Advancing Research on "Stateless Children"

Family Decision Making and Birth Registration among Transnational Migrants in the Asia-Pacific Region

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Summary: This paper foregrounds parental decision-making about birth registration in order to expand understandings of the determinants of child statelessness in contexts of transnational migration. Discourses on "stateless children" – children who lack birth registration or who live as undocumented international migrants or refugees – have typically emphasized human rights challenges resulting from statelessness, as well as the need for states to have accurate demographic data for planning and security purposes. Stateless children tend to be viewed from a deficit perspective emphasizing risks and deviations from dominant views of the conditions for optimal child development. While risks are not in doubt, positive motivations and reasoning of parents and, sometimes, older children themselves, for not obtaining birth registration, have not been seriously considered. Many states have mobilized to achieve universal birth registration as part of the post-2015 Millennium Development Goals (UNICEF, 2005; Plan International, 2010). As providers of the means for identity documentation and the benefits that typically accompany citizenship – including health care, education, and social protection – states are seen as the primary source of solutions to child statelessness.

In this paper, we argue that the top-down perspective dominating discourse about statelessness is based on an inaccurate and unhelpful construction of parents as passive in regards to their children's documentation and security. A glaring omission in tackling child statelessness is an evidence-based understanding of decision-making by mothers, fathers, children, kinship networks, community leaders, and middle-men and women in regards to birth registration. Drawing on examples from Indonesia about high rates of child statelessness associated with transnational migrant labour flows, this article emphasizes the complex social, economic, cultural, and legal contexts of families seeking livelihoods beyond national borders. Dynamics within this sociocultural niche may contribute to low rates of birth registration as mothers and fathers contend with competing goals and needs in the context of precarious living conditions. The article points to the need for multi-vocal, multi-site ethnographic research that reveals mothers' and fathers' decision-making and children's inputs in regards to birth registration, citizenship, and mobility. Research that seeks to understand mothers' and fathers' reasons for non-registration, despite enhanced availability of birth registration facilities, can contribute to knowledge on the topic of child statelessness in general. This research could yield insights into family and community influences that may need to be taken into account in designing government interventions to increase birth registration, reduce barriers to children's access to entitlements associated with citizenship, and plan for children and family social protection, education, and wellness.

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I. Introduction: Families and Children on the Move

Children at risk of statelessness are a growing population worldwide. The world community has become increasingly active in efforts to gather accurate information and reduce the incidence of this global phenomenon (UNHCR, 2010, 2011; UN General Assembly, 1989; UNHCHR, 1990). On one hand, rights advocates and child-focused organizations are concerned about undocumented children's lack of ability to exercise basic rights (Blitz, 2011).[1] On the other hand, stateless children are a concern for organizations within states with mandates to reinforce national borders, promote national security and prevent "aliens" from making claims on citizen services including social protection, education, and health care (Manou, 2012; Watson, 2009).

A population of children at high risk of statelessness are the offspring of mothers and fathers who migrate across international borders for work without official documentation or who remain in a country without legal authorization. This population includes, though is not limited to, children who travel transnationally with or without their parents, children born outside their mother's country of origin, and children 'left behind' in the care of relatives, institutions, or to fend for themselves when their parents leave the country to work. The population of undocumented transnational migrants is rapidly growing (Castles & Miller, 2009; Hugo, 2008), with a corresponding increase in the number of children of undocumented migrants who are stateless or at risk of becoming stateless. This population is the primary concern of the current paper, which presents the case for research to deepen and broaden understandings of the myriad pathways to statelessness or, conversely, securing birth registration and sustaining citizenship for children of transnational migrants.

A first and often defining step towards citizenship is birth registration. Hence, this paper focuses on factors affecting birth registration decisions by transnational migrant mothers and fathers in relation to their children. Pointing to the limitations of dominant discourses and practical efforts to increase birth registration as a step towards preventing child statelessness, this paper argues that explanations of the citizenship trajectories of children of transnational migrants – and effective interventions to reduce their risks of becoming stateless – must take into account the social, cultural, economic, historical, and political contexts of families involved in transnational migration. Understanding this context of families can yield insights into the many factors that may influence mothers' and fathers' decision-making regarding their children's birth registration. This paper is premised on a conceptualization of families involved in transnational migration as proactive, accommodating changes in their circumstances by taking decisive action in an effort to secure the safety, care, and life opportunities of family members and kinship networks. This conceptualization, encapsulated in

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[1] Lack of birth registration generally does not preclude access to certain key state services, including immunization and primary education (Asian Development Bank, 2004). For stateless children, a number of legal instruments are in place globally to try to ensure access to these basic services. Notwithstanding, recent research suggests that at least in Sabah, Malaysia, even these basic services may be denied to children who are not authorized to live in Malaysia – mainly Indonesian and Filipino children accompanied by their migrant parent(s) (Allerton, 2014).

the eco-cultural model of family life (Bronfenbrenner, 1986; Weisner, 2002), draws on socio-cultural theory which views people as engaging in purposive activities to enhance individual agency and collective well-being, even in adverse circumstances such as those encountered by undocumented transnational migrants (e.g. Beazley et al., 2006; Constable, 2014; Killias, 2010;; cf. Vygotsky, 1978). Social theory which emphasizes human agency and collective decision-making is a potentially useful framework for government surveys and scholarly research aimed at filling gaps in scholarship on family decision-making and culturally-based and historically conditioned patterns of behaviour surrounding birth registration, child care, and migration.

While it may seem impracticable to estimate the size of populations whose existence is not reflected in official state records[2], most international reports agree that both statelessness and undocumented migration[3] are on the rise (Hugo, 2008; Castles & Miller, 2009). Many reports have called on states to facilitate birth registration and have advised on measures to increase accessibility to birth registration (e.g., UNHCR, 2007), particularly in low-income countries where incomplete birth registration has been especially problematic (Cody, 2009; UNICEF, 2012; Vandenabeele, 2011). Many agencies are motivated by state and international agendas to measure the extent of unmet service needs, and to document progress on indicators of infant mortality, child health, education, and welfare.

More than simply offering a critique of dominant, west-centric human rights and security discourses surrounding stateless children and birth registration advocacy, this paper seeks to de-center these globalising discourses by foregrounding the perspectives and experiences of under-represented stakeholders in securing children's safety and life opportunities. Voices that have yet to be heard in citizenship debates and interventions include family members and leaders in communities that are home to high populations of mobile workers. This paper is premised on the belief that, in addition to the dominant, top-down, rights-based perspective on child statelessness, child advocates and governments have a responsibility to seek out the perspectives of mothers, fathers, and youth in regards to decisions about both birth registration and undocumented transnational migration.

II. Background

Defining statelessness. The 1954 Convention relating to the Status of Stateless Persons identifies a stateless person as someone who does not have the legal bond of nationality with any state. Persons who have legitimate claims to citizenship, but who cannot prove their citizenship (e.g., through official identity documentation such as birth records), or whose governments refuse to give effect to their nationality, are also considered to be stateless. Children who are not registered at birth and who remain undocumented are generally not recognized as formal citizens of a nation and are typically described as stateless.

Scales of statelessness. Estimates of statelessness vary widely, partly due to the heterogeneity of stateless persons and how they came to be stateless, and partly because it is difficult to enumerate people who are legally excluded. Refugees International (Southwick & Lynch, 2009), which equates statelessness with being a refugee, estimates that some 12 million people around the world are stateless. However, although some stateless people are refugees, many have never crossed a border: they lack a legal identity within their country of birth. The Report of the High-Level Panel of Eminent Persons on the Post-2015 Development Agenda (United Nations, 2013) stated that:

"One of the most basic institutional responsibilities [of government] is providing legal identity. Every year, about

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[2] Most estimates of these populations are based on guesswork, anecdotal reports, and extrapolation from limited community surveys.

[3] Undocumented migration is a general term that may refer to mobility of various kinds, including domestic and transnational migration, migration for work or for safety, and so on. Various terms are used to refer to undocumented migration, including illegal migration, unauthorized migration, and irregular migration. Each term carries with it certain nuances as to the exact predicament of the migrant person.

50 million births are not registered anywhere, so these children do not have a legal identity. That condemns them to anonymity, and often to being marginalized, because simple activities – from opening a bank account to attending a good school – often require a legal identity."

Indeed, while there are stateless populations on every continent, some observers argue that statelessness is particularly prevalent in the Asia-Pacific region (Paxton, 2012).

Children who are stateless are difficult to enumerate. UNICEF (2012) estimates that about 30 percent of children under five in the Asia-Pacific region are not registered. In some low- and low-middle income countries in the region, such as Indonesia, the scale of statelessness may be much greater. In Indonesia – a low-middle income country with a population of nearly 250 million - it is estimated that between 50 and 75 percent of Indonesian children do not have birth certificates, and many of these never become registered (Australia Indonesia Partnership for Justice, 2014). Statelessness tends to be transmitted intergenerationally, since in many countries mothers and fathers who lack official identity documentation are unable to register their children's births.

Concurrently there is a high prevalence of undocumented, transnational labour migration in the Asia-Pacific region, and in Indonesia in particular (Castles & Miller, 2009). An estimated six million Indonesians migrate globally for work, comprising about 2.5 percent of the population (Hugo, 2008). Undocumented migration from Indonesia to Malaysia is now the world's second largest illegal stream, after Mexico-United States, with at least 400,000 known undocumented migrants in Malaysia – triple the number of legal migrants (Hugo, 2008; International Organization for Migration, 2010). Statelessness is more likely for children of parents involved in undocumented migration, in part because, as noted, parents without identity documentation cannot obtain documentation for their children. More research is needed to understand the dynamics accounting for the concurrence of statelessness and transnational migration.

Challenges associated with statelessness. Being stateless creates a number of challenges, often including: having no access to health care, social and legal protection, education, or a national identity, and being subjected to social stigma, discrimination, poor employment prospects, labour rights violations, poverty, lack of opportunity to own property, travel restrictions, vulnerability to trafficking, harassment, and violence. Women and children are particularly vulnerable to negative sequelae of statelessness (UNHCR, 2011). The growing number of stateless children around the world and the attendant risks to them has raised considerable concern among scholars (Allerton, 2014, Bandiyono et al., 1999; Bhabha, 2009a; 2009b; 2011; Bryant, 2005; Cody, 2009; Lynch, 2010; Olson, 2007; Park, 2009). Yet, empirical research is scant.

Pathways to statelessness. There are many pathways to statelessness, hence a variety of approaches are called for to reduce the incidence of statelessness in specific populations and specific circumstances. Around the world, statelessness may be the result of factors such as political change, expulsion of people from a territory, discrimination, nationality based solely on descent, and laws regulating marriage and birth registration. The world community has established the right to a nationality as a fundamental human right. Because states have the sovereign right to determine the procedures and conditions for acquisition and loss of citizenship, statelessness and disputed nationality must ultimately be resolved by governments. Since state provisions for securing and sustaining citizenship must conform to general principles of international law, a number of international declarations and conventions are in place to exert pressure on governments to ensure opportunities to obtain national identity documentation. The right to a nationality is enshrined in numerous international declarations and conventions (e.g., the 1948 Universal Declaration of Human Rights; the 1954 Convention relating to the Status of Stateless Persons; the 1961 Convention on the Reduction of Statelessness; the 1989 Convention on the Rights of the Child). However, these international instruments are not enforceable and their implementation is far from uniform around the globe.

Pathways to child statelessness. Among pathways to child statelessness, birth registration and transnational migration figure prominently. The most common pathway is that a child's birth is not registered in the country in which the child

was born; that is, although the child may be entitled to citizenship, an official birth record has not yet been obtained. Birth registration provides official evidence of a state's recognition of a child's existence within a country and as a member of a nation-state. It is the first and often the definitive step to citizenship and entitlements such as public education, health, and other state services (Ensor & Godziak, 2010). Another scenario, pertinent to undocumented labour migration, is that a child is born in one country and travels without documentation across international borders to live in another country. Regardless of whether the child's birth was registered in the country of birth, they lack citizenship rights in the country in which they now reside: they have become "functionally stateless" (Bhabha, 2009a). This appears to be a common scenario for children who travel independently or who are "trafficked," and for children of mothers and fathers who migrate across borders without documentation, and who often remain – with or without their parents – in the host country for a number of years (Beazley, 2014; van Waas, 2007), rendering them functionally stateless.

Responses to child statelessness. While international and government provisions for nationality and interventions to reduce statelessness are essential, and while the international community has become more vocal in calling for remedies to the injustice of statelessness, little attention has been paid to the roles of more local actors and their effects on the conditions that produce or reduce the incidence of child statelessness. These local actors include mothers, fathers, children, kinship networks, village leaders, midwives, employers, brokers, and traffickers whose decisive actions in regards to birth registration and documented or undocumented migration may contribute to outcomes for children in regards to nationality or statelessness. On one hand, it is up to governments to take steps to increase awareness of the importance of identity documentation and improve accessibility of birth registration and migrant travel documents. On the other hand, it is ultimately up to local actors, responding to myriad pressures and constraints – interpersonal, cultural, financial, and political – to take steps to secure and maintain their citizenship status and to register the births of their children in order to secure their children's nationality and entitlements. Research aimed at turning up the volume on the voices of these multiple, local actors can help to fill gaps in understanding the persisting high incidence of statelessness within some populations of children in some parts of the world, even when government provisions for them to obtain identity documentation seem to be available.

Influences upon birth registration. Whether a child's birth is registered appears to depend upon a number of factors, some of which are well understood (such as cost, location of registration facility, level of literacy and language required to complete forms, etc.) and others that are more opaque and, most likely, particular to specific communities, ethnic groups, or regions. International and government agencies seem to presume that every parent will want to register their child's birth if only they are aware of the benefits and have reasonable access to birth registration facilities. Within this discourse, the main challenges to universal birth registration are thought to be timely, affordable, friendly, linguistically appropriate access to the birth registration process (Bhabha, 2011; Vandenabeele, 2011). Few studies consider that some mothers or fathers may intentionally decide not to register their child. This stance may be taken to imply that parents who do not obtain official documentation for their child are negligent or engaged in illegal activities, or are themselves victims of criminal elements such as profiteers dealing in the sale of forged identity documents, child traffickers, smugglers and the like. Solutions by government tend to be limited to "awareness raising" and increasing the accessibility of birth registration facilities and forms. These positive steps may be combined with increased vigilance regarding falsified documents, border checks, and negative incentives. For example, in 2006, when Indonesia expanded efforts to increase birth registration through awareness raising and expansion of birth registration facilities, government institutions concurrently stepped up enforcement of requirements to produce a birth record when enrolling a child for school, applying for a passport, and applying for permits to migrate domestically or abroad (UNICEF Indonesia, 2010). While these important measures can no doubt increase birth registration in some populations, they may not significantly influence factors driving patterns of non-registration in communities where calculations of benefits and risks favour non-registration.

While it may be taken as axiomatic that the primary desideratum of migrant parents for their child, like most other parents, is documentation, legitimacy, and the benefits that go with that – passport, health care, access to opportunities

such as public school, social welfare, legitimate employment, and property ownership – it is possible that some migrant parents associate documentation with certain risks or limitations, or simply do not perceive any benefits associated with birth registration. In the context of Indonesia, for example, contemporary parents have lived through the massacre of citizens during the Sukarno and Soeharto eras, based on presumed political, ethnic, or religious affiliations (Cribb, 2001; May, 1978). Being undocumented, therefore, may be perceived as a possible protection against state surveillance, control, and persecution (Brabandt, 2009; Butt, 2005). As well, families who are more distant from state capitals and urban centres may be less identified with, and engaged in government processes. For example, in Indonesia there has been a longstanding lack of engagement with the state in remote villages and outer islands, where individuals commonly lack proficiency in the dominant language, and have high rates of illiteracy in any language. Lack of documentation could also be perceived as a benefit when children are involved in working to contribute to household income, especially if they are working in certain capacities, such as the sex trade. If they have no documentation, their status as minors cannot be confirmed and parents cannot be traced (Bhabha, 2009a). Research is needed to understand the checks and balances that figure into the calculations of people who have primary decision-making power over whether, when, and how to register a particular child's birth. These decisions may be made at the level of individuals, families, and communities and may vary depending on the child, the parents, the family, the kinship network, the community, and the context of contemporary precarious lifestyles where multiple generations may be involved in undocumented labour migration.

Research needs to include a temporal dimension, identifying the salience of birth registration decision-making at various points in a child's life course. For example, parental decision-making about birth registration may depend on the child's age (e.g., in some cultures, registration may be postponed until after a period of waiting to ensure that a child survives, or after the child's naming ceremony) and stage (e.g., in some countries, parents may wait until an outcome of registration becomes tangible, for example when enrolling a child in school or seeking to take a child out of the country). A study in Indonesia found that some parents did not register their infant in part because of the cost of registration, distance, and travel logistics, and in part because it was not a village cultural tradition (Beazley, 2003). In a geographically fragmented country like Indonesia, comprised of 922 permanently inhabited islands, many cultural enclaves have no tradition of birth registration, little awareness of how it may affect life in village communities, and little sense of affiliation to a nation-state that would make documented nationality seem worth the trouble of securing official documentation (Butt, 2001; 1999; Idrus, 2008). In addition, high infant mortality may mean that some parents are reluctant to register a child until they are sure the child will survive (Butt, 1999; 2007; UNHCR & Plan, 2013). In Lombok, Indonesia, Beazley (2003) found that when parents waited until after the culturally-recognized 40 post-natal days to name a child, this delay resulted in increased cost for birth registration which was a disincentive to pursuing it.

Parents' own life trajectories may affect the timing of birth registration. For example, their calculation of pros and cons may tilt in favour of registration when they decide to migrate and wish to ensure that the child will not be abandoned by relatives, or if they seek to place the child in the care of an institution that requires identity documentation. The circumstances of a child's birth may affect the likelihood and timing of birth registration, for example: whether the child was born within or outside of the parents' legal marriage; whether the child was born within or outside the mother's or father's country of citizenship; whether the child's biological father is the mother's spouse; whether the child's mother is the father's first, legal wife, or subsequent, unofficial wife; whether the child was born in a health facility; whether a midwife was present at the child's birth to issue the correct form needed to obtain a birth certificate;[4] whether the child was born in a country where the mother or father was working without documentation; whether the child was conceived through sexual violence; and other scenarios. These exigencies may be intimately bound up with immediate interpersonal relationships, local cultural traditions, religious codes of conduct and institutions, or more distal governmental controls including the laws and customs in a receiving country where a child was born.

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[4] In Lombok, Indonesia, for example, many children are born at home with a traditional birth attendant. These attendants are not recognized by the state and cannot provide an official record of the birth.

Statelessness in contexts of transnational labour migration. Factors that affect birth registration are most likely complicated by parents' mobility within and between countries. The International Organization for Migration (2010) estimates that three percent of the world's population are involved in documented transnational migration and estimates suggest a comparable scale of undocumented transnational migration (Castles & Miller, 2009; Ensor, 2010; Hugo, 2008).[5] Exponential growth of a continuous, floating, global workforce has been attributed to a combination of neo-liberalism, decentralization of power, and deregulation, creating industries structured around casual, insecure labour. Worker conditions, casualization of work, criminalization of workers seeking employment rights and worker solidarity, and the mobilization of knowledge and capital around the globe (Castles & Miller, 2009; Hardt & Negri, 2004; McNevin, 2011). Low-income migrants are often exploited and subject to unstable and illegal work conditions (Ehrenreich & Hochschild, 2004; Lindquist, 2009; Rudnyckyj, 2004). These precarious conditions (Gill & Pratt, 2008) affect many people in diverse circumstances (Gill & Pratt, 2008), but it is widely acknowledged that children, youth, women, immigrants, and transnational labour migrants are particularly subject to difficult, demeaning, and disempowering work and living conditions. Returning to the case of Indonesia, large numbers of people live in states of existential precariousness, suffering from high risk of social exclusion because of intermittent and low incomes, lack of documentation, or lack of rights to live where they are looking for work. Such individuals are vulnerable to what Bourdieu (1998) describes as "flexploitation": flexible exploitation in the form of intermittent income, low pay, unsafe and insecure work conditions, and high levels of blackmail.

Some investigators have found that, for some parents, precarious conditions can bring with them a sense of dread at the inevitability of cyclical demands to be mobile, to cross borders without documentation, and to be away from family, as well as the uncertainty of being able to provide for family members left behind (Lindquist, 2009; Muehlebach & Shohan, 2012; Pratt, 2012). Research is needed to assess the specific impact of precarity on migrant mothers and fathers and their decisions about birth registration and citizenship. As members of an increasingly insecure and exploitative labour market, precariat,[6] there are many circumstances that render children in families and communities involved in transnational migrant labour especially vulnerable. For migrant mothers and fathers, concerns about registering a child as a member of a nation-state at birth, acquiring passports or other identity documents for children, or engaging in long-term planning based on awareness of the benefits of citizenship may rank lower on their priority list than trying to ensure psychosocial security, social protection, and fair treatment. In-depth interviews and focus group discussions with mothers and fathers could generate insights into shifting needs, aspirations, and concerns that figure into mothers' and fathers' calculations about the relative importance, benefits, and risks of registering a child's birth, within wider decisions and arrangements they need to make to secure their child's safety, care, and future.

Birth registration as part of the family and community project. The confluence of personal, marital, familial, socio-cultural, and institutional factors may not only affect whether a child's birth is registered, but also the accuracy or completeness of information provided on a child's birth record, and also whether a birth record is official or a forgery. These issues remain largely unexplored. While the accuracy of information on birth records may seem secondary to whether there is or is not a birth record linking a child to a state, it is important to understand factors that affect what information is provided, by whom, under what circumstances, and for what purposes. These factors could yield clues as to family or community considerations and local practices that affect birth registration. Whether the information provided on a birth record is complete and what claims are made about a child's birth date, place of birth, paternity and maternity, ethnicity, religion, and appearance can all have significant consequences for children over their life course. Mothers, fathers, extended family members, midwives and other birth attendants, village officials, health care workers, institutions, birth registration

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[5] Reliable estimates are difficult to obtain since much transnational migration is clandestine (Watson, 2009).

[6] Precarity is a condition of existence without predictability or security, affecting material or psychological welfare. Specifically, it is applied to the condition of intermittent or underemployment and the resultant precarious existence. The social class defined by this condition has been termed the precariat – a neologism resulting from merging precarious with proletariat (Karin, 2010; Standing, 2011).

brokers, traffickers, and smugglers may all play some role in decisions about what information to enter on a birth record. It is also important for government to be aware of the kinds of inaccuracies on birth records that may be expected under certain circumstances if the information is going to be used for planning purposes.

Ball's (2009) study on family and community influences on the accuracy of indigenous children's birth records in Canada is one of the few studies to date that looks beyond issues of access and compliance in order to explore the cultural determinants of birth registration. This study found that some fathers were reluctant to be identified on a birth record in order to avoid financial responsibility for the child, to avoid stigma associated with the father's criminal record, or to avoid allegations of infidelity. Some mothers avoided paternity designation on their child's birth record in order to retain full custody and control of the child. Some communities influenced designation of paternity or maternity in order to optimize benefits to the child and the community according to government treaty designations (Ball & George, 2007). While this study was conducted in a country with high rates of birth registration, it is one of a handful of studies that illustrates the potential for individual, family, and community goals as well as state legislation to impact decision-making about birth registration and the accuracy of birth records. Research needs to explore the extent to which cultural traditions of kinship distribute decision-making about birth registration across several people, positioning mothers and/or fathers and children as subject to, or participants in, larger hierarchical or collective systems of decision-making about children.

Contributions of mothers and fathers in birth registration decisions. In many countries it is the father who must complete the process of registering a child's birth. Exceptions may include when a mother delivers a child in a government health facility: the child's birth may be registered by health workers at that time. While most awareness-raising efforts seek to educate and motivate mothers to register their child, mothers' knowledge and aspirations may not matter. Indeed, around the world, maternal and child health care, awareness-raising, and incentives have elided the decisive role of fathers in decision-making about children's documentation and their destinies. Government surveys, evaluations of awareness raising campaigns, and research need to recognize that role of "parent" is not unitary but most often involves at least one mother, father, and potentially other key decision-makers in children's lives, such as grandmothers, grandfathers, and sometimes the children themselves. At minimum, research needs to disaggregate information about the considerations, contexts, and contributions of mothers and fathers in decision-making about birth registration.

Gender differences in motivation and capacity for birth registration. In many cultures, families, and communities, boys and girls may be valued differently in terms of their employment potential as documented or undocumented migrant workers, and hence decisions about whether, when, and why to seek identity documentation for a male or female child. Culturally based marriage customs, as well as legal requirements that may link marriage with legal permission to migrate for work, may also differentially affect decisions for boys compared to girls. Research needs to examine gender differences in parental decision-making, estimate gender differences in terms of rates of birth registration for children in communities with high migrant labour patterns, and explore interpersonal, cultural, religious, economic, and legal factors that may contribute to patterns of birth registration for boys compared to girls.

Children's agency in birth registration decision-making. What is the extent and nature of children's agency in birth registration? Most national and international agencies construct children as innocent and vulnerable and in need of protection or rescue via more stringent enforcement of birth registration policies combined with more accessible birth registration facilities (e.g. Cody, 2009). This construction presumes that children are passive recipients of parental decision-making. Yet, research inspired by the United Nations Convention on the Rights of the Child (1989) is countering this view, and beginning instead with the premise that children are often proactive and influential in matters pertaining to their documentation status and destinies in relation to their own and their parents' (Beazley et al., 2006; Beazley et al., 2009; Beazley et al., 2011; Huijsmans, 2011; Mitchell, 2006). Research approaches that center on childrens' agency acknowledge their capacity to shape their own lives and to affect the decisions and behaviours of those around them, including influencing parental decisions about birth registration and taking steps to secure their own birth registration,

other forms of identity documentation, and other forms of belonging (James & James, 2004).

Despite growing interest in children's agency and voice (James, 2007), including research on children's labour participation and independent mobility (Beazley, 2014; Dobson, 2009; Hoffman, 2010; Leinaweaver, 2007), children have tended to be glimpsed only on the periphery of both research and interventions aimed at reducing child statelessness. Few studies have examined how children view their own birth registration, how stateless children view their statelessness, or the roles that children may actively play in their own or their mothers' and fathers' undocumented migration. Constructing children in research as active agents capable of shaping their own destinies has the potential to optimize children's capacities to understand what is at stake and to be active contributors to decisions affecting them (Beazley, et al., 2009; Beazley, et al., 2011). Participatory research involving "circulating children" (Wells, 2009) has shown that children often make their own decisions to travel out-of-country, and decide whether to do so with or without documentation (Beazley, 2003; Beazley et al., 2009; Bessell, 2009; Chakraborty, 2009; Mitchell, 2006; Montgomery, 2001; Punch, 2002). For example, Beazley (2003) and Huijsmans (2011) found that some unregistered children pursued avenues to obtaining their own birth registration, often as they approached adulthood and found they could not get an identity card, rent a house, get a job, open a bank account, travel abroad, or even arrange a funeral without a birth record. Research that includes children's participation can inform policy that is child-centred and not only centred upon the goals of state or international bodies advocating on behalf of children (Bessell, 2010; Huijsmans, 2011).

III. Conclusion

In an era of late capitalism, escalating movements of money, information, ideas, and people across borders has led to increasing precarity for families who migrate to work. For many groups, and for multiple generations within families, transnational migration – with and without documentation or "authorization" – is a cultural norm deeply entrenched in local histories and economies. State policies governing marriage, documentation, and migration, as well as culturally and religiously based codes of conduct, may discourage migrant mothers and fathers from registering the birth of their child. Structural barriers to registering children, including accessibility of birth registration facilities, while significant, most likely tell only part of the story about why an estimated forty or fifty percent of children worldwide are not registered at birth.

This paper calls for research to bring into focus local concerns and experiences about the global phenomenon of stateless children. Multi-site, multi-vocal, ethnographic research can uncover the proximal factors that affect the prevalence, processes, and particulars of birth registration in specific contexts. In communities involved in transnational migration, research with families can yield insights about how mothers and fathers, community and cultural leaders, birth registration officials, and document brokers variously construct the meanings of nationality, citizenship, rights, and migration with reference to girls and boys in their communities. This type of ethnographic research has the potential to illuminate the enigmatic decision-making mechanisms operant among children and families in low-income countries for autonomous, responsible action in pursuit of their own goals, livelihood, and survival. In research on children's development, social protection, and rights, new insights have been gained by recognizing the agency of parents and children, the needs and choices of families, and the pressures of cultural, social, political, and economic circumstances (Ansell, 2005; Ensor, 2010; Holloway & Valentine, 2000; James, Jenks & Prout, 1998). Research that seeks to understand reasons for non-registration, despite enhanced availability of birth registration facilities, can yield insights into family and community influences that need to be considered in policy reforms and interventions to reduce child statelessness and improve children's access to entitlements associated with citizenship.

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