

# Displacement and Violation of Inalienable Rights in Alan Gratz's *Refugee*

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## Abstract

*Refugees are human beings but not citizens of the nation; they are left in no man's land and treated as traitor, criminal and animal. Even though, human rights about refugees are penned in different charter, such rights are not implemented appropriately. They leave their nation longing for survival; however many countries do not let them to enter their territory. Their right in home country is absconded and their identity of being citizen is confiscated and they are left to live the bare life. Those who are lucky to flee from the home have to face grave troubles and violence from police, and the state rules and regulations violating the International Human Rights of right to live the dignified life. This article analyzes the solemn issues from the perspective of Derrida, Kant, and Hannah Ardent, who explicitly urges about the rights of refugee and their survivals in Alan Gratz novel *Refugee*.*

**Key words:** *Refugee, rights, violence, nation state, bare life, identity*

## Introduction

Alan Gratz's *Refugee* vividly portrays the life of refugees in three different eras; even though they are from different historical period they pass through similar conditions and can be broadly analyzed in three phases of their life: their condition inside home country, their difficulties in the journey and their uncertain life future as asylum seekers. *Refugee* follows the stories of three refugee children fleeing conflicts in their home countries. The prominent commonality is that the rulers have suspended laws and ruled in a state of exception, where people are not even enjoying the rights of citizens. They are degraded from citizens to only human beings who lack fundamental rights and are excluded from the law. Josef, Isabela and Mahmoud's stories apparently clarify the life of refugees and unimaginable difficulties that they undergo in their life.

However, Terri Ratini and Bitai Zakeri have analyzed the novel as a refugee problem; they have not proposed the perspective from a theoretical proposition. This article analyzes refugee problems, how a state creates difficulties and compels people to flee from their home land and their struggle of survival as human beings from different theoretical lenses. Similarly, it also raises the pertinent issues of hospitality, rights of

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human beings and the nation-state border injustice where refugees are left to be killed but not accepted inside and outside territory. Refugees are left nowhere, not in the land and not even in the sea.

Even though there are three stories in the novel, life of the refugees is almost similar. They are exposed to war, atrocities or ethnic cleansing obliging them in search of new places but remain uncertain about discovering sanctuary cities as Levinas postulates in “City of Refugee”. They leave their home unknown to a certain future, not even survival in their journey. They are deemed as only living beings absconding all the rights and freedom they enjoyed as citizens inside their home. They live three different lives: life in their countries, life in their journey and life in the host country if they are lucky to get asylum. The foremost part is to save life is to escape from the home — “like the persecution and murder of Jews in Josef’s Nazi in Germany, the starvation and civil rights abuses in Isabela’s Cuba, or the devastating Civil war of Mahmoud’s Syria” (Gratz,2017,p. 161). The issue of displacement can be solved by accepting the refugees unconditionally in the host country and practicing human rights properly as proposed by Derrida, Kant and Hannah Ardent.

### **Methodology**

The research methodology in this research is descriptive and qualitative. The primary data source in this research is Alan Gratz's novel *Refugee*. Meanwhile secondary data sources are journal articles, different research papers published about displacement, refugee rights, and theoretical approaches to address those issues. Basically this research hinges upon the idea of Jacques Derrida, Immanuel Kant, and Hannah Ardent. These theorists' ideas are intensively used to clarify about the horror created by displacement and apparatus of power of nation-state to clear the topic.

### **Findings and Discussion**

War, violence and persecution has terrorized the country and forced people to leave the home. Anti-Semitism, holocaust, and ethnic cleansing compelled people to leave their home in search of secured life. Nevertheless, despite getting opportunity to leave nation, refugees have to encounter grave problems while crossing the borders. Many refugees lost their lives and their family is dismantled in the journey. Hannah Ardent (1943) in her essay "We Refugee" says "refugees are those of us who have been so unfortunate as to arrive in a new country without means and have to be helped by Refugee Committees" (p. 69). Therefore, from the very beginning of their journey they are always in lost.

#### **A. Process of Displacement in Germany, Cuba and Syria**

According to Hannah Ardent when a nation is not able to respect the human rights of the citizen– it leads the condition of annihilation of the mass. When citizens are

deprived from the rights and the freedom, they are deprived from the action and right to opinion. State suppresses their voice and rules nation in arbitrary form. The organized community will be dismantled and political status of the people will be lost with the loss of humanity altogether. (Ardent, 1976, pp. 296-297).

Ardent (1976) further mentions that "once [refugees] left their home they remained homeless, once they have left their state they remained stateless; once they are have been deprived from their human rights they were rightless, the scum of earth (p. 267). Refugee when they leave their home, they leave everything behind, their lineage, their identity, their physical property their national identity. This atmosphere of loss germinates the new identity of refugee; they carry the human rights but not fundamental rights. Therefore, the process of leaving home is always scary, there is loss and sometimes one even encounters death.

The process of displacement from their home is always in loss. Refugees have to leave everything; their home, relationship with the country, their history and restart their life from the beginning if the host luckily accepts them. The causes of the displacement always lie inside the home. The persecution and ethnic cleansing of Jews in Germany forced them to leave the nation in Josef's story. Jews in Germany are not allowed to follow laws, "Nazi told Josef's father that he wasn't allowed to practice law anymore because he was Jewish" (Gratz 2017, pp. 1). They ransacked the house of Josef and his father was taken to a concentration camp.

Josef's father was released from the concentration camp, but "only on condition that he had to leave the nation in fourteen days" (Gratz, 2017 p. 3). Josef does not want to leave the nation because Germany is his home but the Landau family has no choice since they can't wait what Nazi would do next. Foucault (1979) in his book *The History of Sexualities Volume: 1 An Introduction* posits, "It is as managers of life and survival, of bodies-and the race, that so many regimes have been able to wage so many wars, causing so many men to be killed" (p. 137).

Riots and famine have succumbed the lives of people in Cuba. The government of Fidel Castro has sabotaged the democratic values. People are dying from starvation and Castro has prohibited leaving the country basically in elnorte (towards the north). After the downfall of the USSR, in 1989, "Cuba had hit the rock bottom" (Gratz 2017, p.4). The condition is so bad that "[a]ll the cows and pigs and had been slaughtered and eaten. People had even broken into Havana Zoo and eaten the animals; cats like this had ended up on dinner tables" (Gratz, 2017, p. 4). In Castro's state of exception human rights and right to migrate is grossly violated, "Fidel Castro, the man who ruled Cuba as president wouldn't allow anyone to leave the country—especially not to go to the United States —elnorte as Cubans called" (p. 5).

Human right according to Kofi Annan is, “The yardstick by which we measure human progress” (quoted in James D. Ingram, 2008, p. 401). Instead of protecting and respecting the rights of the people Castro’s government is killing those who are protesting against them, even people who strive to migrate elnorte is against the rule of Castro’s government as Isabela discloses, “If you were caught trying to leave elnorte by boat, Castro would throw you in jail” (Gratz, 2017, pp.5). Migration always is not the choice but to escape from the hardships to survive inside the country as Thomas Nail (2015) urges, “[i]t has become more necessary for people to migrate because of environmental, economic, and political instability” (p. 1). Rioting, vandalizing, and breaking of the glasses are not out of the choice but out of necessity.

People are coming out from their homes to protest against the tyrannical government. Rioters are chanting against Castro’s rule. Police are brutally killing people in order to establish Castro's regime. The plight of the innocent people has been unrecognized and unaddressed by the state because "a practical demonstration of the totalitarian governments' cynical claims that no such things as inalienable human rights existed and that the affirmation of the democracies to the contrary were more prejudice, hypocrisy, and cowardice in the face of the cruel majesty of the new world" (Ardent, 1976, pp. 269). In the beginning, these citizens were denaturalized and they were ghettoized in order to establish despotic rule and compelled them to run away from the nation.

Third story is the story of Mahmoud, who is compelled to flee from Syria due to the civil war and mass killing of people. Foucault (1976) urges that "if he [ruler] were threatened by external enemies [those who are against his rule] who sought to overthrow him or contest his rights, he could legitimately wage war, and require his subject to take part in the defense of the state; without directly proposing to death" (p.135). Mahmoud is twelve years boy, who keeps himself hiding under cloak to stay away from the enemies, whereas, “Mahmoud did everything he could to hide his size and his face, to stay under the radar” (Gratz, 2017, p.7). He does not want to invite trouble because “to walk around getting noticed by the Syrian army or the rebels fighting them was just inviting trouble” (Gratz, 2017 p.7).

Syria has been divided into two ethnicities between Shia and Sunni Muslim. His friend Khalid was Shia and once he found his friend being beaten by the older boys saying, “Not so smart now, are you, pig?” one of them had said. “Shia should know their place! This is Syria, not Iran!” (Gratz, 2017, p. 8). Shia in Syria is other, even though that is their home. Levinas postulates on the idea of “others” where the meaning of other means “someone else (other than one self). While talking about the face he urges that “the face is the most exposed, most vulnerable, and most expressive aspect of the other presence” (Levinas, 1969 p. 197). Shia is the face of others for the Sunni and this other

face has become the site of violence. Since, Mahmoud understands the face of others as filth and violent — he also understands the importance of invisibility.

Syria was under the rule of Basar Al Assad and he was ruling under the state of exception. He was elected twice as president and no one was allowed to run against him. Had any one dared to such he would have made people disappear. When people started rioting against him demanding freedom, “Assad had turned his tanks and soldiers and bombers on the protestors — on his own *people*” (Gratz, 2017, p. 8). When the bombs and missile hit his home, the TV place and the wall collapsed making a big hole through many floors below, the scariest part is, “Waleed was centimeters from joining them both and the floor beneath their feet groaned and shifted” ( Gratz, 2017, 24). Mahmoud, his brother, his mother and his sister are able to survive nearly an inch of death away. Foucault (1976) states, "the sovereign has exercised his right of life only exercising his right to kill" (p.136). Here bombarding in citizens house explicitly indicates creating terror in the life of people. Such circumstances further lead the cleansing of people who are against ruler and support his government. Mahmoud family decided to leave the nation for Germany. If Germany, a country with not a big land mass, could accept refugees, why could not others follow the suit? If Germany is accepting all these refugees the calculation can be labelled as unconditional hospitality. Following decades of internal religious, political, and economic turmoil and international actions, a civil war broke out in Syria in 2011, sending unprecedented numbers of refugees to the surrounding countries, to Europe, and gradually to North America.

## **B. Journey from Home Country to Host Country**

It is all too easy to conceive of present-day asylum seekers as figures who form part of a nameless and helpless mass, waiting to be “rescued” from the clutches of people smugglers before being “managed”: in other words, being considered for admission as recognized refugees or returned either to their country of origin or to another country deemed safe as Kant stated about the hospitality. Unconditional hospitality, in contrast, starts with the problem of putting those ideals values into practice.

Foucault (1976) in his book urges that “If someone dared to rise up against him and transgress his laws, then he could exercise a direct power over the offender's life: as punishment, the latter would be put to death” (p. 135). Josef, Isabela and Mahmoud are the victims of a totalitarian government who has confiscated the right to live and dragged them deemed into death. Refugees are scum of earth, they are “unidentifiable beggars, without nationality, without money and without passports to cross their frontiers” (Arden, 1976, p. 269). All these characters set their foot to leave the nation as an asylum seeker without calculating the risk in their journey and without knowing whether the host country will accept them unconditionally. They entirely belong to

different historical eras; however, they do have a common mission — Escape. Josef is a Jewish boy in 1930's Nazi Germany. Threats of concentration camps loom over him and his family and they board a ship bound for the other side of the world. Isabel and her family from Cuba in 1994 set out on a raft escaping riots and unrest plaguing in her country, hoping to find safety and freedom in America. Mahmoud is a Syrian boy belonging to modern Syria who is escaping to Europe especially Germany. All of them are succumbed by the home country's totalitarian government failing to protect the unalienable rights and searching for bonhomie asylum; however, first they have to be alive to get asylum during their journey. The obstacles they must overcome right from the decision making, the journey and the process of resettling in a foreign land is a monstrous expedition.

Journey of refugees is not easy going. They have to trespass without being caught, nevertheless, if they are caught, they are deported from where they flee to save their life. Refugees either have to travel through the sea or they should make a journey from the land. However, international maritime law forbids them to travel without having consent to that particular country as law states:

In accordance with the rules and principles of the law of the sea, the coastal state has sovereignty in the territorial sea. Although subject to innocent passage, the nature of the territorial sea as a constituent part of coastal state's national territory remains unchanged; and as embodied in the nomenclature, in this belt of the sea a territorial regime applies. The sovereignty of a coastal state in the territorial sea extends to the seabed and subsoil under the water column, as well as to the air space over the territorial sea. (Vidas, 2015, p. 34)

The unjust law of the territory and the maritime law are against the human rights as Kant posits about right to visitation, “a right to visit, to which all human beings have a claim, to present oneself to society by virtue of the right of common possession of the surface of the earth” (Kant, 2006, p. 82). Humans by nature have the right to visitation which can be traced back as nomadic rights; notwithstanding, the evidence of territorial sovereignty over the land has confiscated this right besides refugees remaining nowhere if they won't get entry into certain areas.

Having left their country subjected to excruciating violence, refugee re-runs from the hardships not only of manmade but also of nature. While leaving Germany, Josef lost his father even though he is physically present in journey with them. When Josef saw his father after six months released from concentration camp he was like, “the shabby man who had lurched from the shadows like an escape from a mental asylum” (Gratz, 2017, p. 18). Isabela traded her trumpet which was everything to her. Similarly, Mahmoud's father

lost his car while escaping through which they are planning to reach the Turkey border.

In the story of Isabella, first, their motor dies; then there is leakage from the bullet hole in the rudder; a giant tanker in the night almost crashes; Rudi Castillo, the captain, is thrown off the boat, but in the meantime, Isabel risks her life to rescue him, is an example of unconditional hospitality. Strenuously, they have to hide themselves from being caught because of unjust maritime law. They lost their aspirin and bandaged all prepared things. Isabela compares this journey as Cubano song's;

. . . and each part of it was verse. The first verse had been the riot: a blast of trumpets, the rat-a-tat-tat of a snare drum. Then the pre chorus of trading her trumpet for gasoline—the piano that gave the *son* its rhythm — and then the chorus itself: leaving home. They were still leaving home, still hadn't gotten to where they were going. They would return to the chorus again and again before they were done. (Gratz 75)

But, what does the refrain indicate? She even does not know how many verses are going to be added in her journey. They reached Bahaman land but the law of the land did not allow them to enter there because “Bahamian law forbids the entrance of illegal aliens to the Bahamas. If you set foot on Bahamian soil, you will be taken into custody and returned to your country of origin” (Gratz, 2017, p. 84). Refugees learn, over time, and follow the law of the land; however, for the survival they have to set more miles as Kant urges, “it remains the right of the visited party, however, to deny visitors entry into its territory, as long as this can be done without causing their death” (Kant, 2006, p. xx). Jews were also returned to Europe from the St. Louis ship from Cuba in 1939, where the Josef family was dismantled and Josef ended his life in a concentration camp.

Isabel's journey to the north probed the injustice law where nation states seized the rights of the human beings and “left without national states of their own” (Ardent, 1976, p. 272). Still unknown how much time it will take to reach Miami, they headed from the Bahamas but they collected lots of food and medicine from people. Even though the law of land restricted them to set foot on soil, people helped them unconditionally whatever they could. For such charity Ardent (1976) urges, "the prolongation of their lives is due to charity not to right to residence; their freedom of movement, if they have it all, gives them no right to residence" ( p. 296).

The deprivation of human rights is manifested through the deprivation of entering into the place. This is something more than the freedom and justice. On their journey, they were attacked by the Shark and Ivan died. Isabela lost her friend Ivan and could not grasp the moment. Unlike their heydays in Cuba, they now are not able to perform funeral rites, the saddest part of their life. However, they have to continue the journey. The idea of

fighting against impossibility to win is repeated many times. This becomes a moral boost for Isabela, as she reminds herself whenever there are extremely difficult obstacles to overcome, “FIGHT AGAINST THE IMPOSSIBLE AND WIN” (Gratz 38, 90, 118).

The story of Mahmoud probes how international law of refugees is violated. Universal Declaration of Human Rights 1948 in article 2 clearly affirms that, “all man human beings are born free and equal in dignity and rights” (International Declaration of Human Rights, p. 6). Similarly, in UNHCR, a guide to international refugee protection and building a state asylum state transparently affirms that “hosts’ state responsibility for safeguarding the civilian, peaceful and humanitarian nature of asylum” (1979, p. 28). Nevertheless, the Mahmoud family enters Turkey, but they have to endure the abject difficulties of life. All the refugees over there are staying on the ground, besides they don’t have a roof to stay out of the rain and they are treated as if they are the criminals. Only citizens who fall under the law of the nation are only privileged to enjoy human rights and fundamental rights.

Right after they move out from their territory until and unless they will get asylum, refugees are condemned to live natural life neither political life nor bare life, “life without rights” and the life which caught under the sovereign ban, “is the life that is originary sacred – that is, that may be killed but not sacrificed – and, in this sense, the production of bare life is the originary activity of sovereignty” (Agamben, 1998, p. 53). Mahmoud’s family reaches Izmir refugee camp. They have to pay a handsome amount of money to stay there. They waited for the boat broker, who tells them, “No boat today. Tomorrow” (Gratz, 2017, p. 58). They don’t have any option but to wait like the Cuban police said to Josef and like in discussion of *manana* in Isabela’s journey.

They head towards Europe from the sea in the dark night, but unfortunately their boat hits the rock and breaks down. People are striving in the mid of the ocean for survival. Mahmoud loses his sister Hana in the struggle of survival. He feels guilty because it is he who requested, “At least take my sister” (Gratz, 2017, p. 76). People are dying prematurely and some of them are using the dead body as a prop to stay alive. This harsh situation arrived because of so-called nation state sovereignty and restriction on free movement of people in this extreme situation, which is also against the right to visitation.

Mahmoud finds a dead body floating around wearing a life jacket. While picking it out he remembers the *kafan*, a funeral rite to perform. Every human being born on the earth has right over death rituals are also a part of hospitality and ethical responsibility. Derrida (2006) has much to say about death of foreigners in a foreign land, “in a foreign land in that there is no manifest grave has no visible and phenomenal tomb” (p. 113). By the time they arrived Lesbos and every refugee family had lost someone, so, instead of being happy, there was only “a soft mournful murmur of conversation” (Gratz, 2017, p. 101).

Mahmoud realizes that people won't listen or see them when they are in trouble but "they only see us when we do something, they don't want us to do" (Gratz, 2017, p. 102). Levinas (1969) in his book *Totality and Infinity* explicates that "The face is the most exposed, most vulnerable, and most expressive aspect of the other's presence. The face resists possession, resists my powers" (p. 197). This face is not a literal face, but speech, gesture, action, or something "infinite" over which we can have power. Mahmoud's articulation about seeing and not seeing is based on the idea of others and face. When the Mahmoud family reached Hungary, they experienced extreme hostility. They were robbed under the knuckle of a pistol and Hungary declared a new law that closed the border. Police treated them as if they are the harsh criminal. Ardent and Derrida both agree that police should act under political authority rather than ruling authority. Hungarian police are acting as if they are the ruling authority because human rights or rights have been grossly violated.

When refugees are kept under Hungarian surveillance, Mahmoud lost the hope at first but examination of UN instills hope to be visible; and being invisible was so much easier. It was useful too, like in Aleppo, or Serbia, or here in Hungary. But sometimes it was just as useful to be visible, like in Turkey and Greece. The reverse was true too, though: Being invisible had hurt them as much as being visible had" (Gratz, 2017, p. 136).

When Mahmoud's attempt is analyzed, it can be examined the Rancier (2004) idea of rights, who argues, "the rights of the man are those who have not the right that they have and have the rights they don't have" (p. 303). From the premise refugees can collectivize and fight for their rights. In this context Hungary cannot eliminate all possibilities of the right to fight even if it wants to and makes all the efforts to do that. Mahmoud took a deep breath and dared to come out soon. He was followed by many refugees as he said; "I'm not staying in that place and waiting for them to send me back to Serbia. . . We're walking to Austria" (Gratz, 2017, p. 137). As soon as they cross the border, they are welcomed by the Austrian people and offered them whatever they need. When, finally, Mahmoud and the family arrive in Germany are welcomed by the Rosenberg family, the hospitality is a bit both unconditional and conditional as Derrida (1999) says, "with tears in their voices, they sometimes speak familiarly to the other who keeps silent, calling upon him without detour or mediation, apostrophizing him, even greeting him or confiding in him" (p. 2).

Isabel and the family, and the Mahmoud family are lucky to get asylum, whereas Josef is taken to a concentration camp and is never returned. Isabel gets her trumpet back and remembers her Cubano song for her origin; however, Mahmoud suffers everyone's pain including the loss of Hana.

## Conclusion

The pertinent issue is the issue of acceptance of refugee and making city of refugee as proposed by the Derrida in *On Cosmopolitanism* and by Levinas in “City of Refugee”. Derrida proposes the “open cities” or “refuge cities” where migrant may seek sanctuary from the pressure of persecution intimidation and exile. For Derrida foundation of ethics is hospitality, the readiness and inclination to welcome the other in one home. Ethics he claims is pure unconditional hospitality. For such Derrida (2001) postulates on the idea of the certain sovereignty of the city; “the city itself could determine the law of hospitality—The Great Law of Hospitality, an unconditional law, law both singular and universal which order that borders to be open to each and every one, to every other to all who might come without question or without their even having identity” (p. 18).

Unfortunately, much of the mass media in the global North portrays refugees as people who have lost everything, including the capacity to speak or to contribute productively to the host country. The crises of refugee can be addressed as Zapata-Berrero recommended in his article “Utopian Political Theory and Migration Without Borders” That the idea of sovereignty needs to re-framed in that it must follow the lead of migration, must accept migration and freedom of movement base its legitimacy and ensuring the right to free movement. Similarly, states can retain but allow free movement like the EU (pp. 178-181).

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