Kuwait seeking a better life. Consequently, since the second half of the 1980s there has been a determined policy to make the Bidoun produce passports to end their status as Bidoun.

The Xenophobia effect:

This is the most sensitive aspect of the Bidoun issue and nationals prefer not to discuss it openly. The majority of Kuwaitis are Sunni, whereas there are unconfirmed rumours that large numbers of Bidoun are Shia. Another issue is that many Kuwaitis consider the Bidoun as nomads from the Northern tribes- in other words - they belong to Iraq. This explains why the Government became harsher with the Bidoun after the Liberation from Iraq (1991) as some officials and nationals accused some Bidoun of being a fifth column for the Iraqi army during the invasion. There is some evidence in the literature, mainly from non-Kuwaiti authors, about such issues, whereas in the data the

participants were careful in approaching these sensitive issues (Activists 5 and 6 for example).

The second part of the findings: Marginalised groups similar to the Bidoun exist in many other countries:

Marginalised groups are very likely to be subjected to multiple layers of discrimination (including social, educational and economic exclusion) in many countries globally. Here, a summary will be provided of some of the lessons that have been deduced from this research which may help understand similarities between the situation of Bidoun in Kuwait and other such excluded groups.

Lesson No. 1. The issue of marginalised groups consists of many interconnecting elements:

The situation of excluded groups is frequently complex and affects several generations. Usually, there is one or more of these following reasons for lack of status: political (The Biharis in Bangladesh), economic (Muslim-minority Rohingya in Myanmar) racial (blacks in Mauritania), religious (accusations against the Bidoun in the UAE for being Shia). Potentially, such these reasons explain the Bidoun's situation, and Activists use such explanations whereas officials always maintain- without involving racial or religious issues- that the issue is simply that the majority of Bidoun are citizens of other countries.

Lesson number 2. There is an economic dimension regarding nationalising or educating the marginalised groups:

A. Wealth sharing:

The GCC countries are wealthy, Rentier states which have provided their citizens with high living standards. Granting a large number of people citizenship might be a burden on the state budget. It is noticeable that the first restrictions in Kuwait towards the Bidoun (1986) coincided with a major fall in oil prices and Kuwait, as with similar GCC partners, has an oil-based economy. Almost 90 percent of the Kuwaiti workforce and the other five states in this Council are in the public sector, and therefore, a great part of the state budget is spent on salaries and allowances.

B. Cost implications:

The Activists in both literature and data supported the idea of the inclusion of Bidoun students in state schools which they believe would be able to meet the demand. However, the cost of educating students in state schools is many times higher than in Arabic, ordinary private schools. Another issue is that the majority of Bidoun live in specific areas.

Lesson No. 3. Use of language as an intentional method of presenting the issues in particular ways:

The Activists and the officials in the state of Kuwait use totally different language depending upon their perceptions. To date, the Activists refuse to use the official term “illegal residents”, whereas officials have stopped using the term “Bidoun”. This was exactly the situation in the UAE before the Bidoun there were forced to obtain Comoros passports. This situation is worse in the Dominican Republic because the Dominican Constitutional Court rescinded the citizenship of Dominicans with Haitian parents in 2013.

9.3 Contribution of the research:

9.3.1 Body of knowledge:

To the best of the researcher’s knowledge, little research has been conducted on Bidoun education in this region. There are few related academic studies, and those that there are somewhat general. This work’s contribution includes both the gathering of data related to the Bidoun in general, and their education specifically. Today, these issues are usually discussed via media such as TV, newspapers and Twitter. On the one hand, officials will state or issue laws or decisions regarding Bidoun via TV (official or private) or newspapers, while Activists will present seminars, articles in newspapers, and discussions on private (only) TV to defend the Bidoun case.

The researcher combined these sources and organised them in this study to facilitate other researchers’ comprehensive understanding of the Bidouns’ educational situation from the time of their part exclusion after the Secret Committee in December in 1986 until the present day. Researchers wishing to investigate this area will find organised work in relation to:

- The disagreement among nationals in Kuwait regarding the status of the Bidoun and whether they are stateless or illegal residents.

- The reasons behind these perceptions and examples of such situations.
- The fact that many countries face similar issues but deal with them in different ways.
- NGOs and Activists being more concerned about the issue of such vulnerable groups than governments (Kuwait is a good example of this).
- Important dates related to Bidoun education are: 1986, 1991, 2003, 2012, 2015/2016 academic year and 2016/2017 academic year.
- Terms that are related to Bidoun education: Charitable Fund; Arabic private schools (ordinary and model); the Central Agency for Remedying of the Illegal Residents' Status; the Kutatib of the Bidoun; Group 29; the first; the second and the third transferring of Bidoun students and Bidouns' papers.
- The different types of schools in Kuwait (state and private). The different types of Arabic private schools where the majority of Bidoun are studying. The debate about the standard of Arabic private schools.
- The different reasons mentioned by officials and Activists to provide Bidoun students with education. The type of schools that Activists and officials consider as suitable for Bidoun students.
- The different groups among the Bidoun themselves due to:
 1. Intermarriage. When a Bidoun man marries a Kuwaiti woman, their children will get a more preferential treatment than when both parents are Bidoun. A good example is the current decision that transferred Bidoun students whose mothers are Kuwaitis from Arabic private schools into state schools. The matter of being a son/daughter of a Kuwaiti father and a Bidoun mother is something different, because the law immediately grants such children citizenship.
 2. Type of job: Children of Bidoun who work in the military sector will get better treatment than the children of Bidoun who work in the private sector. A good example is the recent decision that allows the children of Bidoun in the military to be transferred into state schools.
 3. The census: Bidoun included in the 1965 census have a greater chance to be granted Kuwaiti citizenship than those who were registered in the census after 1965. It should be noted that Kuwait has a census every five years.

9.3.2 Practical contribution:

The researcher found two different perceptions regarding the ability of the MoE to include Bidoun students within state schools. The researcher was interested in the argument that the Ministry can do this without any difficulties. Activists claiming this gave evidence that inclusion is easy and only needs a decision. The researcher considers the Kuwaiti solution, namely educating Bidoun through a Charitable Fund with some groups included within state schools, as more advanced than practice in comparable countries such as Malaysia and Thailand. The researcher's concern is only about the financial capacity of the MoE due to the austerity policy implemented by the Government. Apart from this, the Bidoun live in specific Governorates in Kuwait and they studied with national students in the past without any difficulties.

9.4 Limitations of this investigation:

There are some limitations regarding this investigation. The first is the official refusal of the MoE to permit interviews with teachers as a sample for this study; the researcher failed to obtain permission from the Head of Department and the Undersecretary-Assistant of the Ministry. This refusal meant that it has not been possible to undertake an empirical investigation inside schools with teachers and students. Future research follow this study would need to consider access issues very carefully. It would constitute ground-breaking research regarding Bidoun education if a researcher were able to investigate Kuwaiti teachers' perception regarding inclusion.

The second limitation is the lack of knowledge among nationals and among some Activists/officials about details of Bidoun life in general and their education in particular. This means that, unless someone currently works in, or has been involved in specific areas of the Government they would not be useful for this type of research.

The researcher considers the personnel who worked in the following areas as the most beneficial participants for any investigation regarding Bidoun education: Firstly, those who work within the Central Agency, because this institution is the body that controls Bidoun papers, issues laws and organises Bidoun lives. Secondly, those who work in the Public Administration due to their direct involvement with Bidoun papers, Charitable Fund and the Arabic private schools.

Thirdly members of the educational committee in the Parliament because they discuss the regulations that impact upon the Bidouns' educational situation. The researcher would advise any researcher in this area to target retired personnel in these institutions

because they have been found freer to discuss and provide their own opinions than those who are still in office. The only exception was official 3 who retired during the interview phase of this research, but the MoE promised to re-appoint as an executive with a private contract. A result was that he refused to take part in interviews and he preferred to respond to questions in writing.

The third limitation is the mistrust of the researcher exhibited by potential Bidoun participants. Several Bidoun refused to talk to the researcher. The belief amongst some of them was that the researcher worked as a secret agent with the police, resulting in them ceasing all communication. Bidoun parents are an invaluable source of information, since they can give valuable information about Bidoun education in the past and can also talk about the current education of their children. The main dilemma, proved to be how to initiate a conversation/interview with them.

The fourth limitation is the Arabic private schools. The educational environment is an important place to investigate. However, neither The Public Administration nor the school owners would let the researcher undertake any investigation of possible differences in educational provisions inside these schools regarding teachers, educational aids, playground, classrooms and services such as cold water and air conditioning in the summer.

9.5 Future study:

There are many topics regarding Bidoun education which merit investigation. Some are listed below:

Topic 1: Bidoun and higher education:

- **Introduction:**

The situation of Bidoun students in higher education was illustrated by some participants during the interviews. Two officials (2 & 5) were contradictory in their statements, saying exactly the opposite about the current provision that Bidoun students receive at the university stage. Regarding the Activists, three Activists (3, 4 and 6) talked about this issue, mentioning issues such as the necessity to accept Bidoun at university level, the difficulties facing them and the extent to which Bidoun students are prepared to enrol at university level.

- **Future study:**

The issue of providing the Bidoun with higher education needs to be investigated. There are many aspects that need to be explored:

Official papers and financial difficulties: If a Bidoun student wants to continue their higher education this will be conditional on factors such as the father's financial state. If s/he wants to study outside Kuwait, then s/he needs Passport Article 17 to travel. Regarding the financial difficulties, there is a need to establish a Charitable Fund to support Bidoun students who cannot enrol within the single state university and whose financial position does not enable them to pay the tuition fees of the private universities. There is a need to investigate which bodies could support this Fund, and which universities -private inside Kuwait, state and private outside Kuwait- could support this initiative. Factors such as the cost of these universities, the number of Bidoun students who wish to study at university level and the budget available for this proposed fund would have to be taken into account. There is also a need to explore the possibility of cooperation with the Home Office to issue Passport 17 easily with a guarantee not to cancel it for the next four years (the study period).

The Field of study: It is necessary to explore the possibility of establishing a voluntary committee instituted from the following bodies: The Central Agency, representatives of the private and public sectors, the Charitable Fund and the MoE. The aim of this committee would be to direct Bidoun students towards an area of study that would fill current skills deficits in the Kuwaiti market such as teaching scientific subjects (e.g. chemistry in high schools) or the vocational field; these are not attractive for Kuwaiti citizens.

Topic 2: The standard of the Arabic ordinary private schools:

These schools are the main centre of learning for Bidoun students and are the cheapest in the country- though there is a debate concerning standards. There is little literature about this issue which makes it a topic to merit investigation if the MoE permits research. The participants talked about this issue, though levels of detailed knowledge varied. Officials insisted that there is parity with state schools, though the Activists refuted this totally and this disparity in standards is one reason why they have called for the transfer of Bidoun students into state schools.

The researcher considers this topic to be an important area to investigate because it has been a factor in Bidoun life since 1986 and, after the Liberation in 1991, became the

main educational institution for this group. The researcher suggested four reliable sources that could provide evidence about these types of schools: ex-Bidoun and ex-Kuwaiti students who have been students in these schools; Arab teachers who have left Kuwait and gone back to their home countries; retired Kuwaiti head teachers and senior officials who are working in the Public Administration for Private Education. If a researcher wanted to establish the facts, it would be necessary is to visit these retired teachers in their homeland and interview them when they are away from the influence of the schools' owners. Interviewing retired Kuwaiti head-teachers and former high-ranking officials is not a difficult task and can be conducted easily inside Kuwait.

Topic 3: The outcome of including some groups of Bidoun students in the state schools:

The decision to transfer three groups of Bidoun students from private to state schools is relatively new. As evidenced, there were only two participants (Officials 2 & 5) who talked about it out of twelve participants. An interested researcher can apply a study about many aspects of this, such as:

- I. Has this decision increased the competition between Kuwaiti and Bidoun students?
- II. Do financial differences between Kuwaiti and Bidoun families play a role in academic attainment?
- III. What difficulties face social workers in achieving harmony between Kuwaiti and Bidoun students?
- IV. Are the outcomes of including Bidoun students encouraging the inclusion of more groups of Bidoun in state schools?
- V. What is the view among Bidoun and Kuwaiti parents regarding the new, inclusive policy?

Topic 4: The possibility to establish evening shifts in state schools:

Aldahes stated (22 October 2011) that there is a shortage of Arabic ordinary private schools because investors avoid opening new schools of this type due to low level of return. Consequently, the MoE agreed to let some of these schools establish an evening shift for high schools. An investigation is merited into the feasibility of expanding the evening shift of all Arabic ordinary private schools and expanding it to include the intermediate stage if there is no plan to include the Bidoun students in state schools in the near future. The shortage of Arabic private schools, and the deficit in the Charitable

Fund, needs investigating. For example, could these schools shorten the academic day by keeping the principal modules such as Religion, Maths, science modules and languages whereas the secondary modules such as Music, Art and Sport would be removed from the curriculum? Is there a chance to make the teachers teach two short shifts and obtain two salaries instead of one, or be paid a substantially enhanced salary? In case of transferring all the Bidoun students from private into state schools, could evening shifts be a solution to address any shortage of spaces within the state schools, as some official stated in the interviews?

Topic 5: The Bidoun and crime: There are repeated accusations that the Bidoun constitute a source of crime in Kuwait

These accusations need to be investigated to determine whether they are valid or not. The research regarding this point needs to analyse:

- The percentage of crimes that were committed by Bidoun compared with Kuwaiti nationals and other nationalities inside Kuwait.
- The relationship between stage of education (such as intermediate, high schools or university) and Bidoun criminals.
- The relationship –otherwise- between being a Bidoun without a job and crime?
- The type of crimes committed by the Bidoun?

9.6 Summary:

In this Chapter, the researcher has summarised the research findings and the disagreement between the Activists and the officials regarding the Bidouns-both in general and specifically in education. Activists hope is to improve Bidoun education by including them within state schools. Clearly, officials need to be better informed about conventions calling for free education, because they only know, and care about, domestic regulations.

Regarding the contribution of this study, this is the first study to explore Bidoun education in this region and provides an outline of an issue which is contentious both in Kuwait and in the Gulf; globally, it is highly relevant in an era of mass migration. This work can be used as a data source for future studies in this field that relate to both general Bidoun life in Kuwait and, more specifically, education policy.

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