
RECOGNITION, RIGHT, AND THE STATELESS: A FICHTEAN CRITIQUE OF THE PLIGHT OF THE ROHINGYA

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Sam Ben-Meir

In a world that proclaims human rights as universal, what does it mean that entire peoples are rendered legally nonexistent beings for whom, as Hannah Arendt put it, no law exists? This essay turns to Johann Gottlieb Fichtes philosophy of recognition to argue that the Rohingya are not only victims of a humanitarian disaster, but the site of a deeper metaphysical crisis: a systematic refusal of juridical personhood that exposes statelessness as a negation of the very conditions of moral agency. By reading Fichte alongside Arendts right to have rights, the article reveals how Myanmars 1982 Citizenship Law transforms the Rohingya into the limit case of the modern moral world order and contends that recognizing their rights is not mere charity but a transcendental demand of reason itself.

I. Introduction: The Moral and Philosophical Scandal of Statelessness

Few conditions so starkly expose the limits of our moral and political order as those of the stateless person. For Hannah Arendt, the refugee or stateless individual of citizenship and stripped of political belonging the right to have rights as the first and most fundamental of all rights. The case of the Rohingya, denied citizenship under Myanmars 1982 Nationality Law and persecuted as an alien presence within their own homeland, exemplifies the deepest contradiction of modern politics: the existence of persons whom the law has rendered invisible.

To address this contradiction philosophically, we may turn to Johann Gottlieb Fichte, whose conception of right (Recht) as the condition of reciprocal recognition among free beings provides a powerful framework for understanding the moral catastrophe of statelessness. Though writing in the late eighteenth century, Fichtes Foundations of Natural Right anticipates the central insight of Arendts political thought: that human dignity depends not merely on biological existence, but on the political and juridical recognition of ones personhood.

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