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The hidden heterogeneity of Rohingya refugees

Nursyazwani and Elliot Prasse-Freeman - 12 JUN, 2020



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As the battle against COVID-19 rages in Malaysia, a new population has become collateral damage: Rohingya refugees. A terrified public, instigated by political opportunists, has endorsed numerous anti-refugee [online petitions](#) that have gained well-distributed support across Malaysia's ethnic spectrum. Although Malaysia once embraced these survivors of Myanmar's genocidal regime, Rohingya refugees are now being called ungrateful, uncivilized and backward leeches. This public outcry has led to mass support for Malaysia [turning away boats carrying Rohingya](#) asylum seekers. Given that [many Malaysians assume](#) that all refugees from Myanmar are Rohingya, the petitions have supported Malaysia's detention of thousands of undocumented migrants—even those holding UNHCR registration cards—whose fates are unclear.

Perceptions of Rohingya refugees as indolent and, more recently, as virus carriers emerge from simplistic discursive representations that materialize from and circulate far beyond Malaysia. A number of entities unwittingly mutually reinforce reductive depictions of Rohingya. Myanmar nationalists vehemently deny that Rohingya belong to the polity, since the latter are perceived to be different—Rohingya “look South Asian” and are Muslims in a Buddhist country. International media have incentives to tell (and sell) simple stories, while humanitarian agencies achieve efficiencies in aid delivery when they can treat every Rohingya as a replicable token of a common type. Rohingya elites themselves have reason to present a common and distinct Rohingya identity, as this contests the Myanmar state's assertion that the Rohingya are simply interlopers from Bangladesh (“Bengalis”).

In the academic world, fieldwork with Rohingya documents significant internal differentiation. But this reality has been obscured by the lack of sustained study of the group, particularly because northern Rakhine (Arakan) state, the area [to which Rohingya are indigenous](#), has been largely inaccessible to researchers. Academics have mostly only considered elite debates or recapitulated stories of misery in Burma.

The creation of a homogenous image of Rohingya obscures the ethnic community's striking diversity: Rohingya do not share an identical dialect, do not all look the same, nor are even all Muslim. Such diversity is unsurprising—homogenous groups tend to be maintained only through coercion and control. Given the Myanmar state's claims that Rohingya do not exist, counter-narratives claiming a unified identity also make perfect sense. What is noteworthy are the effects of these claims and counterclaims amid mass violence and dispossession. Those who do not conform to the narrow characteristics which allegedly distinguish the Rohingya are not only excluded from making identity claims, but also the protection afforded to recognised asylum seekers and refugees.

This post draws upon fieldwork in Malaysia, Bangladesh, Thailand and Yangon, Myanmar between 2017 and 2020 to describe processes of Rohingya identity (re)formation amid ethnic cleansing and attempted extermination. We focus on Rohingya elite discourses and the criteria used by humanitarian organisations to grant protections to refugees, to show how both co-produce a reified image of the Rohingya that is then represented in media and academic treatments. The disciplining of ethnic diversity in turn becomes internalised by Rohingya refugees, who self-reinforce the homogenisation of Rohingya identity.

Strategic essentialism

In Myanmar, the ratification of an ethnic group as indigenous is the only method for [securing recognition of substantive citizenship](#). The claim to citizenship rests in turn on the claim to an essential identity uniting the Rohingya. While [some Rohingya elites](#) stress the group's capacious origins and experiences, many self-appointed Rohingya leaders reject expressions of internal difference that might potentially undercut their identity's supposed authenticity. These Rohingya elites have identified particular religious, linguistic, territorial and cultural indicators to demarcate [an "authentic" Rohingya-ness](#) that fits the racial ideology of the Myanmar state: Rohingya are Muslims, speak Rohingya, have their homeland in Rakhine state, and share both agrarian subsistence patterns (fishing and farming) and [a village culture](#) defined by segmentary clan-based kinship systems.

There are several problems with this description. The Rohingya have faced a half-century of systematic oppression by the Myanmar state, one that has precipitated waves of violent expulsions complemented by legal and symbolic [erasure](#). It is arguably no longer possible to embody the narrow characteristics listed above. The growing displacement of Rohingya has disrupted clan systems and opportunities to learn language dialects, while severing intimate relationships between subsistence patterns and lands. For instance, the absence of vernacular print or radio hinders the standardisation of a dialect, facilitating evolutions in the Rohingya language (which was already subjected to significant regional variation). Moreover, as the putatively originary elements of Rohingya-ness intermix with host cultures across greater Asia (Saudi Arabia, Malaysia, Bangladesh and Pakistan, in particular), new variations of identity are produced. An essentialised "Rohingya-ness" can no longer be adequately performed.

Even if the mass uprooting of Rohingya had not transpired, such essentialism would still exclude some who identify as Rohingya. For instance, while [Rohingya historian Ba Tha asserts that](#), "All Rohingya profess Islam," Hindu Rohingya and the tiny but vocal Christian Rohingya community put paid to such blanket assertions. While these are arguably miniscule exceptions, they throw into relief a larger schism between a growing conservative strain of Islam and those Rohingya who espouse a syncretic Islam that blends animism and Hinduism. Some accounts attribute this expanding rift to Saudi Arabian influence, while others describe the increase in conservatism as a self-protective response to growing vulnerability.

Humanitarian narratives

As humanitarian and state apparatuses internalise essentialist definitions of Rohingya-ness, they become sieving machines separating "true" Rohingya from "false". Rejecting deviant Rohingya experiences, cultural practices and identities is problematic because it denies protection to those with legitimate claims to membership. Humanitarian regulatory processes and state discourses pressure Rohingya to perform and take up the traits that signify an "authentic" Rohingya. State elites such as Malaysia's Najib and Bangladesh's Sheikh Hasina have emphasised how Muslim countries must help Rohingya as they are fellow "Muslim brothers and sisters". Rohingya consequently have an incentive to foreground a Muslim identity to qualify for the support of such states.

Meanwhile the UNHCR compels Rohingya to conform to narrow definitions of Rohingya-ness in order to access the identification documents that provide a modicum of protection in Malaysia. In interviews, Rohingya applicants for refugee status, translators and civil society leaders revealed some non-Rohingya applicants (Bangladeshis or Myanmar Muslims) have attained cards by paying bribes to translators or colluding with Rohingya applicants by “learning things about [Rohingya] areas in Rakhine state and paying to ‘join’ their family,” as one translator told us.

More importantly, Rohingya have reportedly been denied cards by not satisfying the agency’s expectations of ‘authentic’ Rohingya-ness. Cards have been allegedly refused to applicants who were deemed too educated, could not adequately relay geographical knowledge of Rakhine state or describe details about political events (pogroms against Rohingya, for example), or could not speak in the same Rohingya dialect as the UNHCR translator. Insistence on these qualities would particularly disadvantage Rohingya who spent most or all of their lives outside of Rakhine state.

Rohingya applicants rehearse the narratives of those who have successfully attained refugee status to prepare for the UNHCR interview. Kamal, a Rohingya who came to Malaysia through Bangladesh and Thailand in 2016, shared that: “My relative told me the questions the UNHCR asked. I practiced how to answer them with my relative, and I learnt some of the answers he gave so that I could be guaranteed success in getting the UN card.” The perceived need to “tell the same story” for fear of being denied refugee status reinforces the homogeneity of Rohingya-ness as an ethnic category, putting in doubt all narratives that stray from the dominant one.

Many who now see themselves as Rohingya only came to do so after the violence of the last decade, or from interacting with humanitarian agencies or host states—some had not even heard the name before. Hasinah, an older woman who fled Rakhine after the 2015 conflict, shared that she had only thought of herself as a Myanmar Muslim back in Sittwe. The discovery of her Rohingya identity took place when the UNHCR officer told her that she was Rohingya: “I only [learned] in Malaysia that because we are Rohingya, that’s why Myanmar wanted to kill us. Before this [back in Myanmar], I only thought it was because we are Muslims, and Buddhists hate Muslims.”

These experiences demonstrate how some Rohingya have begun to understand themselves through the parameters they encounter during state registration processes. They also show how the Rohingya category is enlarged by the incorporation of those who had not seen themselves as Rohingya before. Hasinah’s testimony reflects a shift in her identity, and how she relates to her world. In explaining the violence in Myanmar, her Rohingya identity becomes foregrounded over her general Muslim one. Hasinah’s experiences do not imply that all Rohingya were unaware of their ethnic identity or the basis of their persecution. Instead, narratives such as Hasinah’s reveal the diversity in Rohingya’s perspectives. They also point to the growing solidification of Rohingya-ness—to be Rohingya is also to be Muslim, thereby excluding the marginal voices of non-Muslim Rohingya.

Embracing Rohingya diversity

“Those are Myanmar Muslims and Bangladeshis. Not Rohingya,” so declared a Malaysia-based Rohingya refugee in a May 2020 Facebook post, at pains to distinguish the Rohingya community from other refugee groups in Malaysia. If Rohingya were not already compelled to differentiate themselves, the COVID-19 pandemic has both produced and made more pronounced distinctions between Rohingya and other migrant communities. Adding to the pressure from humanitarian and state apparatuses, societal acceptance—and rejection—of Rohingya in Malaysia have led to the growing need among Rohingya refugees to present themselves as a docile subjects deserving of protection.

Allowing for alternative performances of Rohingya-ness not only allows for a broader and more complex understanding of Rohingya to emerge—a good in its own right. It accomplishes two additional goals. First, embracing Rohingya diversity forms a stronger basis for the articulation of collective political aspirations. The tactic of strategic essentialism has not worked due to the Myanmar state’s persistent denial of Rohingya as “inauthentic.” Embracing Rohingya diversity, by contrast, recognises their various complex historical and cultural entanglements with Rakhine state and Myanmar in general.

Second—and arguably more importantly for a stateless group of people who have been denied belonging and a homeland—flattening Rohingya-ness inevitably prevents many “deviant Rohingya” from claiming a name that has been denied by the Myanmar state. For some, the Rohingya identity is the only thing they have left. The Rohingya identity is a crucial aspect of their existence. A more fluid understanding of Rohingya—one that both allows more people to enter and more people to exit, but also permits people to inhabit both positions at once—would better reflect the immense challenges of living as Rohingya today.

1. Derek Tonkin -- 13 JUNE 2020 AT 7:38 PM

As the scholar Thibaut d'Hubert has observed : “Muslims settled in Arakan in waves” and he quotes the Bengali poet Alaol (captured incidentally along with his father in a piracy raid) as lauding the multicultural origins of Muslims at the Mrauk-U Court: “Various individuals [coming from] various countries, informed about the delights of Rosang [Mrauk-U], came under the King’s shadow: Arabs, Egyptians, Syrians, Turks, Abyssinians, Ottomans, Khorasanis, Uzbeks, Lahoris, Multanis, Hindis, Kashmiris, Deccanis, Sindhis, Assamese, and Bengalis.....Many sons of Shaykhs and Sayyids, Mughal and Pathan warriors”.

In addition, there are the many Chittagonian settlers who came to Arakan during British rule 1826-1948. These new arrivals and their descendants soon exceeded the descendants of the old settlers listed by Alaol by a ratio of almost 4 to 1 – 56,963 “old” against 201,912 “new”, according to the Census conducted by the British in 1931.

It is for these reasons, and especially because the main influx of today’s Rohingya from Bengal occurred during the last Quarter of the 19th and the first Quarter of the 20th Centuries, that I doubt we can seriously regard the Rohingya generally as “indigenous”. Even so, the origins of a small minority of today’s Rohingya no doubt predate even the “indigenous” Rakhine.



[REPLY](#)

2. U Ne Oo 13 JUNE 2020 AT 8:49 PM

The so-called “Rohingya” identity was first created in 1948 by leadership of that ethnic community, represented by two identities, Sultan Ahmed & Abdul Gaffa; both of whom were included in first independent Burma parliament as transitional measures. Burmese government used that term “Rohingya” in 1948-1961. That would be only so far as we can ever trace back that name. Details on given website. Cheers, U Ne Oo.

Source: <https://www.newmandala.org/the-hidden-heterogeneity-of-rohingya-refugees/>

<https://www.newmandala.org/canada-myanmar-icj/>



INTERNATIONAL COURT OF JUSTICE AT THE HAGUE (PHOTO: UNITED NATIONS PHOTO ON FLICKR)

Will Canada take Myanmar to the ICJ for genocide?



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We have now passed the anniversary of the 'clearance operations' that saw nearly a million of Myanmar's Rohingya flee to neighbouring Bangladesh. The violence included rape, other forms of sexual violence, arson, torture and a range of physical violence and harassment that amounted to genocide of a unique ethnic and religious group. Prospects for individual, criminal accountability for the genocide seem slim. But a movement in Canada is seriously agitating for their government to take the government of Myanmar to the International Court of Justice to hold the state accountable for its role in the genocide.

Because Myanmar isn't a state party to the International Criminal Court (ICC) and China and Russia have been acting to prevent the Security Council referring the matter to the ICC, no individuals can be charged with genocide at that court. The ICC is only able to pursue [related investigations into forced deportation](#). But that doesn't mean States Parties to the Rome Statute can't prosecute Burmese nationals for genocide under the principle of universal jurisdiction in their own national courts. The work of the new [Independent Investigative Mechanism for Myanmar](#) would make this easier. But such cases cannot be tried in absentia, and the countries most likely to pursue such prosecutions have implemented sanctions that involve travel restrictions against key leaders of the Tatmadaw.

However, the obligation to prosecute the crime of genocide predates the *Rome Statute of the International Criminal Court* to the much older *Convention on the Prevention and Punishment of the Crime of Genocide* which contains not only individual responsibility, but also state responsibility. In their [final report](#), the UN's Independent International Fact-Finding Mission on Myanmar, specifically stated that "acts of the Tatmadaw and other security forces of Myanmar, as well as acts of their subordinate units during security operations, are attributable to the State and incur State responsibility."



Myanmar voluntarily consented to the jurisdiction of the International Court of Justice (ICJ) by ratifying the Genocide Convention in 1957. [This treaty has what is known as a compromissory clause, stating that](#) "Disputes between Contracting Parties relating to the interpretation, application or fulfilment of the present Convention, including those relating to the responsibility of a State for genocide or for any of the other acts enumerated in article III, shall be submitted to the International Court of Justice at the request of any parties to the dispute."

[Myanmar has made several reservations](#) to the Genocide Convention, including one to article six, intending that individuals charged with genocide perpetrated in Myanmar would fall solely under the jurisdiction of national courts. However, they have made no reservation to the compromissory clause in article nine. As such, the government of Myanmar can be taken to the ICJ by any State Party to the Genocide Convention. The countries most likely to do so are those with a strong current and/or historical

interest in Myanmar. As the former colonial power, home to a sizeable Rohingya community, and agitator for EU sanctions against Tatmadaw leaders, the UK is a possible candidate.

Assessing the Rohingya crisis

With the expulsion of the Rohingya largely a fait accompli, the world must face up to engaging with a very different Myanmar.

NICHOLAS FARRELLY 13 JUNE, 2018

Canada is also home of a sizeable Rohingya diaspora and was the first country to independently pass [sanctions against serving leaders of the Tatmadaw](#). On 25 June 2018, the Governor-General of Canada signed into effect sanctions against Lieutenant General Aung Kyaw Zaw, Major General Maung Maung Soe, Brigadier General Aung Aung, Brigadier General Than Oo and Brigadier General Khin Maung Soe from the military; and Brigadier General Thura San Lwin and Commander Thant Zin Oo from the police. At the time, the government [stated the objectives of the sanctions were](#) to “signal Canada’s international condemnation of the situation in Myanmar” and to “end impunity for the individuals responsible for, or complicit in, these acts.”

There is certainly a national effort to get the government to bring such a case. [In April this year, Independent Senator Marilou McPhedran introduced a parliamentary motion for Canada to initiate proceedings before the ICJ for Myanmar’s breach of the Genocide Convention](#). Over 140 Canadian Senators, Civil Society Organisations and other individuals [signed an open letter](#) to the Minister of Foreign Affairs, Chrystia Freeland. In May, the All-Party Parliamentary Group for the Prevention of Genocide and other Crimes Against Humanity wrote to the Minister, detailing such a proposal, with the rationale that an ICJ case “would provide a more expeditious, easily accessible and appropriate venue to pursue justice on behalf of the Rohingya” than the ICC.

The only other genocide cases heard by the ICJ related to crimes committed during the war in the Balkans. There were two separate cases involving, Bosnia, Serbia and Croatia. According to the All-Party Parliamentary Group, an ICJ case has the capacity to offer some immediate remedy to the human rights situation on the ground that the UN has otherwise been unable to achieve. In their letter to the Minister, they referred to an example from the Bosnian case where the court ruled, within just three weeks of being asked about the matter, that Serbia immediately “take all measures within its power to prevent commission of the crime of genocide” including through the actions of military and police forces.

So, there are reasons to hope that an ICJ case could bring some justice for the genocide perpetrated against Myanmar’s Rohingya. It would certainly be an important step toward showing when the world said “never again” after the genocide in Rwanda, we actually meant to take action against genocide in the future. Now we need to wait and see if the next Canadian government will take such a case to the ICJ and support civil society efforts to pressure them to do so.

Source: <https://www.newmandala.org/canada-myanmar-icj/>