

Migrant and refugee problems in Clare's Hard Asset and their solutions

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Abstract

The paper discusses the Rohingya refugee crisis and its implications. It highlights the need for political integration of Rohingya refugees. Humanitarian camps depoliticize refugees, limiting their agency and voice. The paper critiques the perception of Rohingyas as outsiders in Myanmar. It references Aristotle's concept of 'barbarian' in political exclusion. The narrative includes personal stories from the novel "Hard Asset." The paper argues for a cosmopolitan approach to refugee issues. It emphasizes the historical presence of Rohingyas in Myanmar. Statelessness leads to severe human rights crises for Rohingyas. The paper calls for solidarity cities to support refugees.

Key Words: *Rohingya refugee, migrant, humanitarian, repatriation*

Introduction

Pamela Clare's *Hard Asset* is a romantic love story between, Connor and Shanti, who come from completely two different walks of life; the former, is ready to practice violence as his duty and the latter, is a keen supporter of peace and prosecutor with the International Criminal Court at The Hague travels to Bangladesh to take witness statements from refugees, incriminating a Myanmar general of genocide. The novel is a story about the persons of opposite attraction. However, the novel has another dimension too. The Rohingya people's sufferings and problems in Myanmar and the refugee camps in Cox's Bazar in Bangladesh can be discussed from the migrant and refugee's theoretical lenses. In this paper, I argue that the migrant and refugee problems have occurred primarily due to xenophobia created and caused by the very notion of territory, race and religion. My second argument is that the refugees are in vulnerable conditions because the nation-states, which are based on territory, consider the migrants and refugees as "dwellers around" and "residents free aliens" (Graham, p. 7). The nation states should be welcoming to refugees and migrants, and the world citizen, which is proposed by the Greek philosopher Cicero, is an ideal concept to be practiced for the refugee problems.

Methods

The analysis is based on a qualitative review of existing literature and firsthand accounts from Rohingya refugees. Contextual information was gathered from various

sources, including historical records, human rights reports, and narratives from individuals affected by the crisis. The study employs a theoretical framework that incorporates concepts of xenophobia, migration, and cosmopolitanism to understand the complexities of the Rohingya situation.

The paper employs various methods to analyze the predicament of the Rohingya people in Myanmar and their experiences as refugees. The paper covers the methods of historical analysis and literary lenses to interpret the narration presented in a novel. It mentions a qualitative research approach to get a deeper understanding of individual experiences and the impact of state violence on the Rohingya community. The paper references various theoretical perspectives to analyze how the Myanmar government has normalized lawlessness and violence against the Rohingyas. It also discusses potential solutions to the Rohingya crisis, advocating for respectful repatriation and the provision of rights to the Rohingya people.

These methods collectively contribute to a comprehensive understanding of the Rohingya crisis, combining historical context, literary interpretation, qualitative research, and theoretical analysis to address the complex issues faced by this marginalized group.

Result and Discussion

We discussed the refugee problems in Hard Asset on two levels. The first one is outside the refugee camps that forced them to be refugees and the second one is inside the refugee camps. The first one arises from the birthright citizenship and the xenophobia created by it. This xenophobia creates ‘us’ versus ‘them’ and leads to hatred and violence. The Rohingyas had to migrate because of the violence and atrocity in their homeland. The second problem is the bare life in the refugee camps. Their respectful repatriation, settlement in Bangladesh and third-country settlement can be the other solution to the second type of problems.

The solution to the first type of problem is to go for cosmopolitanism. The physical boundaries between nation states create the psychological boundary between people which divides the people into different groups. Viewing oneself as a citizen of the world, he receives others as one of his kind of people. This helps to erase the psychological boundary between people. For Diogenes, anyone on the earth is similar to the other person because he is a “citizen of the cosmos” (Sellers, p. 3). There is a saying that the limited sources of a particular place on the earth cannot maintain the unlimited flow of people. However, the living practice of the world proves it wrong. There are cities with millions of people who have been maintaining and fulfilling the city-dwellers needs and necessities. It depends on the management system within the place.

Another solution to the Rohingya refugee problem is brought out by Abdul Bari (2018) who advocates for the respectful repatriation of Rohingyas to the Rakhine state under the goodwill from Myanmar and the weight of consensus from the UN. The integration of the Rohingya as full citizens will need a comprehensive socio-cultural and political

strategy focused on reducing bigotry and building bridges between the two communities (Bari, 2018, p. 70). The refugees cannot be kept in humanitarian camps under tents for always. They need to live a political life.

However, the proliferation of global migrants and refugees cannot be resolved by NGOs like the Red Cross in tent cities and refugee camps. In fact, rather than increasingly including migrants and refugees in political membership, humanitarian camps accomplish precisely the opposite: they depoliticize migrants and refugees by treating them as mere human beings. Refugee camps provide food and shelter, but they do not provide political voice and agency for their populations. Global institutions do not have the power to include stateless people in political membership. This is the danger of cosmopolitan institutions - that everyone becomes a mere human body to be managed in a camp (Nail, 2015, p. 193).

The respectful repatriation and handling of all the papers that guarantee the right to have rights in the modern nation-state can be better than keeping the refugees under tents. The Rohingyas have been disenfranchised for years. Lack of proper documents will make them weaker in political and civil life in the future. Myanmar must open up its walls for the return of the Rohingya community and make the provision of a peaceful settlement with proper compensation for their loss, and the world should appreciate it.

Among many possibilities, cities have to free themselves from the state and open up their doors to the people who want to take refuge from injustice, violence and persecution. These cities of refuge rely on “experience and experiment” (Derrida, 2005, p. 23). This experiment will be for a just response where unconditional hospitality is shown to the newcomers. They are welcomed even without asking their names and where they have come from.

Our experience of cities of refuge then will not only be that which cannot wait, but something which calls for an urgent response, a just response, more just in any case than the existing law. An immediate response to crime, violence, and persecution. I also imagine the experience of cities of refuge as giving rise to a place (lieu) for reflection – for reflection on the questions of asylum and hospitality– and for a new order of law and a democracy to come to be put to the test (experimentation). Being on the threshold of these cities, of these new cities that would be something other than ‘new cities’, a certain idea of cosmopolitanism, another, has not yet arrived, perhaps (23).

The neighboring countries or any country or city in the world can open up their walls and welcome the Rohingya refugees. Even the migrants without full immigration status will be given access to essential services- housing, health, education, social services and emergency services without fear of being detained or deported. Such a kind of solidarity city doesn't ask for any proof of immigration status to provide services to migrants. Nail states the goal of such a solidarity city is “to network with other community organizations to establish clinics, schools, food banks, and women's shelters to (1) provide access to anyone regardless of status, (2) train frontline staff to adhere to this commitment and be

sensitive to non-status issues, and (3) radicalize service providers and users toward larger actions against forced migration and support” (Nail, 2015, p. 196).

The Rohingya refugees’ problems arise from the autochthonous concept of the birth of territory. The majority of Buddhists in Myanmar see themselves as native and the Muslims such as the Rohingya as an outsider and a threat to the Buddhist majority. The political and religious leaders systematically disseminated this ideology of ‘us’ versus ‘them’ to stay in power, thus, spreading the seed of hatred and xenophobia. It is relevant to bring the reference to Aristotle’s concept of ‘barbarian’ to discuss “Others” in Myanmar and Bangladesh in the novel. Politics. For Aristotle, one’s exclusion from the nation-state is related to his political status, which is again based on polis. Aristotle reserves the term ‘barbarian’ for those who do not have a polis. “The Greek word barbarous originates from the onomatopoeic sound of the babbling of the foreigner who doesn’t speak Greek” (Nail, 2015, p. 188). In this way, the determination of the nature of the barbarian is related to a geographical and political center, which was the Greek polis at the time of Aristotle. In the case of Rohingyas in Myanmar, the exclusion comes from the situation that the Rohingyas speak different languages, follow different religions and their skin color is different from the majority Buddhist people. Thomas Nail (2015) makes clear about the excluded and included in his essay *Migrant Cosmopolitanism*:

Barbarism is a political determination. Concerning the center, the periphery is barbarian, mobile, migrant, diffuse, inferior, unintelligible, and so on. Accordingly, the antonym for the Greek word barbaros was civis or polis - both words that applied to cities. The barbarian is the "non-Greek, noncity-dweller." The idea of natural political inferiority and the figures associated with it, like the barbarian, were invented in the ancient world largely to conceptualize political slavery. The problem was that the migrant was no longer simply "out there" but also "in here," in the form of the slave or political inferior. In this way, the political status of the migrant is in between that of the human and the animal: in the city but not belonging to the city (189).

The refugee problem in *Hard Asset* can be discussed in terms of barbarian and civis or polis. Bringing the reference to the Greek concept of barbarian and civic, I strongly oppose the idea of calling the Rohingyas the barbarian. However, this reference helps us understand how the Rohingya people were perceived and treated in Myanmar. The politically set ideology was/ is so deep that the majority of Buddhist citizens including political and religious leaders started to think of the Rohingyas as foreigners. Due to the political boundary of Myanmar, the people living in the Rakhine state become a minority and they are mistreated by the state. The Rohingyas are the minority ethnic group in (from) Myanmar. Pramila Patten, Special Representative of the Secretary-General on sexual violence in conflict of the United Nations commended the group as “the most prosecuted minority in the world” (Human Rights Council). The community is facing a humanitarian crisis at the moment especially when things escalated in 2017. Ansar and Khaled state about the Rohingya status “restricted mobility, denied citizenship, forced displacements

and enduring persecution for decades—the plight of the Rohingya community in Myanmar has been one of the most violent and protracted humanitarian crises of recent time”(1). Things started worsening since 2017 but the history of the Rohingya crisis does not just start from there, “their (Rohingya) condition worsened significantly after Burma’s independence in 1948. It multiplied since the military coup led by General Ne Win in 1962 which resulted in Rohingyas facing violence, arbitrary arrest and detention, extortion, restriction of movement, discrimination in education and employment, confiscation of property, forced labor and other abuse” (Bari, 2018 iii). We don’t find much difference in the sufferings of Rohingyas between the novel and the real stories except for the change in the name of the human rights violator. It is General Ne Win who started the violence against Rohingyas in Myanmar and now Min Aung Hlaing. In the novel, General Naing is the name responsible for the state of exception. If we closely observe the generations of rulers in Myanmar, the state violence against Rohingyas is not the result of personal revenge or rage, the country has systematically established an ideology that shows the Rohingya community as foreigners.

There are different opinions on the Rohingyas' history of presence in Myanmar. The state wants to show that the Rohingya people are newcomers to the land. They are denied their rights and citizenship, and for that, the Burmese administration has claimed that they were the immigrants brought in by the British colonial rule during the nineteenth and twentieth centuries. The state intends to probe the Rohingyas as the “peoples without a history”(Arendt 271). However, the non-governmental stakeholders’ claims about the Rohingyas’ presence in Myanmar are different from that of the state-held opinion. Dr. Abdul Karim presents the history of Muslim presence in Myanmar in four phases, the first one dating back to the 8th century and the fourth one, the seventeenth century, “the middle of the seventeenth century, when power politics at the heart of the Mughal Empire in India forced one of Aurangzeb’s brothers, Shah Shaja, to take shelter in Arakan” (Qtd in Bari, 2018, p. 16). Another statement about Rohingyas’ presence is “Muslims have lived in the area now known as Myanmar since as early as the 12th century, according to many historians and Rohingya groups” (qtd in Aljazeera). The Arakan Rohingya National Organisation’s statement on Rohingyas’ presence in the Arakan state is “Rohingyas have been living in Arakan from time immemorial” (qtd in Aljazeera). From the above-given sources, we can be sure that the Rohingyas have a long history of living in the Arakan State of Myanmar. My point about the Rohingya's presence in Myanmar is that the history of residence should never be a matter of judgment for one’s citizen rights.

In the case of Myanmar, the political reason helped the spread of xenophobia. The power struggle created a xenophobic sentiment among the majority of Buddhist citizens against the minority Rohingyas. It started with the British occupation of the country in 1826 till 1948. When we base our discussion on the information given in the novel, we can find that the British rulers' divide and rule policy heightened the division between the Rohingyas and the Buddhists in Myanmar. It is well explained in the novel that “the

British promised the Rohingya an autonomous state but didn't deliver. The Rohingya view Rakhine state as their homeland because they have lived there since at least the fifteenth century, but the Burmese ethnic majority see them as illegal immigrants, unwelcomed foreign invaders with a different language and religion" (Clare 55). Bari (2018) marks the British colonial enterprise as the main reason for the division in Myanmar:

The British colonial enterprise was known for extracting maximum profit from the colonies and the British are known to have gained mastery by using a 'divide and rule' policy to keep colonial people under control. Burma's majority population, the Buddhists, saw the British favoring minority ethnic groups such as the Christian Karens and Muslim Rohingya. Also, after the British decision to bring a good number of economic migrants to Arakan from the Indian subcontinent, albeit for the fact that there was a shortage of skilled labor among the existing population, Burmese Buddhists developed a particular dislike for the British as well as envy and intolerance towards the Indians (20).

The dislike of the Indians turned to the Rohingyas because the Indians coming to the Rakhine state were Muslims. The internal division and hatred heightened when Japan occupied Myanmar in 1942 during the Second World War, "during World War II, these divided loyalties determined battlefield strategies of the British in the Allied Burma Campaign. A large number of Rohingya Muslims, who were mostly uneducated indentured laborers in the rice plantations of present-day Rakhine, were recruited to fight on the side of the British-led "Fourteenth Army " against the Japanese forces. The Burmese National Army led by Aung San (the father of the present-day Myanmar leader, Aung San Suu Kyi) fought on the side of the Japanese, who promised them independence from British rule" (Jayita). "The military junta in 1962 promoted fierce nationalism" based on the country's Buddhist identity and when they needed a common enemy to help unite the population the Rohingyas were taken as a threat (Leider, 2018, p. 100). While observed closely, the humanitarian crisis has happened in Myanmar with plans from the state side. The Rohingya crisis timeline shows it all. The ethnic cleansing started in 1978 after a massive crackdown called "Operation Dragon King forced about 200,000 Rohingya to flee to Bangladesh " (Doctors Without Borders). The military used violence and rape to drive them out. The ethnic cleansing continued. "In 1982, the government passed the Citizenship Act recognizing 135 ethnic groups that excluded the Rohingya" and made them stateless people (*The 'ethnic cleansing' of Myanmar's Rohingya Muslims* (YouTube, 2017) 00.02.41-00.02.45). Tensions continued to build against the Rohingya in the later years too. In 2012, when four Muslim men were accused of raping and killing a Buddhist woman in Rakhine, Buddhist nationalists backed by security forces attacked Muslim neighborhoods, and burned homes displacing tens of thousands of Rohingya again (*The 'ethnic cleansing' of Myanmar's Rohingya Muslims* (YouTube, 2017) 00.03.05-00.03.20). Now the Rohingya refugees are taking shelter in Cox's Bazar in Bangladesh. The novel mainly depicts the stories from the refugee camps.

The understanding of the "right to have rights" shows us the degree of violation

of fundamental man's rights and the flaws of the judiciary system in modern state politics (296). When Shanti reaches the refugee camp in Cox's Bazar district of Bangladesh, the bigger picture of the violation of human rights and deprivation of human rights of citizens unravels in front of us. The refugees are living the life of the human and the animal. The poor living conditions in the refugee camps show it at the beginning. When Shanti and the security team fly to observe the refugee camps, they see "a sea of small huts made of bamboo poles and tarps crowded together on the hillsides below, bamboo towers placed at intervals, rutted dirt roads" (Clare 29). When they visit the refugee camp for the interview, they find dead bodies being taken for cremation on an everyday basis which vividly gives us clues about the lack of health facilities, food and sanitation in the refugee camp. The life in the refugee camp is similar to the life in Hitler's concentration camp in many ways; no right to movement, no employment and the people's social life has been taken over. It is completely out of control that nobody knows who is being spied on and to be killed soon by the armed spy and who is the target of the human traffickers.

When we look at the scenarios within the refugee camps in Bangladesh, it is visible that there is nothing inside the camp other than fear, deprivation, and an island of misery and destitution. It is like the "bare life" as labeled by Giorgio Agamben that the refugees exist only in a biological capacity and are kept out of the 'political life' (bios) (qtd in Hanafi 14). The refugees in the Cox's Bazar camps have some basic biological needs fulfilled like when Ms. Matreux reports to Shanti about some of the UN's recent advancements like "getting people IDs, vaccinating children, and setting up more schools" but they lack the political rights (Clare 28). They are living their life in the most rudimentary sense. The lack of legitimate governance structures for Rohingyas in the Cox's Bazar camps has inhibited the improvement of socio-economic and living conditions for the residents and endangered the security of Rohingyas. If we borrow Agamben's concept of 'open space' and 'closed space', there refugee camps do not have any practice of open space (qtd in Hanafi and Long 2). Open space is both physical and social. "It is regulated by the host country to look like any residential, low-income neighborhood allowing for meaningful interface with surrounding cities and villages. Socially, camp dwellers in those host countries are relatively integrated into the surrounding neighborhood and labor market" (3). The refugees in Cox's Bazar have the problem of integration with neighboring communities. They are threatened and often vulnerable to the neighboring peoples' wrath and violence. The girls are at high risk of being sold to work as sexual workers. The Rohingyas are kept in a closed space where the movement is restricted. Such a place lacks green spaces and has poor access to the market. This closed space is not good for the host country and neighboring countries. The refugee history in Lebanon shows that the neighboring villages and cities of refugee camps with open spaces are comparatively richer than the refugee camps with closed spaces. Poverty is prevalent in the Cox's Bazar area. The Rohingya refugees are forced to live in a limited space without social life and are completely unemployed. There is a possibility of crimes if the situation is not addressed promptly.

The refugee camp is not only a closed space but it has a state of exception to some degree. According to Agamben, the state of exception refers to the suspension of the law by the sovereign state, usually in the name of national defense or security (Hanafi and Long 14). The refugees have fear about their future. They don't know where what happens to them. Rafique Halad's fear of directly talking to Shanti about the cell phone, Jafor Ahammed going missing, and the six-year-old little boy found dead the very next day of Connor and Shanti's visit to the camp are some of the examples that show the state of exception in the novel.

The way the Myanmar government legalized lawlessness and allowed its army to use force against the weaponless and powerless Rohingyas is a vivid example of the state of exception. Moving from refugee camps in Bangladesh to the Rakhine state of Myanmar where textbook examples of human rights violations and lawlessness are evident, we can find many examples where the minority Rohingyas are treated less than animals. In the novel, the main purpose of Shanti Lahari coming to the refugee camp in Bangladesh is to collect evidence against General Naing, the mastermind behind the persecution, rapes, massacres, burning of the villages and forceful displacement of Rohingyas. When Shanti interviews some of the refugees and collects proof against General Naing, we come to know about the state of exception in the Rakhine state. Sareema is a victim and survivor of Naing's atrocity in the Rakhine state. It is imperative to highlight her experience that she lived before she crossed the Naf River and migrated to Cox's Bazar for shelter: "Soldiers had come to Sareema's village in the middle of the night and forced their way into people's homes, shooting the men and dragging the women outside. They'd killed Sareema's young husband and his parents in front of her. Then four of them dragged Sareema into her home and took turns raping and beating her even though she was heavily pregnant (Clare 48). She further explains, "One cut my breast with a knife. They kicked my belly again and again until I began to bleed between my legs. I passed out" and later "smoke had revived her, waking her to a nightmare. All the homes of the village, including her own, had been set on fire, women and children trapped inside" (48). No person is subjected to any kind of torture. International human rights law lays down the obligations of governments to act in certain ways or to refrain from certain acts, to promote and protect human rights and fundamental freedoms of individuals or groups. The rights guaranteed to humans as their civil and political rights have been seized at the stake of gunpoint.

The video that Shanti gets from Rafique shows how cruelly and brutally the Rohingyas were treated. The cell phone belongs to one of Naing's soldiers and the video was taken by him when they were torturing Rohingyas. Shanti requests Shields to unlock the cell phone and when the cell phone is unlocked, the door into the hell is opened:

Screams. Gunshots. Children crying. Mothers sobbing.

The camera wavered, moving quickly before focusing on something—three men holding a woman down while a fourth raped her and the man holding the camera

laughed.

In the background, men with rifles beat an old man while bamboo huts burned screams telling Shanti that the huts were not vacant.

And on it went, scene after scene and video after video of unspeakable violence and depravity. Rape. Beatings. Dismemberments. Lynching. Burnings.

No mercy.

No compassion.

No one spared.

Genocide (76).

The genocide has a relation with birthright citizenship. This birthright citizenship of Myanmar differs slightly from the *jus sanguinis* or *jus soli* practice of France because the majority of Buddhists of Myanmar considered Rohingyas outsiders. There are claims that Muslims lived in the western part of Myanmar from the eighth century, or at least from the 15th century for sure. The independent coastal territory “was conquered by the Burmese Empire only in 1784” (National Geographic). The above statistics show that Rohingyas started living in the Rakhine state much earlier than the country occupied the place but still, they are considered newcomers and outsiders. The atrocity rose much higher than that they tried to prove Rohingyas as “pariahs” and “threat to their race and religion” so that they could get a political advantage from it (Arendt 119). This systematic process of making Rohingyas outsiders was so strong that these ethnic people had even no chance of becoming “parvenu” (122). The religious, cultural as well as racial distinction established in the Burmese society makes it difficult for Rohingyas to assimilate. The Rohingyas are like the Jews living in the present time but the degree of atrocity they have faced is the same as that of the Jews.

The Rohingya people have become not just homeless, but they are stateless at present. The host nation, Bangladesh has passed legislation denying the Rohingya people citizenship. The refugees could at least find some open space to practice their right to have rights with citizenship. Being a refugee means, in the other way, to obey a state, and be under its full control without having any right to demand for their rights. The Rohingyas have no other choice but to let the state power encroach into the zone of their private life without any condition. They have even lost their familiarity with daily life. They cannot go to work. They have no public space to spend their leisure time.

Along with the Rohingya crisis, the novel also presents the crisis caused by the pogroms against Hindus in 1971. Its aftereffect is still visible in Shanti. She is very sensitive to the victims in the refugee camp because she, to some degree, relates the present condition of stateless Rohingyas with the victims of pogroms against Hindus in the past. Shanti had also a sad story of her family members/ relatives killed during the movement of independence in 1971. During Bangladesh’s war of independence in 1971, Pakistani troops had moved through the country targeting Bengali intellectuals, killing men and women,

and dumping their bodies in mass graves. Her (Shanti's) grandfather was the owner of a newspaper chain and had advocated for independence. He was high on their list.

My (Shanti's) father was twenty-two and studying at Oxford at the time, but the rest of my family was here. Soldiers forced their way into the newspaper's offices, looking for my grandfather and killing his staff. With the help of friends, he managed to escape with my grandmother to India. But my father's older brother, Abani, and his younger sister, Chakori... They were dragged into the streets with their kids and spouses and shot. Their bodies were dumped in a mass grave and never found. My grandmother almost died from grief(41).

The place (Southeast Asia) has witnessed genocides time and again. The difference between the pogroms against Hindus and the present case of the Rohingya crisis is that one ended in displacement and the other in being stateless. They both were tortured, killed, raped, their homes burned and faced severe human rights crises. Though my point of argument here is the Hindus are settled now the Rohingyas are in a complete state of statelessness. Derrida discusses that "being refugees and stateless are not merely to be displaced from one place to another, it is to be without a place"(qtd in Oudejans, 2020, p. 525). The Rohingyas are in the present situation without any place.

The Rohingya crisis is not only their problem; it is the world's problem. For Derrida, their hardship calls for an urgent response. The Rohingyas have suffered a lot and are still suffering in the Cox's Bazar refugee camps. The present stateless situation of Rohingyas is leading to another human crisis; unemployment, human trafficking, kidnapping and other crimes in the refugee camps.

Conclusion

The refugee problems presented in Hard Asset don't end with having General Naing behind bars. The perpetrators of the humanitarian crisis should be penalized, that is for sure. We need to see the bigger picture to solve the problems of more than five thousand hundred refugees living in Cox's Bazar in Bangladesh. To solve the problem, the nation-states should open their walls for the Rohingya refugees including Myanmar and Bangladesh itself.

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