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**Construing the Rohingya Crisis: Tracing in
difference and Injustice in a Narrative of
Displacement and Refugee**

Ankur Jyoti Bhuyan



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Construing the Rohingya Crisis: Tracing indifference and Injustice in a Narrative of Displacement and Refugee

Ankur Jyoti Bhuyan



Global Research Forum on Diaspora and Transnationalism

K-1/114, First Floor, C R Park, New Delhi-110019,

Email: contact@grfdt.org, Contact: +91-9818602718

Website- www.grfdt.org,

Facebook- www.facebook.com/diaspora.transnationalism

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Abstract

This paper endeavours to engage with the Rohingya crisis, visually explained as the boat people. The attempt is to transcend the immediate context of a stranded people and explore the larger world of reference, compelling the people to take suicidal voyage. In absolute definiteness, their lives unfold a reality of endless hatred, abuses, rights violation and continuous persecution inside Myanmar. These unjust acts in epistemic way unfold conspicuous intention of categorical indifference to the existence of the group. The displacement and refugee crisis is but half reality of a naked truth of state sponsored dehumanizing efforts. However, it would be more appropriate to state the case as one of domestic as well as global injustice fundamentally embodied in abandonment, the extreme form of indifference.

Keywords: Rohingya, refugee, and Injustice.

Author(s)

Statement: All the views expressed in the paper are of the author(s).

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Ankur Jyoti Bhuyan

Amid all cosmopolitan whimpering of a barrier free world, modern-State with its essence of legal coercion and phlegmatic exclusivity continues to flaunt. In such absoluteness, enquiring the issues of people seeking refugee would be synonymous to that of traversing the margins. Particularly at a time of extreme jingoism and other form of conservative assertions, the idea of ‘global village’ unfolds as a ‘formless chaos’, more particularly for the displaced people and subsequent forced refugees. While prolongation of UN and the ever expanding wave of globalization yield a consolatory ground, the reality of many lives opens horizon of indispensable necessity to contemplate global injustice and question the ideal protocols of international morality. For instance, the images of Syrian exodus in recent times reminded many the reality of inter war period. Moreover, the events, inter alia, Brexit, the result of U.S. Presidential election and subsequent anti-immigration policies and many immigration related reforms under taken by sub continental governments insinuate the world might be undergoing a radical phase of extremely inwardly complacent national attitude. Many a countries not signing the 1951 Refugee Convention makes the issue of the refugees all the more important and worth academic contemplation. In fact, the immediate fallout of many refugee related events has given the world a pressing sense of human rights violation in multiple facets as well as degrees. More often than not, the world has proved to be too unkind to let the hapless sustain.

If one were to rhapsodise recent cases of refugee that can really interrogate the intrinsic values of human survival, for obvious reason, it would have been the Syrian exodus and the Statelessness of the Rohingyas. While the agonizing plights of these two populations have been captivated by media with subsequent deliberation, a fruitful solution to their problem is still a distant dream. This paper attempts to decipher the Rohingya issue and construe it as an enduring injustice embodied in indifference as well as abandonment. It

is with this argument that the paper starts with a brief account of the historiography of the Rohingyas, giving some sense to understand the trajectory of their current predicament. The next section would seek to trace the root, events and pattern of probable genocide inflicted on these people. This section would establish the violence, marginalization and state sponsored atrocities to recover the pattern of a radical and enduring injustice. The last section arrests the state of stolidity on part of international community as well as abandonment of the population by the Burmese government. This would eventually prove their case as one of enduring injustice embodied in indifference.

I. An Identity of Contestations: Tracing the Rohingya History

Anyone keeping an eye on the recent international events would recognize the Rohingya’s identity as one of absolute marginalized. However, notwithstanding the highlights of international media calling for an end to their plight, the world largely seems to be unaware of the essence of this long standing issue. Therefore, before harping into any instant assessment, there is a need to be inquisitive about the history of the beleaguered Rohingyas. Interestingly, their history and existence is a site of contesting claims. While the Rohingyas presents their own recorded past and attract the intellectual sympathy, the Majority Buddhist population of Myanmar have thoroughly denied the claims with their counter narrative. An anatomy of the life graph of this community would be provided in this section to crystallize the crisis.

The Rohingya issue has definite contestation in terms of its historical narrative. They are being stripped of ethnic recognition and citizenship facilities with an allegation that these ‘Bengalis’ had been brought to Burma by the British (Jacob, 2017). It means that they don’t carry an indigenous and ethnic history attached to Burma prior to that. Rather, the Myanmar governments

have emphasized on their own sense of victimhood during colonial exploitation and often identified the Rohingyas in terms of the erstwhile colonial experience (The Economist, June, 2015). Equally provoking is the accusation that the term Rohingya is to be found neither in Burmese and Bengali language, nor in any administrative records of the British rule in Burma. The word was for the first time used by a Buthidaung MP, Mr Abdul Gaffar in an article “The Sudeten Muslims” in the Guardian Daily on 20th August 1951 (Chan, 2005). Indeed, it is perceived that all the propagated histories in media and academia are actually fabricated, dishonest and fanciful (Saw, 1994, p.89). It is also asserted though Rohingya is an old word, it has been used as Political label only after independence; it is not an ethnic concept (Leider, 2016). Rather, Rohingyas have been perceived as having their direct link to the erstwhile rebel group Mujahids, led by Mir Cassim (during 1950s) with the objective to establish a separate Muslim state of Arakanistan (ibid). However, the history of the Rohingya is not that simple and the contestations necessitate a thorough study beyond mere convenient manipulations.

The Rohingya historians have their account of history covering many centuries, giving them indigenous status within Arakan State. Rohingya, an ethno-religious term basically implies Muslim population whose ancestral home is Arakan or Rakhine in Myanmar (Zarnif & Cowley, 2014). The term has continued to be the group’s collective self referential historical identity (Zarni, 2014) In the recent past their concentration has been recorded in the three northernmost townships, Maungdaw, Buthidaung, and Rathedaung of Rakhine (Lindblom, Mars, Motala, & Munyan, 2015). In a very interesting articulation, Muslims are said to have lived here since eighth or ninth century. It was consequential in terms of the Muslim migration through sea route with trade objectives. They continued to reside in the Rakhine area with different quantity of population at different periods (Coclanis, 2013). It is believed that King Min Saw Mon of Marak- U dynasty (1430-1784) allowed some Bengalis to settle in the outskirts of the state as a token of appreciation for certain helps. They also served in the court in various capacities. However, the inflow of the Bengalis accelerated in the middle of the seventeenth century in the form of assigned workforce. These thousands of Bengalis captured by the marauding Arakanese in the 17th century joined the existing Muslim population (The Economist, 13th June, 2015). Though not as a political or cultural term, the Muslim residents of 18th century Arakan (older name of

Rakhine) used the term ‘Rooinga’ to refer to themselves (Dapice, 2014). Later on, particularly, the report of the first British deputy Commissioner Arthur Phayre, while reporting about the indigenous people in the Akyab district, is said to have recorded a group named Ro-Khoing-Tha (Arakanese) (Chan, 2005). As a matter of cryptic interpretation, scholarly assumption considers this insinuating the initial imprint of Rohingya legacy in the Arakan. However, more Muslims were brought by the British Colonial masters to the area from across Bay of Bengal in the 20th century (Chia, 2016). The south Asian migrants (more than half were Muslims) resided mostly in lower Burma were employed in agriculture, transportation and construction, rice mills, as merchants and moneylenders as well as in British civil services and the British Military. A large part among them stayed in the Arakan, now Rakhine state, the conflicting spot in today’s Myanmar (Coclanis, 2013).

The Rohingyas were selectively recognized (though not as ethnic indigenous group) and given citizenship during the democratic phase of Burma (1948-62) particularly under the government of U Nu; also including the broadcasting of their language from Burma radio (Naing & Sichel, 2015). Many of them also served in the government services in the initial phase. But this too was recognized whose previous two generations had lived in Myanmar (Lindblom, Mars, Motala, & Munyan, 2015). However, the change of equation in the Burmese politics, the historic military coup in 1962 and the subsequent regime of Ne Win ended the official existence of democracy as well as recognition of Rohingyas in Burma. Again in 1982, a new citizenship law was brought rendering most of these people stateless (BBC, 2015). The act and the policies of the then government insisted on recognizing only the ethnic groups living in the country before first Anglo –Burmese (1824-1826) as legal citizens of Myanmar (Chan, 2005). This was the beginning of a dark era that was to follow the Rohingya population for an indefinite period. The rest of the history was destined to be an era of displacement, statelessness and abandonment for about one million populations in the western coast of Myanmar.

II. The people of nowhere: Tracing the Trajectory of Injustice against Rohingyas

Injustice is an act involving unfair treatment and undeserved suffering, resulting in moral or material loss for the victim in a particular world of reference. While the tools inter alia exploitation, oppression, discrimination and humiliation generate sites of victimization, the

degree of sufferings may vary from case to case. The life graph of the Rohingyas too unfolds a tragedy of group injustice in an enduring and radical pattern. Their condition has not merely generated sympathy from the world media and intellectuals; rather, a more fundamental question has appeared, if they are the world's least wanted people (Naing & Sichel, 2015).

The isolation, persecution, killing and displacement of the Rohingyas have definitely given ground for many questions and probable speculation. As a matter of introspective contemplation this also compels one to imagine a reality of contradictory context to intrinsic values that modern world stands for. The picture of hundreds of the poor Rohingyas drifting perilously while fleeing their own country via Malacca strait and Andaman Sea and often detained by Military personnel of South East Asian countries is a replica of the voyage of St. Louis of the inter war period. The captured reality sent a conspicuous message to the world to decipher the condition of the Rohingya's injustice, rights violation, statelessness and displacement. Precisely speaking, the Rohingya issue intimidates the liberal sense of rights and dignified life in terms of systematic internal rights violation as well as externally appearing condition of statelessness and refugee crisis. Even the contested form of historical narrative does not provide an excuse for this kind of perpetrated despondency.

According to the United Nations, the Rohingyas are the world's most neglected and persecuted minority. More painfully it has continued to be a long history of persecution and alienation. However this has to be understood in terms of discrimination and marginalization from citizenship discourse as well as their condition of statelessness and refugee due to displacement. Therefore it is a case of domestic radical injustice as well as context of global injustice.

The present condition of the Rohingyas has certainly a lot to do with the citizenship law of 1982, and more specifically with the successful military coup of 1962 that brought an end to the regime of democracy in Myanmar. Since the 1982 citizenship act, the Rohingyas have been pushed beyond the hinterland of rights discourse. Intentionally and arbitrarily they were kept outside the list of government recognized 135 ethnic identity groups (Philips, 2013). They have been denied access to citizenship facilities and subjected to all sorts of humiliation, discrimination and inhuman tortures. Abjection, tortures, arbitrary detention and other physical or mental harassment have

been perpetrated at the tacit behest of police, security forces and Myanmar authorities. Also violence inflicted by the Majority Buddhist population has rendered them homeless and subsequently displaced (Lindblom, Mars, Motala, & Munyan, 2015). The Rohingyas have been continually marginalized from social and political life. As mentioned earlier, history started taking turn to deterioration after the 1962 coup, as the government started denying the documentation of new Rohingya children as citizen (ICHR Rohingya report, 2010). In the next stage, the Rohingyas were allowed to have only Foreign Registration Cards, which left many unaccounted and the others too were inhibited from many necessary institutional facilities. In the meantime, in 1978, the Myanmar government launched illegal immigration crack down programme, operation Nagamin (Dragon King) and about 200000 Rohingyas were forced to flee to Bangladesh and around 10000 of them died, particularly women and children, due to mal nutrition and illness (Zarni, 2014). Then, the 1982 law not merely stripped the Rohingyas of most of the citizenship facilities and termed them Bengali economic migrants, but also gave credibility to xenophobic rhetoric of government as well as Buddhist monks. In the election of 1990 though the Muslims were voted for, the State Law and Order Restoration Committee refused to recognize it as an exercise against the Rohingya Muslim Insurgents (Sajjad, 2003). Subsequently, the Rohingyas have been restricted in terms of rights to travel, attend education and even marry (Hodal, 2012). They have constantly faced discriminatory and oppressive policies enacted and implemented by the national, state and local government. Along with these the increased deployment of the Military personnel in the Rakhine areas and the existing regime of isolation and dehumanization have compelled the Rohingyas from time to time to flee the country and migrate to Pakistan, Saudi Arabia, India, and more particularly into South Eastern part of Bangladesh. This has pushed them through the cracks of international legal right framework for refugees and the internally displaced persons (Naing and Sichel, 2015).

The Rohingya experience has been a history of horrible discriminatory treatment. They have been deprived of civil, political and economic rights, official recognition and justice. They lack access to food, health care, education and are subject to forced labour as well as restriction of movement. They require having permission even while moving across township lines. The continual brutalized practices of forced labour, denial to property, education and movement have

rendered the population a complete non entity in their own country (Sajjad, 2003). They have been subject to abuses, abjection, humiliation, communal riots and systematic dehumanization.

Examples are there in plenty of dehumanization of Rohingyas under national law. They have no property rights, no identity cards, they are subject to curfews, and they are denied access to higher education or government positions; they have exorbitant marriage fees and Rohingya couples are limited to two children (Philips, 2013).

Though the atrocities and discrimination against the Rohingyas have continued to sustain in enduring pattern, the degree of violence had dramatically increased in the year 2012 that mounted to crime against humanity. An incident that started with alleged teasing and rape of a Buddhist woman (2012) turned out to be a communal revenge pogrom. The consequential brutal violence killed hundreds and displaced about 1, 40,000 Rohingyas. It is being revealed that some of the neighbouring Buddhist community people perpetrated the violence and even government officials too were involved in the brutal process (The Simon Skjodt Centre Report, 2015). Again fresh violence erupted after killing of 9 policemen in October 2016 by alleged Rohingya Militant have resulted in mass killings, destruction of hundreds of buildings as well as mosques. In all these, while the authorities have enacted rules and ensured the proper execution to strip the Rohingyas of citizenship facilities, keep them isolated and deprive them of justice, the Buddhist organizations like '969' has encouraged people and its followers to boycott Muslims and instigated to attack them. Some of the Buddhist leaders have resorted to extreme level of hate speech in the guise of practising and defending their own religion against the rise of Islam. Even during the '969' movement, the Buddhists were encouraged to boycott the Muslim shops and shun inter faith marriages (Hogg, 2013). The vituperative speeches and sermons of the local Buddhist leaders have definite articulative causal role in terms of emotional provocation for demographic confrontational standing and resultant killings. This implies, in terms of internal injustice, the Rohingyas have been victims of state sponsored discrimination and popular hatred that has resulted in racism and xenophobia leading the country to more future violence including potential genocide (The Simon-Skjodt Center, 2015). The means adopted *inter alia* physical violence, segregation, blockage of humanitarian assistance, deplorable living condition of the displaced, rampant and unchecked hate speech, restriction on movement, stripping of citizenship, destruction of their religious places, extortion and illegal taxation, land confiscation, limiting children's numbers, sexual

violence, arbitrary arrest and detention, revocation of legal documents, restriction on voting and government blockage of information in/out flow are signs of major worry of a grave humanitarian crisis. In a more specific and detailed analysis, it has also been hypothesised that the process of injustice has been carried out both by civilians backed by the state and perpetrated directly by the state and its institutions. This process needs to be seen as state sponsored, legalized and led by frontal strike on the history, culture, identity and social foundation of the Rohingya. The victimization process of the Rohingyas by assaulting on their identity, killing during pogroms, inflicting physical and mental harm, inflicting conditions to bring about the group's destruction, and measures to prevent births corresponds to the first four criteria of definition of Genocide mentioned in Article 2 of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide (Zarnif & Cowley, 2014). Moreover, the protracted nature of Rohingyas, the enumerated acts (defining acts of Genocide) inflicted on them and the intents of security forces, government officials and local Rakhine give credible reflections of genocidal tendency (Lindblom, Mars, Motala, & Munyan, 2015). Therefore the gravity of the Rohingya crisis is more worrisome than mere violation of constitutional and human rights and issues like discrimination and hatred. They have been pushed beyond rights discourse and a constant intentional design of annihilating their existence and identity through tangible and intangible methods makes the matter an issue of concern. The state sponsored discriminatory way of dealing with the Rohingyas has been termed by many as apartheid practice.

However, the Rohingya crisis unfolds essence of tragedy in an external form that might be viewed from the understanding of global injustice. An anatomical exercise would reveal they are rejected or barely tolerated abroad, and from practical value, the amount of visual sympathy has largely been overshadowed by the refugee crisis of Europe. The recent state induced exodus of the Rohingyas has caught attention after hundreds of killing in the hands of police at the backdrop of killing of nine police officers by alleged Rohingya Militants in October, 2016 (Jacob, 2017). It is noteworthy that the Rohingya has from time to time fled the country due to persecution and entered to many countries in the region including mostly to Bangladesh. Their refugee status insinuates a reality of tragic displacement that has occurred at different junctures in the recent Myanmar history. The displacement that started immediately after the 1978 government operation continued to happen in face of rise of communal killings and hatred campaign.

The process was further accelerated after the 1982 laws that stripped most of the Rohingyas of citizenship facilities. Though the lives of the refugees continue to hang in limbo in general, the recent fleeing after 2012 has mostly attracted attention of the people around the globe. Though officially the refugee camps host around 21000 Rohingyas in Bangladesh, approximately another 350000 people live outside them with no refugee documents in possession. However, it is revealed that the local officials of UNHCR and the Bangladesh authorities put constant verbal and physical pressure as well as ill treatment on these people to repatriate them against their will (Sajjad, 2003). This violates the spirit and principle of refugee convention of 1951 and offers a case for global injustice.

Moreover, due to the state sponsored persecution and the poor refugee conditions in Bangladesh, more than 350000 have fled to countries like Indonesia, Malaysia, Thailand, India and Pakistan. In many instances, the refugees have to survive in abject conditions while in some instances they end up being behind the bars due to lack of any identity documents (Ali, 2015). However, even the recognized refugees have to live in poor conditions, far below than what it ought to be for the refugees according to international standards. These countries have also failed to provide access to international human rights organizations. The irony that most of the countries in the region are not signatories to the Refugee Convention of 1951, render their non-obligatory character in terms of providing the refugees a minimal standard life.

The United Nations has termed the Rohingyas 'world's most persecuted minority' and urged the neighbouring countries to offer them help while fleeing the country in face of more internal violence. However, the countries have mostly been reluctant in taking the burden of the poor and hapless population. As discussed the instance of Bangladesh, though a few countries have provided shelter in refugee camps, there has been much larger population unaccounted, uncared and prone to rigid legal procedures of host countries. The treatment in the camps has also been often heartbreaking. Notwithstanding that, the Rohingyas have had to take the waterways to escape the atrocities. In Bangladesh, the refugee problem is being viewed as a 'forgotten crisis' which is worsening in the Rohingya Refugee camps. Moreover, Sheikh Hasina has already declared that the country has given shelter to half million Rohingyas and that they would not be accepting more numbers (Sharma, 2017). However, to deteriorate the case, in recent period, thousands of Rohingyas had to

adrift perilously at sea as the boats were turned away by countries like Malaysia, Indonesia and Thailand. No governments in the region show will to take them, fearing it might encourage an endless flow of poor and illiterate migrants (The Indian Express, May 14, 2015). Another crucial speculation around the crisis is that the state of despondency may easily be provoked to direct radicalized agenda by global network of Jihadists (Sharma, 2017). In light of the discussed development, it is appropriate to apprehend, the Rohingyas are being exposed to multiple levels of threat and predicaments. While prejudices, discriminatory policies and intent of apprehended genocides have internally shaken the conceptual world and survival reality of the Rohingyas, their escape route hardly leads to a safe and satisfactory life. Often it continues to be a new threatening adventure of uncertainty often drifting on the sea and sometimes in ghettoised areas of foreign countries with no identification documents. The endless bitter realities of the entire trajectory unfold with conclusive evidence a case of enduring radical injustice. As discussed elsewhere in the beginning, even the contested notion of history cannot justify the savage of genocide and statelessness.

III. Tracing Indifference in the Rohingya Trajectory of Injustice

Injustice is being perceived as undue victimization with resultant material or moral loss for the victims in a particular context of relational standing between the victims and Victimizer. However, it would not be incorrect to assert that the primary form of injustice (e.g. exploitation, discrimination, oppression, humiliation) when transcends beyond immediacy takes an enduring pattern. There is an every added moment of injustice here that emerges due to the indifference of witnesses present. The indifference amounts to words of consenting silence availing the act of injustice ground to sustain in continuity. Hence, indifference could reasonably be argued as supplementary or secondary tool of injustice. Indifference as a tool of injustice could be categorized in the form of ignoring individual agency, through discriminatory acts and finally in terms of abandonment (Bhuyan, 2016). This particular conceptual understanding could be applied to analyze the case of the Rohingyas as well. There are enough ground to substantiate the claim that phlegmatism flaunted towards injustice against Rohingyas have helped the tragedy to escalate into humanitarian crisis.

The very denial mode of not recognizing the history of Rohingyas and depriving them of the ethnic

minority status unfold an attitude of indifference. Notwithstanding the factual supportive evidence to show that the Rohingya pre-existed the British encouraged migration, their history and ethnicity is being completely wiped out (Jacob, 2017). This attitude is reflected in the actions of the institutional authorities of Myanmar government as well as most of the citizens in the country.

As mentioned earlier, even after getting voted for, the Muslims were not allowed to be part in the legislative process by the State Law and Order Restoration Committee in 1990. Besides this, they were discriminated in terms of all citizenship facilities, including stripping of the citizenship recognition itself. There is hardly any need to discuss the discriminatory policies undertaken to marginalize the Rohingyas. These unjust acts in epistemic way unfold conspicuous intention of categorical indifference to the group.

The vituperative speeches of the Buddhist monks have played a fundamental role in disturbing the communal harmony, and in fact flaming the fire of communal killings and racial violence in the country. They have gone to the extent of enforcing denial to humanitarian assistance to the Muslims (Hindstrom, 25th July, 2012). The military institutions and the other government officials too have played crucial part in the indiscriminate killings and tortures of the Rohingyas. However, the Myanmar government and media have been largely inactive and silent about the hatemongering leaders and priests and this has helped the disturbing environment to endure. But painfully the politicians keep the condition simmering, and often boiling over, with complete indifference to the process and consequences of victimization (Dapice, 2014). In terms of the state sponsored atrocities, the government even refused to accept the report prepared by Human Rights Watch on the issue of ethnic cleansing as one sided (Philips, 2013).

While Myanmar is being recently viewed as a country taking strides towards democratic reforms, the western country's attitude has taken a new and encouraging shape. The economic sanction imposed by European Union and US in 1990s was recently lifted as a token of appreciation for the widely discussed democratic initiatives. It shows the indifference of those countries to the plights of the Rohingyas. This seems to be a premature act and that the issue of the enduring injustice is being pushed beyond the table with intent of economic endeavour.

The way Myanmar has allowed the Rohingyas to a condition of statelessness could be seen in terms of abandonment. In the process, the population has been forcefully displaced and eventually abandoned. Abandonment needs to be understood here in terms of an extreme form of indifference. It has irreversible consequence as it makes the victims exposed to multiple threats in an open and strange terrain (Shewly, 2013). Even the Nobel Laureate Aung San Su Ki seems to be completely silent and indifferent about the dying condition of the Rohingyas. The widely discussed boat crisis of the Rohingya is an archetype of abandonment. Due to extreme form of parent state's indifference, they had to take the sea route where they were exposed to foreign country's legal rigidities, detention of militaries and often pirates of the sea. This also unfolds an example of indifference of the neighbouring countries to their condition of statelessness. Moreover, their lives inside other countries have been a process of constant struggle and uncertainty. These render them homo sacer (a person who is subjected to law, but not protected by it), explaining a condition of total indifference from all sides. In a way, the Rohingya lives could be apprehended as a matter of enduring injustice embodied in indifference of Myanmar, its citizens as well as the other countries.

IV. Conclusion

The lives of the Rohingyas have unfolded to be a wretched one. United Nation was categorically right while terming them the most persecuted minority in the world. The quotidian lives of this community have been an experience of traversing an endless terrain of humiliation, segregation, discrimination and atrocities. In the first instance, they are victims of domestic injustice in the hands of Buddhist neighbours, government authorities and military personnel, insinuating a proposed context of genocide. On the other hand, as displaced refugees, they have been subjected to detention, arrest and often spotted stranding on sea shore. However, the ubiquitous presence of radical injustice continues to pervade their quotidian lives resulting from indifference of multiple actors. With conclusive evidence, one may assert, the Rohingyas are an abandoned population.

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