



Rohingya Refugee Crisis: A Historical Study

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ABSTRACT

The Rohingya refugee crisis is one most the worst humanitarian crisis in the world. They have no state to proclaim their national identity, actually it is the cause of all the problem that they are dealing with. This paper examining their historical origin various political issues and other consequences. Here the major arguments regarding the crisis are colonial migration, post-colonial nationalism and ethnic nationalism of Myanmar. The national citizenship law of Myanmar in 1982 intensified their plight and majority of Rohingyas flood to various countries become refugees, which lead to the spread of extremist identity among them and eventually lead to the fight between ethnic group based on religious identity. Besides all of these this paper also analyzing the problem from the perspective of both India and Bangladesh too. Myanmar considers them as Indian migrants, meanwhile the Rohingyas see them as a population that belongs to the Rakhine region. Furthermore, it provides a crucial insight into the necessity of global cooperation and a compassionate strategy to address the refugee problem

Keywords: Rohingya, refugees, nationalism, religion, identity, ethnicity.

Introduction

“No one put their children in a boat unless water is safer than their land”, it’s a famous quotation of British writer Warson Shire about the Rohingya refugee crisis. There are many theories regarding the origin of the Rohingya community. They have attracted multiple perspectives from scholars and researchers, such as early migrants from India before colonialism, diaspora resulting from colonial interference, and the Rohingya identity being a product of a multitude of influences from pre-colonial, colonial and post-colonial period. exactly in

the Rakhine province. After the Anglo-Burmese war, Burma (now Myanmar) was annexed to British India. This led to a large migration of people from the Chittagong region of Bangladesh (then part of British India) into Rakhine province in Myanmar. Previous Indian migrants were already in several factions through commerce and pre-colonial relationships. Burmese nationalism led to Burma becoming an independent crown colony in 1937 and the beginning of the debate over Rohingyan identity This was the first, and for the most part unnoticed, rupture in the history of India. The nationalist movement in Burma constructed a 'we' vs 'them' dichotomy based on



resentment toward Indian migrants, especially the Rohingya population. The Rohingya crisis is, above all, a nationalist problem, with racial and religious nationalism intensifying their agony. India and Myanmar have a historical relationship of 2000 years with political, cultural and business engagement. After the implementation of British rule opinions began to change and thus Indians in Burma were called *kaala log*, meaning dark skinned people. At the end of the First and Second World Wars in 1918 and 1945 respectively, the ethnic Indian population in Burma increased and anti-Indian sentiment began to grow. The census report of England showed that Indians formed more than fifty percent of the population of Rangoon, creating a fear in Burma that they would soon be demographically displaced. In 1942 16 percent of the population of Burma was of Indian descent; yet, the ethnic Burmese population supported imperial Japan. This led more than half the Indian population to flee from Burma to move into Assam.

The substantial arrival of the Muslim minority began migration with the support of the British in 1824. Myanmar's people began to view them as disloyal to their nationalist aspirations, and at the beginning of World War II Rakhine's Rohingyas sided with the British, while the majority Buddhist community allied with imperial Japan. The two communities destroyed each other. Defeat of Imperial Japan eventually set the stage for the hatred of the Rohingya Muslims. U Nu was the only prime minister of Burma who advocated unity between the two communities. In 1962, he was the only head of the state to acknowledge the Muslims of Rakhine as Rohingyas, that is, the natives of Rakhine. After the military coup in Burma, the perception of the Rohingya minority started to change and in 1982 the citizenship law was passed to strip them of their citizenship. Anyone who settled before 1823 is regarded as a permanent resident of Burma and is

granted citizenship under this law. The Rohingya is a community without any historical record before 1823, thereby losing their rights.

The Rohingyas are now stateless people they don't have an identity; it is one of the pathetic conditions of a community in the world. Over recent decades multiple human right violation including: forced labour, removal of citizenship, depopulation of their communities, severe abuse of children, elders and women, prohibition of freedom movement, confiscation and destruction of property, denial of education, religious and ethnic discrimination, restriction on marriages, systematic persecution and racism, ethnic cleansing and forced expulsion. The condition became more pathetic after ARSA torched the police station of Rakhine on 25 August 2017. After this Myanmar government declared ARSA as a terrorist organization and they counter attacked Rohingyas. Around 500,000-600,000 Rohingyas have escaped from their homeland in the northern part of the state Rakhine in Burma to Bangladesh. Prior to that date, as far as back as 1990 approximately 300,000 Rohingyas had already escaped into Bangladesh, primarily focused in the two Upazilas of Ukhia and Teknaf. Additionally, many refugees went to the seas mostly in boats and make-shift rafts trying to find refugees especially in India, Malaysia, Thailand, Indonesia and Saudi Arabia. In many instance, they were harshly turned away with many not surviving.

Members of the Rohingya community were displaced to Bangladesh where the state, non-governmental organizations and the UNHCR gave aid to the refugees by providing them food and shelter. These external organizations were important because the immigration of the Rohingyas was massive. In 2015, 140,000 Rohingyas were still living in the IDP camps, three years after fleeing communal riots in 2012. According to the claims of the authorities



currently 40,000 Rohingyas residing in India. The majority of Rohingya community residing India came to India either prior to 2012 or following that year's violence. At the time, Bangladesh was as much less welcoming to refugees, but India appeared to offer great promise. In the years since 2015 however the attitudes towards minorities –particularly Muslims – have shifted dramatically in India.

Ongoing Rohingya migration from Myanmar aka Burma to Bangladesh created a new dilemma there, so they are now planning to shift them to a island, which is sinking twice in a year. According to the report of the United Nations Rohingyas are considered as the most persecuted community in the world. New reports from Burma giving some hope to the Bengali Hindus, if they are ready to accept the identity of Burmese Hindus, they can live there with peace. The communal tensions are at its peak now. Earlier it was Sri Lankan Tamils and Tibetan Buddhist's now it is Rohingyas, the name is only changing the persecution remain the same.

The Identity of Rohingya

The emergence and identity formation Rohingya remain contested subjects among scholars and academicians. Rather than identifying them as an indigenous community or as migrants from Bangladesh, it is important to analyses the history of Muslim settlement in Rakhine. Moreover, the rapid migration during the colonial period and the development of a distinct ethnic identity further complexed the situation. Scholars emphasized various aspects of historical and political process about the earlier Muslim communities of Rakhine and the present crisis. The Rohingyas are Bengali-speaking Muslims who live in Rakhine. Historians say there is a long history of invasions and migrations in Rakhine.

The Konbaung dynasty of Burma took over the kingdom of Arakan. In 1826, after repatriation in the

first Anglo-Burmese War, Rakhine was given to the British. But the war between the two countries continued. The Third Anglo-Burmese War of 1886 ended with the surrender of the Burmese king Thibaw. Thus, the whole of Burma was under British colonial administration and Rakhine was a part of Burma. Burma was ruled as a part of British India. This resulted in the migration of a large number of Indians to Burma. Most of the new residents of Yangon had been Indians from 1891, at least fifty percent of whom were Muslims. According to Yegar, colonial intervention “facilitated Muslim migration, leading eventually to the development of a Rohingya identity.

Meanwhile Anthony Ware and Costas Laoutides address the history of Muslims in Rakhine province through different periods of migration and settlement. He argues that the Muslim communities existed in Rakhine before the colonial interventions and after the British administration more people of Indian origin begun to settle there, these different groups assimilated into distinct a group with different language, culture and history But according to Thant Myint-U, it is colonial and post-colonial administrative policies established these ethnic classifications, which shaped the modern idea about the identity of the citizens of Myanmar. Furthermore, this led to the alienation of Rohingya community. Jacques P. Leider has another interpretation of the notion of a difference between the long history of Muslim communities in Rakhine and the formation of a current ethnic group represented by the word Rohingya. He points out that although Muslim people had long existed in Rakhine before colonialism, the exclusive use of the term “Rohingya” as a political identity was only normalized after 1950. He therefore concluded that the development of this identity was influenced by a number of factors such as migration, interpersonal ties and a dynamic relationship with the state.



The formation of Rohingya identity can be explored as a fluid and contested concept. Rakhine province's demographic makeup was shaped by many factors, including earlier migrations, British colonization, and later large-scale immigration into the area. Along with this, colonial ethnic stratifications in Myanmar and their continuance in the post-colonial era produced unflexible societal divisions, making the Rohingyas as outsiders and marginalizing them from the Myanmar nationalist. This made them stateless people and from this grew the present ethnic strife.

Waves and Shores

Waves and shore is the poetic representation that shows the plight of Rohingya community. The migration of Rohingyas increased after the 25 August 2017 massacre of Arakan Rohingya Salvation Army aka ARSA. In a single push about 700,000 refugees took shelter in Bangladesh. After two years there was an initiative to return three thousand Rohingya refugees to Burma on 22 August 2019, but all those initiatives to repatriate refugees have not been successful, not a single refugee has returned, Bangladesh foreign ministry says that Burma is responsible for this crisis.

The Rohingya's are now wandering in sea for an asylum but nobody is willing to accept them, because the countries that Rohingyas seek asylum have no desire to create new crisis. More than 120,000 Rohingyas have taken to the sea in boats to flee overseas in the last three years. It reported that over 300 individuals perished in maritime incidents between January and March of 2017. Because of this pathetic condition and international pressure many countries especially the neighboring nations allowed Rohingyas to reside there, but under certain restrictions like no citizenship, legal rights and educational rights

Refugee Crisis

The Rohingyas are the community consisting 2,000,000 people among them around 1,000,000 people are now residing in Bangladesh as refugees. Pakistan, Saudi Arabia, Malaysia, and India are the other major countries who give asylum to Rohingyas. Now in Burma less than One Million Rohingyas remaining, they are living under the fear of both Buddhist junta government and ARSA terrorists. They don't have any legal rights in Burma and the situation is not different in their asylum too. But considering the condition of wandering in sea now they have a piece of land to sleep.

According to statistics majority of the Rohingyas are residing in Bangladesh. It is because the Rakhine province of Burma sharing the boundary with Bangladesh and the people residing in both Bangladesh and Rakhine sharing same language and culture. Since the 1970s, Rohingya refugees have been migrating to Bangladesh from Myanmar. In the 1990s, over 250,000 people were living in refugee camps in Bangladesh.

Most of the Rohingya refugees are located along the Teknaf-cox's and Cox Bazar. Bangladesh authorities have a major challenge in dealing with such large number of refugees, but they have made matters worse by imposing restrictions on refugees such as denying legal and educational rights. On September 1, 2019, the Bangladesh Telecommunication Regulatory Commission ordered telecommunication operators to shut down mobile phone services in the camps which created serious risk in the camps like communication problems, security issues, health and other necessary services. The government action appeared to be in response to recent incidents involving the Rohingya refugees. Bangladesh government tried to repatriate Rohingya refugees to Burma on 22 August 2019 failed because of the current condition of the Burma. Rohingya community doubted it as a planned move of Bangladesh to massacre them so they responded



violently, a youth leader of Awami League killed in action. After this events Bangladesh government increased the military presence in the camps to protect law and order. But the refugees considered it as a movement of Bangladesh government to restrict their liberty. So, the relationship between Bangladesh citizens and Rohingya refugees is getting worse day by day. Since the rapid influx of Rohingya refugees into Bangladesh began in 2017, public health officials had discovered that the rise of health issues among the refugees. Malnutrition, Sexually Transmitted Disease, and Mental health issues are common among the Rohingya refugees now. Bangladesh is one of the most underdeveloped countries in the world, so they don't have enough facility to accommodate anymore refugees.

The whole world considering all Rohingya refugees as Muslim's because the majority of the community follow Islamic teachings. Actually, Rohingya is a term that means the people of Rakhine, it is not a religious identity. There is a marginal minority among the Rohingya community who believing in Hinduism rather than using the identity of Rohingyas they consider them as a Bengali speaking community. Bangladesh is now the world's largest refugee camp of Rohingyas, but they providing different camp for both Muslim's and Hindus refugees because of the communal clashes between them. Before fleeing from Burma in 2017 ARSA massacred 99 Bengali Hindus in Maungdaw District.

The Hindu refugee settlement is located at Cox's Bazar in southeast Bangladesh, and they consisting of 410 people. The Hindu camp stands out from the rest of the sprawling refugee settlement. It is the only camp having the presence of police, and these camps are built with Bamboos and Tarpaulin. Now Bangladesh government needs to resolve a communal issue among the refugees, so the condition is turning more pathetic now. In the 1991 violence, only six

affected families were Hindus among the 30,000 Rohingyas who fled to refugee camps. The Hindu camp has families belonging to the Pat and Sheel sub-sects, most of them third generation Myanmar citizens. The Myanmar government has granted them national verification cards that indicate their ethnicity as Indians, making it harder for Rohingya to choose a national identity.

Bangladesh government is now decided to relocate about 1,00,000 Rohingya refugees to an island which is sinking twice in a year. But no date has been announced to relocate people from the crowded and squalid camps where they have lived for years. According to the Bangladesh officials the flood protection embankments, houses, Mosques have built on Bhasan Char or floating island, in the Bay of Bengal. Moreover, the foreign medias are not permitted to visit the island. International aid agencies and the UNO have vehemently opposed the relocation plan since it was the first proposed in 2015, expressing fear that a big storm could overwhelm the island and endanger thousands of lives. The UNO has emphasized the importance of undertaking independent technical assessments that consider safety, sustainability and protection issues prior to any relocation taking into place.

The current refugee camps are now overcrowded and unhygienic, disease and organized crimes are increasing. Education is limited and refugees aren't allowed to work. So Bangladesh government is trying to convince the refugee families to move to the island. Thousands of Rohingya refugees living in the camps have agreed to move to the island. Dhaka has long wanted to relocate 100,000 refugees muddy silt island, saying it would take pressure off the overcrowded boarder camps where almost a million Rohingyas living. According to the official reports 6,000-7,000 refugees have expressed their willingness to be relocated to Bhasan Char. In the past half a



century, a powerful cyclone has killed hundreds of thousands of people in Meghir river estuary where the island where the island is located. But according to a Rohingya refugees activist. A climate of fear is created in the camps, which may have prompted some Rohingyas to agree to shift to the island.

After Bangladesh Pakistan is the country where the most number of Rohingya refugees are residing, around 400,000 Rohingyas are living in Pakistan. There are numerous Rohingya colonies found throughout Karachi. Once Pakistan was the largest population center of the Rohingyas after Burma, but now migration of Rohingyas to Pakistan is declining because of the restrictions put forwarded by Pakistan government. The irony is Pakistan still giving arms, training and financial assistance to Rohingya terrorists. ARSA is formed under the support of Pakistan. The leader of ARSA Attaullah Abu Ammer Junani a Rohingya refugee who is born in Karachi, he got ideological support and arms training from Pakistan's intelligence wing ISI.

Around 40,000 Rohingya refugees are residing in India after 2015 genocide. In India, Rohingya influx started to create official and media attention by late 2015. While consider the influx of Rohingyas to India, the Indian government refused to permit them stating that it can be a "threat to national security". The home minister of the first NDA government Mr. Rajnath Sing stated the case of Rohingya Muslim's need special attention because they were not refugees but illegal migrants. Moreover, the Indian administration aims to repatriate an estimated 40,000 Rohingyas Burma, encompassing those documented by the UN refugee agency. The office of the UN High Commissioner for the refugees has issued identity cards for Rohingyas, it helps to prevent arrest and deportation. So, the deportation of the registered refugees will create an International legal issue. After the Citizenship Amendment Act was passed in India

on December 11, 2019, the situation worsened drastically, as Union Minister Jitendra Singh called for the expulsion of all Rohingyas. Moreover, as they are not part of the populations of the designated countries listed in this Act. Some right-wing groups have backed the deportation of the Rohingyas.

The writ petition, issued under Article 32 of the Constitution of India, that allows all persons-citizens and foreigners-to move the Supreme Court in case of violation of their fundamental rights, argues for protection. It affirms that two fundamental rights and one principle of international law would be violated if the Rohingya refugees were deported back to Myanmar. The fundamental rights in question are Article 14(equality before law and equal protection of the laws) of the fundamental rights to freedom. The fundamental principle of International law that is at risk is non-refoulement that prohibits any country from returning refugees or asylum seekers to another country where there was a likelihood of persecution based on "race, religion, nationality, membership of a particular social group or political opinion". The petition also draws upon case law highlighting previous examples where Indian courts have upheld the rights of refugees

But in India there is no national legislation concerning refugees, their legal status and rights. They are treated as aliens. In the absence of clear out guidelines, refugees thus fall under the purview of legislative framework that addresses all foreigners in India. Further India's refugee policy is governed by certain administrative regulations. They are: the registration of foreigners Act, 1939, dealing with all foreigners, the foreigners Act, 1946, empowering the state of regulates the entry, the presence and departure of aliens in India and the foreigner's order 1948. Under section 2 of the Registration of Foreigner's Act, the term foreigners is defined as a person who is not a citizen of India, which can refer to aliens of any kind



including immigrants, refugees and tourists. The Foreigners Act of 1946 and the foreigners order of 1948 also uses as the definition of a foreigner.

No current Indian law refers directly to refugees. The current position is that they are dealt with under the existing laws Indian laws, both general and special, which are otherwise applicable to all foreigners. In the absence of a legal process, India's treatment of asylum seekers has always been a political decision, a direct result of the country's relation with the refugees country of the origin hence the government of India handles refugee matters administratively, according to internal domestic and bilateral political and humanitarian consideration. India is not a signatory to the 1951 convention relating to the states of refugees or the 1967 protocol.

India has never been a member of the 1951 International Convention for Refugees and its 1967 protocol, and even though it is member of the UN High Commissioner for Refugee Executive Committee since 1996, but it does not officially recognizes the work of the UN body in its territory. India's reluctance to sign the convention stems from its position that it is Eurocentric, tailored to fit the refugee movements, after the world war second and has not responded well to mass migration. Another reason of not signing the UN convention protecting refugees is that signing the convention meant to be obligated to accept massive flows of refugees from politically unstable neighbours. So the legal status of Rohingyas as refugees in India is easily questionable.

Conclusion

The Rohingya community have historical record of more than two hundred years, but still they are persecuted in Myanmar because of the ethnic nationalism. Myanmar had a long history of Anti-Indian movement and they considered Indians as *kaala people*. After the two Anglo-Burmese wars

Burma merged with the British India and Indians started to migrate to Rangoon for a good fortune this lead to increase of Indian population in Burma. Burmese considered this new situation as a silent demographic invasion so they started a protest in Burma for a separate crown colony at last they got it in 1937. After the separation majority of Indians returned to India but the Rohingya community stayed there, because they considered Rakhine province as their home. Burmese nationalism is completely based on ethnic identity, according to the point of view of the Burmese government the actual residents of Burma are 135 ethnic communities. When considering these facts, it is clear that ethnic nationalism is the root cause of the Rohingya problem. After the creation of Arakan Rohingya Salvation Army (ASRA) in 2017 the attitude of the crisis changed into a religious dimension. The Buddhist Junta lead Burmese government and separatist group funded ASRA are fighting for superiority in Rakhine. After massacres and persecutions, the Myanmar military got upper hand in the situation. Most of the Rohingyas exiled from the country and sought asylum in various parts of the world, about 40,000 of Rohingyas are residing India. India did not warm welcome to the mostly persecuted refugees in the world. In case of Rohingya refugees India gave due importance to the country's security. India is not a signatory to international conventions regarding refugees. Despite of this India gave asylum to Tibetan, Sri Lankan, Bangladeshi refugees. These refugees continue to receive all rights of normally assigned refugee. The majority of the Rohingya refugees are residing in Bangladesh. The increasing number of the Rohingyas in Bangladesh created a demographic crisis so Bangladesh is now planning to relocate them to an island which is sinking twice in a year. If the Rohingya community are forcibly shifted to the island, it will eventually lead to a natural ethnic cleansing of the Rohingya community.



Historical records suggest that the refugee dilemma has played a crucial role in fostering worldwide unrest and aggression. The Rohingya catastrophe has developed into a seafaring refugee predicament that has captured worldwide interest. Addressing the Rohingya dilemma requires the provision of legal assurances for the nations sheltering them, while Myanmar must create a permanent resolution to reduce the flow of refugees. The prior governance of the National League for Democracy (NLD) The governance of Aung San Suu Kyi further marginalized the Rohingyas. Additionally, the present military seizure illustrates that Burma is still governed by both military and Buddhist leadership. This is due to the nationalistic outlook of the Burmese. The lens of nationalism requires a shift toward a more humanitarian stance to effectively confront the issue.

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