The Politics of Belonging: How Citizenship and Religious Identity Shape Refugee Policies Against the Rohingya

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Abstract

The Rohingya crisis represents one of the 21st century's greatest humanitarian failures. This phenomenon is rooted in a confluence of denied citizenship, religious identity, and state-centric exclusionary policies directed against the Rohingya. The focus of this study is on how the 1982 Citizenship Law of Myanmar enabled and institutionalized the Rohingya through the redefinition of "national belonging" to be synonymous with ethno-religious identity, creating an ongoing situation in which the Rohingya were treated as "outsiders" and as "threats" to the Buddhist-majority state's security. In addition to applying "the politics of belonging" as a holistic framework to examine the ways in which legal exclusion is grounded in religious nationalism and legitimizes discrimination and forced displacement, the study also explores how host countries like Bangladesh, India, and Malaysia utilized locally based and locally focused politics of belonging as well as locally generated and locally focused religious-based arguments to create both refugee policies for the Rohingya and fragmentation and disproportionate levels of treatment of Rohingya refugees. Finally, on an international level, the study illustrates the variability of humanitarian action based on global political forces and the interests these forces represent in creating heterogeneity in the application of humanitarian protections to refugees during the crisis of the Rohingya as compared to other crises such as that in Ukraine. The study utilized qualitative content and discourse analysis of legal texts, policy documents, and international reports, revealing that citizenship denial and religious identity operate as intertwined forms of exclusion across local, regional and global contexts. The study advocates for rights-based, exclusion-free approaches to refugee management, based on universal tenets of equality, protection, and human dignity.

Keywords: Rohingya Statelessness, Politics of Belonging, Religious Nationalism, Selective Humanitarianism, Refugee Policy Bias

1. Introduction

The Rohingya crisis has emerged as a serious humanitarian and political disaster of global significance in the 21st century - stemming from the historical exclusion of an ethnic- and religious minority in Myanmar (Shahin & Hasan, 2023). As a group, they are predominantly Muslim in Rakhine State, had faced systemic discrimination and statelessness, and for decades, the law has constitutionally recognized only conditional rights of the Rohingya. The 1982 Citizenship Law produced a basis for legal exclusion of the Rohingya based on their ethnic identity, effectively disenfranchising them as stateless persons under the amended statutory basis of nationality groups in Myanmar (Dussich, 2018). The historical exclusion of the Rohingya is not - neither can it be reduced to - merely the denouement of state policy; rather it exemplifies the socially and politically constructed nature of belonging, that is, determining the boundaries of who belongs and who does not (Alam, 2019).

At the international scale, the neoliberal plight of the Rohingya has come to symbolize the inadequacies of inaction in the international refugee regime to provide humanitarian aid, assistance, or justice for displaced population(s). Although human rights and refugee conventions are formulated on a basis of universality, the humanitarian aid for the Rohingya crisis demonstrates a selective process of humanitarianism based on religion, politics, and geopolitics (Prolonged Displacement and the Suspended Future of the Rohingya Refugees in Bangladesh - ProQuest, 2025). Even though millions have fled their persecution, the way their host countries - Bangladesh, India, Malaysia, etc.- treated them differently indicates that refugee protection is not a humanitarian issue, but a political and religious issue. The Rohingya present a case study to think about how the exclusionary ideas of citizenship and identity create partial refugee policy at the national and international level (Hughes, 2025).

Their exclusion is not simply a matter of non-recognition as an administrative action, but is an ongoing and deeper process related to identity production that is intertwined in state and ethno-religious nationalism narratives about purity and belonging. The politics of belonging as proposed by Yuval-Davis and many others encourages us to think critically about how states create inclusion and exclusion

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boundaries and how those boundaries are governed legally, politically, and culturally (Yuval-Davis, 2016). In Myanmar, citizenship has been used politically to promote hierarchies of religious and ethnic purity as a way to deny the Rohingya a status of citizenship, as well as to have them as perpetual outsiders (Shahin & Hasan, 2023).

1.1. Research Problem

The research problem is concerned with genocide denial for the Rohingya and the consequences that denial produces for their identity, safety, and accessibility to international protection. By removing Rohingya citizenship through the 1982 Citizenship Law, Myanmar has made the Rohingya stateless, deprived them of their permission to engage politically, and stripped them of their basic rights in access to education, medical care, and movement (Parashar & Alam, 2018). This lacked legal status has dismantled their sense of attachment and identity, and it opened Rohingya people to persecution and displacement. Moreover, discrimination against the Rohingya exists outside of the borders of Myanmar, as host countries such as Bangladesh, India, and Malaysia often have adopted non-uniform and unhelpful/refusing policies to manage refugees that are framed in their domestic political climate and religious qualifications (Missbach & Stange, 2021). Internationally, the response to the Rohingya has been marked by selective humanitarianism whereby countries choose how much empathy and recognition to show toward refugees like the Rohingya based on political interests, not on subsets of people being persecuted, revealing stark inequalities in the global refugee protection system (Zahed, 2021).

1.2. Research Objectives

1. To analyze how citizenship denial and religious identity have informed biased refugee political policies.
2. To consider host countries' political and/or religious motivations for their refugee governance.
3. To analyze global selective humanitarianism in response to the crisis of the Rohingya people.

1.3. Research Questions

1. How does the politics of belonging explain exclusionary refugee policies?
2. In what ways do religious identity and citizenship status shape refugee governance?
3. How do international actors reproduce selective humanitarianism toward Rohingya refugees?

1.4. Methodology

This study employs a qualitative research design, drawing upon the various different aspects of content and discourse analysis, to examine both citizenship and religious identity in the persecution of the Rohingya and developing biased policies towards refugees. The qualitative approach provides an environment to thoughtfully examine texts, stories, and institutional contexts which develop exclusionary polices in national and international contexts. Data for this study is derived from both primary and secondary sources such as: a variety of statements and narratives from international contexts; and legal and policy documents that reference or involve Rohingya refugees from governments and legal discourse, such as the Myanmar's 1982 Citizenship Law and the refugee policy frameworks from local and national governments of Bangladesh and other relevant (non)national legal frameworks related to refugee status in South Asia and South East Asia. There are also bodies of literature that include legal documents, including international legal instruments of the 1951 Refugee Convention, the 1967 Protocol to the 1951 Refugee Convention, or the Universal Declaration of Human Rights (UDHR) or various bodies of refugee policies and frameworks to critique the ways in which existing legal norms are in agreement or not in agreement with state practice toward the Rohingya. There is also the consideration of field reports, statements, and publication released by the United Nations agencies, non governmental organizations (NGOs), and state institutions to gain perspectives on the implementation of refugee policies, the impacts of policies, and humanitarian realities of refugee policies in various host contexts.

2. Literature Review

2.1. Conceptualizing Citizenship and Statelessness

Myanmar's citizenship history is intertwined with changing notions

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of statehood, belonging, and ethnicity. The 1982 Citizenship Law marks a watershed moment in this history. In the wake of independence in 1948, citizenship was granted under a combination of jus sanguinis and jus soli principles in the Union Citizenship Act, which allowed many residents of the country; including the Rohingya in Arakan (Rakhine) State; to claim citizenship. The military regime's 1982 law, however, implemented an overtly exclusionary citizenship regime by designating "full citizens" as those belonging to one of the 135 ethnic minorities recognized by the 1982 law arriving to the country before 1823, in effect legally marginalizing many groups not represented in that list. Under the law, citizenship is divided into three classes of individuals: full citizen, associate citizen, and naturalized citizen, and the evidentiary burden upon applicants, like proving you or your ancestors were present before 1948 or that you belong to a designated "national race," were so daunting that many Rohingya became de facto stateless (Alam, 2019). The law also has mechanisms of exclusion in both its design and its application. As noted by researchers, the 1982 legislation “effective denies the right to a nationality to Rohingya people by “in its design and implementation” creating insurmountable barriers. As such, the conceptualization of citizenship in Myanmar shifted from a post-colonial and more broadly inclusive framework toward an ethno-nationalist understanding of belonging, situating statelessness as a structural condition of the excluded; especially for the Rohingya (Shahin & Hasan, 2023).

2.2. Religious Identity and State Politics

Buddhist-majoritarian ideologies and ethno-nationalist politics have been at the center of Myanmar's statecraft, shaping both formal policy and general public discourse in ways that systematically marginalize the Rohingya. Political Buddhism; mobilized by important monk-led movements (such as 969 and Ma Ba Tha) and enhanced by collaborating nationalist clergy and social media; has characterized Muslim populations in broader discourse as a threat to the nation while also providing moral and rhetorical cover for state exclusion (Sabbir, 2017). As various scholars and policy analysts outline, all of these religious-nationalist frames were cultivated over decades, associated with colonial-memory politics and later folded into state institutions so that citizenship and belonging were defined not by residency or rights, but by ethno-religious identity; producing

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collective and administrative cultural contexts where the Rohingya are regularly referred to as "outsiders" or "Bengalis," as legal justification for action taken by the state, discriminatory practices, violent purges, and denials of basic rights. Consequently, the intertwining of military, political elites, and Buddhist nationalist networks has reshaped religious difference as a political tool; legitimizing restrictive laws, communal violence, and the systematic eradication of Rohingya belonging; while saying that international observers have recorded that not only were monks and nationalist organizations instrumental in instigating anti-Muslim sentiments, but also preceded and accompanied waves of violence perpetrated against the Rohingya (Hughes, 2025).

2.3. Politics of Belonging and Exclusion

Debates about the politics of belonging are centered on how belonging is also an emotional and identificatory experience, and a political project that produces the boundaries of inclusion and exclusion. Nira Yuval Davis foundational conceptual framework identifies the levels through which belonging occurs (social locations, identifications, and ethical-political values), and examines how political projects are about producing who counts as 'us' and who is considered 'them'. This frame has been engaged in migration and refugee studies. Building on, improving and critiquing Yuval-Davis, scholars have debated whether belonging should be understood primarily in territorial and/or sovereign terms, or as a set of practices and performances that can occur across space and time, placing emphasis on the idea that the experiences of migrants and/of refugees, can mean that, even when (legal) membership is contested, that 'belonging' can still be partial, situated and practice-based - which further complicates simple binaries of inclusion/exclusion. To understand scholarship on refugees and migration more broadly, it is important to understand the politics-of-belonging framework, which has been applied to understand how state and non-state actors produce differential rights and access; through laws, everyday interactions, administrative practices, and discourse; and thus shape refugees' life-chances, access to welfare, and participation in civil society. Empirically, the framework has been applied to the analysis of border regimes, resettlement politics, urban belonging, and social integration. Methodologically, this literature has suggested that scholars may analyze discourse and/or content analysis, utilize

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ethnography, and employ multi-scalar approaches to connect local practices to national policy and international norms in order to analyze how exclusionary narratives (concerning security, culture, or identity) become institutionalized in policy and subsequently translated into other refugees' odds of treatment in practice. Collectively, these debates and applications demonstrate an essential aspect about understanding refugee exclusion is not only the legal status of the individual but also the symbolic and political processes that receive (or not) appropriate political priority, which renders some lives less grievable, less protectable and/or less entitled to belong (Yuval-Davis, 2016).

2.4. Host Countries' Refugee Policies

Countries hosting refugees in South and Southeast Asia generally responded differentially, but uniformly constrained, to the Rohingya crisis shaped by diverse combinations of humanitarian pragmatism, domestic politics, and appropriate security calculations, which are often expressed in restrictive and exclusionary policies (Zahed, 2021). Since the exodus of more than a million Rohingya in 2017, Bangladesh has provided safety, but it is not a party to the 1951 Refugee Convention nor has it national refugee law; international funding and unplanned humanitarian arrangements are the only protections offered; the government has pursued containment strategies, including moving tens of thousands of refugees to an offshore site Bhasan Char and strict restrictions on free movement and formal work in Cox's Bazar, strategies that relieve domestic burdens, but raise protection and durability concerns. In India, official reception is explicitly securitized and legalistic: many of the Rohingya are treated as "illegal" immigrants and are subjected to arrest, deportation, and indefinite detention under the Foreigners Act, all of which are political narratives that are reinforced by majoritarianism and selective protections for non-Muslims associated with Indian Prime Minister Modi's Citizenship Amendment Act, all of which civil society and legal advocates point to in reporting systematic detention reports, persistent difficulties in accessing rights, and uncertain futures. Although Malaysia hosts significant populations of Rohingya, many of whom have registered with UNHCR, Malaysia has neither humanitarian asylum legislation nor any recognition of refugees under national law (Missbach & Stange, 2021). Registration with UNHCR provides access to some degree of

practical assistance, but it does not provide recognition of status, and leaves refugees exposed to being arrested and detained, along with having limited access to formal work or education as well as sporadic immigration raids in spite of having long-standing humanitarian needs. In all contexts, religious and political considerations; ranging from fears of demographic change or threats to dominant culture to concerns related to electoral and security; combine with weak legal protections to create policies based on notions of state sovereignty and social order (over protection of rights) demonstrating the extent to which national interests and identity politics create different but persistently exclusionary practices about the Rohingya (Zahed, 2021).

2.5. International and Regional Responses

International and regional responses to the Rohingya crisis have been significant in scale, but often very uneven in effect, resulting in various levels of humanitarian engagement manifested in various forms of geopolitical constraint and selective politics. International humanitarian organizations; most visibly UNHCR and the International Organization for Migration (IOM); mounted large scale emergency responses after the August 2017 military crackdowns, coordinated life-saving emergency positions in Cox's Bazar, and produced operational evaluations that highlighted both achievements and ongoing protection gaps. At the United Nations level, the Human Rights Council and General Assembly have consistently condemned human-rights violations in Rakhine State and condemned violations, but competing geopolitical interests among permanent members of the Security Council have impeded any substantial multilateral action. At the regional level, ASEAN has taken a measured, state-centric approach, issuing statements related to humanitarian concerns, sending assessment teams, and emphasising ASEAN-led action while never applying overt public pressure on Myanmar's government. Critics argue that this demonstrates ASEAN's adherence to non-interference and regionalism rather than meaningful rights-based approaches. On the other hand, the Organisation of Islamic Cooperation (OIC) has been unambiguously vocal in political and moral terms; condemning violence, calling for accountability, and coordinating diplomatic pressure and humanitarian assistance efforts; but its influence is limited by the capacity of its respective member states, as well as competing geopolitical priorities. These multilateral

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and regional actions imitate ongoing practical challenges: funding constraints and donor fatigue have regularly diminished the reach and quality of assistance as UN agencies warn that services in the camps may well collapse without funding for appeals. Ultimately, the different responses to the Rohingya and those to other situations exemplify selective humanitarianism, in which race, religion and geopolitical proximity and relevant strategic interest determine the immediacy and scale of international aid and resettlement, as documented by scholars and commentators when comparing international responses to the Rohingya with other refugee movements (Zahed, 2021).

3. Findings and Discussion

3.1. The 1982 Citizenship Law and Institutionalized Exclusion

The Citizenship Law of Myanmar passed in 1982 is the gateway to the Rohingya's institutional exclusion by embedding statelessness into the structure of national law and order. The Rohingya were historically recognized as residents of the Rakhine (formerly Arakan) region and had documented involvement in elections and citizenship after Myanmar's independence in 1948. The law established by the military government in 1982 redefined who belonged to the nation by linking citizenship to ethnicity rather than residency or birthplace. It categorized citizens into three types: full, associate, and naturalized, and through 135 "national races" included, deliberately omitted the Rohingya people. The enactment of legislation in Myanmar resulted in a loss of a historical connection to one's country of birth. Those who were affected by these Laws are now all considered "Stateless." Laws also legitimized the idea that the Rohingya were "foreigners" or "Bengali" by way of how each regime would represent them in their official discourse, through a campaign of disinformation regarding their status as "Illegal" in Myanmar, and the idea that they came from Bangladesh. The coalescence of legal exclusion and Ethno-Religious Identity politics leads to the establishment of the Rohingya as "Others" within a Buddhist-Majoritarian State, where Citizenship has assumed the importance of both National and Spiritual Identity. The enactment of the Law of 1982 established a new era of

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Discrimination and made acceptable Social and Political Exclusion for decades through both the Authorized and Un-Authorized use of Violence.

3.2. Host Country Policies: Religious and Political Bias

The Rohingya Crisis has, to date, provided host nations with a conflicting and difficult environment to manage, combining humanitarian expressions with the associated political/religious biases. State-based policies stemming from these perspectives have been established and enacted in many instances with varying levels of differentiation, and as such, Bangladesh, India, and Malaysia have all created separate and opposing methods of establishing a state-based policy. The response of Bangladesh to the Rohingya Crisis began as an example of humanitarianism in 2017; specifically, the Bangladeshi authorities initially granted asylum to over one million individuals fleeing the oppression and persecution they experienced in Myanmar. However, within a short time frame, the policy focus of Bangladesh shifted to a national security-based response centred on limited resources available to provide for asylum seekers and the concern surrounding the permanency and/or long-term settlement of Rohingya asylum seekers. In addition, the majority of the asylum seekers in this area are still living in the refugee camps in Cox's Bazar and/or on the island of Bhasan Char. The establishment of refugee camps in response to a humanitarian disaster highlights the disconnect between issues of compassion and control, with no associated means of mobility or finding a way to sustain themselves through an appropriate livelihood. India has developed a similar policy to Bangladesh that has been highly predicated on religious/political bias. A long tradition of opening the door to the neighboring community to seek asylum has changed with the introduction of the Citizenship Amendment Act (CAA) of 2019. The CAA began filtering out groups who fled from persecution, excluding all Muslims from Afghanistan, Pakistan, and Bangladesh from the "persecuted minorities" category. Groups like the Rohingyas were excluded from any consideration when applying for citizenship in India. Increasingly stressed by government language referring to Rohingyas as "illegal migrants" and "security threats," and witnessing their ineligibility for citizenship due to CAA, and in light of the growing influence of religious nationalism on government policy towards refugees. Malaysia, a Muslim-majority state, has consistently offered some level of support to the

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Rohingya people, both politically and humanitarianly, and has also made public statements condemning the activities of the Myanmar government when appropriate. However, Malaysia is not a signatory to the 1951 Refugee Convention and does not grant legal status to refugees in practice, and the Rohingya have all been defined and treated as undocumented migrants and potential subjects of arrest, detention, and deportation. While the overall humanitarian disposition towards the Rohingya is positive, domestic policies are restrictive; these examples illustrate how host countries navigate humanitarian obligation against political factors, national identity narratives, and religion, to create incoherent and even exclusive refugee policies.

3.3. Selective Humanitarianism in International Response

The global reaction to the Rohingya crisis is another instance of selective humanitarianism, or rather, the unequal distribution of global compassion and political will around specific refugee populations. While the global witness of the suffering of Rohingya people is documented, reported, and denounced by global organizations, the level of international donor engagement, funding, and political will for humanitarian action has been severely limited, especially as its compared to the international humanitarian response to Ukrainian refugee situations defined by swift political mobilization, in 2022. This new (but not unexpected) diversion on the part of global compassion and protections raises disturbing hierarchies of suffering in the world, where climate, race, religion, geography, and geopolitical alliances serve as marker of who receives prominence for compassion and protection. In the case of the Rohingya, compounded by an indefinite state of statelessness, regionally driven containment policy, and donor fatigue, there are now millions of Rohingya people are essentially trapped between humanitarian intervention and durable solutions with limited ongoing support for humanitarian assistance, and with few durable solutions being brought to the table by the global humanitarian community. In contrast, the recent rapid provision of asylum, permanent legal status and social assistance to European refugees provides evidence of how whiteness and Christian identity (e.g. European status) and geopolitical considerations/affinities were embedded with Western powers, defining the parameters of humanitarian response. Scholars have observed that this inconsistency is due to a misdirected and

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disproportionate sense of human compassion or the "politics of compassion" where (or in which) the outcome of international assistance and international advocacy are predicated on existing strategic priorities or moral proximity rather than principles of equality and human rights that ought to be applied consistently. for Rohingya refugees, this type of selective humanitarianism reinforces their status as outsiders, while simultaneously highlighting the specific contradictions of a global response regime for refugees that declares itself founded upon universality but has demonstrated foundations based upon exclusion, identity or political expediency.

3.4. Regional Power Dynamics and the Politics of Belonging

The power dynamics of South and Southeast Asian in the political inclusion and exclusion of the Rohingya, as it relates to the regional governance of refugees, matter. The actions of states such as Bangladesh, India, Malaysia, Thailand, and Indonesia are influenced by regional security considerations, nationalist politics and interstate relations, which focus on sovereignty and maintaining stability, rather than humanitarian considerations. In South Asian politics, due to India's increasing influence in the region, the governance of refugees has increasingly taken on domestic religious, and ideological, registers such as India's Hindu nationalist framing of citizenship and migration policies that systematically target Muslim refugees, including the Rohingya. This political framing has legitimized narratives that frame the Rohingya as potential extremists, or potential demographic threats, and justified the restrictive policies that have been imposed on the Rohingya when sought refuge in neighboring states. In Southeast Asia, the Association of Southeast Asian Nations (ASEAN) has maintained its tradition of non-interference, refusing to call out Myanmar directly, but instead redirecting any engagement with Myanmar to humanitarian concerns and repatriation, rather than as protection-based cooperation. In the context of geopolitical imperatives, religious identity is an important axis for policy making and moral framing. States like Malaysia, and Indonesia, as Muslim majority states have made statements of solidarity with the Rohingya on religious and humanitarian bases, but these states are constrained by their domestic issues of irregular migration concerns, security concerns, and political sensitivities to Myanmar. Thus, the plight of the Rohingyas throughout South and

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Southeast Asia serves as an example of how religious political interests, power relations, and state interests are converging to create systems of exclusionary governance and belonging.

4. Conclusion

This study sought to determine the extent to which the state's denial of citizenship and the politicizing of religious identity created systems of exclusion for Rohingya people both within Myanmar and beyond. In 1982, a citizenship law rendered Rohingya stateless, and through the use of state narratives and laws based on Buddhism driven nationalism, they were categorized and dehumanized by the state as 'others' within their own territory. The interaction of legal exclusion with religious intolerance created not only an environment for legitimized internal oppression, but also the responses of the region's host states. Responses from other nations with refugee populations were not based on humanitarian concerns, but rather based on the political needs of each state and the larger ideological perspective each held. The findings also demonstrated that national biases extend beyond borders and that the culture and level of assistance, protection, and care provided to displaced persons are influenced by both humanitarian and geostrategic considerations. Lastly, this study offers a window into how the politics of belonging operates over time and across different layers within the global spectrum of belonging: national, regional, and international; thus denying and/or minimizing equal access for refugees alike. Denying people the opportunity to belong due to their citizenship or religion is a way to define and exclude people based on their difference, resulting in the continuing oppression of the Rohingya who are marginalized in the global system. These actions also prevent the establishment of the global standards of justice, equality and human rights that all nations are committed to by the global refugee system.

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