

From Stateless in Myanmar to Illegal Migrants in India: Social Resilience of Rohingyas in Jammu

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ABSTRACT

The religious extremism and conflict in the Rakhine state of Myanmar have forced Rohingyas to migrate from this region to other parts of the world. The military offensive, selective discrimination, mass violence, and genocide compelled these people to leave their homeland or face insult, injury, imprisonment, or even death. This involuntary migration also leads to the loss of one's identity and community relations leading to social, economic, and cultural consequences for these people. Many international agencies have also reported gendered-based violence against Rohingya women during their perilous journey. The migration of Rohingya Muslims to different regions of India and Jammu depicts a case of social resilience and reflexivity where a migrant readjusts to a new social, political, and cultural space. This study attempts to understand the social dynamics of forced migration and the readjustment of these migrants in Jammu (Northern India). The phenomenological approach has guided the whole study, and an attempt has been made to document the lived experiences of the respondents. The data has been collected using qualitative research methodology, and methods such as Interviews, observation, and focus group discussion have been used during Fieldwork.

Keywords- Rohingya Muslims, Social Resilience, Forced Migration, Violence Genesis of the Rohingya Crisis

The case of 'Rohingyas' settled in Jammu is of transnational migration and resulted because of the ongoing conflict in the Rakhine state of Myanmar. They are Muslim Minorities who are not seen as a separate ethnic group and are treated as a source of instability by Burmese authorities. The rift between Rohingya Muslims and Rakhine Buddhists dates back to World War 2 when Britishers armed the former and later supported the Japanese occupation. Britishers promised Rohingya Muslims they would be given autonomy and their state would be called a 'Muslim National Area.' Historical records prove that Rohingya Muslims have had a strong involvement in the Government since the British era, and their ethnic culture was nurtured by the Rangoon-based central Government (Haque, 2014). After the Independence of Burma in 1948, Rohingyas wanted to join East Pakistan. However, Burmese authorities resisted this demand, and as a result, tensions grew between the Burmese Government and Rohingya Muslims. However, they continued to enjoy civil and political rights with active participation in Myanmar's social and political life until the Ne Win government (Military) took control of the Government in 1962.

Burma became a military dictatorship in 1962, and General Ne-Win was a hardliner who opposed Rohingyas. The military regime of Ne-Win made a list of national ethnicities in 1972 to conduct the census. That was the first time the military Government treated them as "Chittagonian -Rakhine" (ibid). They were treated as illegal migrants who arrived from Bangladesh during the colonial period. In the year 1978, Operation Nagamine or Dragon King was launched by the Military Government of Burma to identify all illegal foreigners, and a national-level census was carried out concomitantly with a military operation to eliminate Rohingya Muslims resulting in the exodus of almost 2 lakh Rohingyas from Rakhine to the other parts of the world.

The citizenship law in 1982 did not recognize Rohingyas as a separate ethnic group and labeled them as outsiders (Bengalis). To obtain the nationality of Myanmar, they had to prove that they had been living in Arakan (Rakhine state) since 1824, which almost none of them could do. Very stringent provisions were made for Rohingyas to prove their stay period in Myanmar to obtain citizenship. The military dictatorship branded

Rohingyas or Arakan Muslims as illegal immigrants (Resident Foreigners) and reduced them to the state of *de jure* stateless in their homes (Ahmed, 2010).

The 1982 Burmese citizenship law refused to recognize Rohingya as one of the country's 135 ethnicities, rendering them stateless and restricting their right to the job, education, marriage, religion, and free movement. This nationality law categorized Burmese nationals into i.e., Citizens, Associate citizens, and naturalized citizens. Citizens were those who lived in Burma before 1823 or were born to parents who were citizens at the time of birth. Associate citizens were those who acquired citizenship through the 1948 Union citizenship law. Those who lived in Burma before 4 January 1948 and applied for citizenship after 1982 were naturalized citizens.

The idea sketched in the speech given by General *Ne -Win* was that 'pure-blooded nationals' should be 'citizens,' while the others became 'associate citizens' or 'naturalized citizens.' This explanation and the use of the terms 'pure-blooded citizens' and 'mixed blood' emphasizes the racial dimension of the division between 'citizens' and 'associate' or 'naturalized citizens. The Rohingyas were thus denied the fundamental right of citizenship, resulting in social, economic, and political deprivation.

The 2010 general elections under the Military Junta were highly controversial but raised the hope of Rohingyas for their future in Myanmar. The new Government continued to commit severe human rights violations against Rohingyas, and the empty rhetoric of Democracy by the Military establishment was exposed. President *Thein Sein* stated, "*The solution to this problem is that they can be settled in refugee camps managed by UNHCR. If there are countries that would accept them, they could be sent there (Radio Free Asia, 2012). He also declared that we would take care of our ethnic nationalities. However, Rohingyas who came to Burma (Myanmar) illegally are not of our ethnic nationalities, and we cannot accept them (ibid)*".

The Rakhine ultra-nationalist group boldly supported Thein Sein's statements and endorsed military action against Rohingya Muslims in the Rakhine state. The USDP-led Government also excluded Rohingya Muslims from the 2014 national census, sponsored by the U.N. (United Nations), and was the first such exercise since 1983. Their national registration certificates were seized earlier, and on 31 March 2015, all their I.D. cards issued in place of NRC (National Registration cards) were confiscated and invalidated by the authorities (Haque, 2017).

The NLD (National League for Democracy) led Government refused to recognize human rights violations after the 2012 communal riots. Under intense pressure from fellow noble laureates and the international community, the state convenor Aung Sang Suu Kyi, formed a nine-member advisory commission under the chairmanship of Kofi Annan. This commission was tasked with finding lasting solutions to problems in the Rakhine state. However, Buddhist nationalists opposed this commission and criticized the Government for recognizing the problems of Rohingya in Rakhine.

In 2016, there was again large-scale violence in the border district of Maungdaw, where the Police and army launched a massive crackdown to eliminate Rohingyas. Neither the president of Myanmar, *Htin Kyaw*, nor the state counselor *Aung San Suu Kyi* visited the Rakhine state after the violence in 2016 (ibid.). However, Buddhist ultranationalists also started a hardline approach towards Rohingyas Muslims, and Buddhist hardliners such as "*Ashin Wirathu* again" started a hate campaign against this community. They were seen as an existential threat to the Rakhine state and believed to have links with many international terrorist groups.

The military launched the 2017 crackdown in response to attacks on border posts of security forces by ARSA (Arakan Rohingya Salvation Army). During this military offensive and clearance operations, United Nations (U.N.) has documented wide-scale human rights violations such as extrajudicial executions, gang rapes, arson of Rohingya villages, infanticides, and more. This has led to a very large-scale exodus which is the highest in numbers since the Vietnam War. Another report by OCHCR (*Office of the United Nations High Commissioner for Human Rights*) has revealed that the Myanmar military has been involved in gang rapes, mass killings, and even burnt children. This report has also documented many cases of sexual assault and termed this sexual violence as massive and systematic (OCHCR, 2017).

Since 2016 Military has also used Internationally banned landmines to curb the Rohingyas from escaping to Bangladesh. According to some eyewitnesses, the army chases those who escape through the Naf River and hunts them down. Machine guns, Mortar shells, and Aerial attacks have also been used to eliminate those who stayed back. Another report by Human Rights Watch (2017) stated that gang rapes and sexual violence were committed as a part of the military's ethnic cleansing campaign against Rohingyas. Other forms of sexual violence, such as sexual slavery, forced public nudity, and humiliation, are also perpetrated against Rohingya women (Cameron, 2017).

The Mission report of OCHCR also stated that Myanmar Military made a strategic and systematic plan to force Rohingyas to move out by arbitrary arrests and blocking their access to food, medicines, and livelihood. Security forces also committed repeated acts of humiliation and violence to drive out Rohingyas. A deliberate attempt has been made to instill fear psychosis among Rohingya Muslims through torture, brutality, mass killings, rape, and sexual violence (OCHCR, 2017).

From Stateless in Myanmar to Illegal Migrants in India: Some Observations

This crackdown by Myanmar's army on Rohingyas instilled fear among them for their lives and forced them to leave their homeland. Rapes, murders, and deliberate targeting of their community-led U.N. to declare it a "Textbook example of Genocide" (Ghoshal, 2017). These refugees brought accounts of unspeakable violence, atrocities, and brutality by the Myanmar military. Their largest exodus resulted from the August 2017 violence in Rakhine, forcing seven lakh people (Half of them children) to seek refuge in Bangladesh (UNHCR, 2021). There are 9.8 million Rohingya refugees and asylum seekers from Myanmar to other neighboring countries (ibid.). They have also sought refuge in other countries such as Thailand, Pakistan, Malaysia, Indonesia, Nepal, India, and other countries across the region.

With no official citizenship, they have no recourse to passports or visas required for legal migration (Khandekar, 2017). In India, around 40,000 Rohingyas live in makeshift camps in New Delhi, Jammu, Hyderabad, and Jaipur (ibid). Many Rohingyas have been arrested for violating the Foreigner's Act of 1946 and the Passport entry act of 1929, among other legislations (Chaudhary & Samaddar, 2018). The Government of India has authorized UNHCR (*United Nations High Commissioner for Refugees*) to register incoming Rohingyas, which issues them a UNHCR card for verification and identity in India. Almost 21000 of them have been registered with UNHCR, and with the flow of mobile connectivity, many more are registered with this agency (ibid).

India is not a signatory to the 1951 U.N. Convention on refugees and also never signed the 1967 Refugee Protocol, which binds member countries to follow internationally accepted refugee policy. Thus, all foreigners entering the Indian territory are governed by the Foreigners Act of 1946, the Registration of Foreigners Act of 1939, The passport (Entry into India Act) of 1920, and the Citizenship Act of 1955. Other rules and orders issued from time to time by the Government also apply to them (Bharat, 2021). All foreign nationals without valid travel documents are illegal migrants per the existing law and are dealt with existing penal and legal provisions. Therefore, as per the law, Rohingyas are also categorized as illegal migrants, and consequently, the Government of India has started their verification for their deportation back to Myanmar. In July 2021, the Minister of State (MOS) Home replied in the parliament that as Per the Foreigner's Act, 1946 and Articles 258 and 239(1) of the constitution, the Government is following due procedure for the deportation of Rohingyas. Supreme Court in *Salimullah vs. Others* also upheld the deportation of Rohingyas and refused to give any relief to Rohingya Muslims. The apex court also stated that India is not a signatory to Refugee Convention 1951 and 1967 Refugee Protocol; therefore, the principle of Non-Refoulment cannot be applied in this case. Under the same rules, in March 2022, a Rohingya woman named Hasina Begum was detained from Jammu and deported to Myanmar through the Moreh border.

Around 10000 to 15000 Rohingyas settled in Jammu live in slum-like conditions. Their presence in Jammu has led to a political storm, with many parties demanding their deportation from the state. They have been labeled as a security threat and burden on the limited resources of the Jammu region. They have also been accused of having connections with terrorist groups such as ISIS (Islamic State of Iraq and Syria) and other active terrorist groups in Jammu and Kashmir.

The hostile host population and fractured political opinion on their settlement in Jammu have posed a great challenge ahead for them. The Government of India has already prepared a roadmap for their deportation. There is a growing perception among Government agencies that Rohingyas have a disturbing history, and different terrorist outfits can easily exploit their sentiments. Thus, they have been labeled as a grave security threat by the Indian Government, and some of the political parties in India have pressured Government to take strict action against these illegal migrants.

On the other hand, most of the Rohingyas during this study claim that they never want to settle in Jammu and have just sought refuge for some time. Most of them had some chunk of land back in Rakhine state (Myanmar) and comparatively had a good income; many share that they are living a miserable life here. Most of the Rohingya Colonies have a dearth of clean drinking water, toilet facilities, and other basic provisions for living. They also have very limited access to education and health facilities, leading to the cycle of Unemployment and disease in their poorly managed colonies.

Further, the Government of Jammu and Kashmir has detained more than 250 Rohingya Muslims for verification and deportation. According to some respondents, this arbitrary nature of the action by the Government has left many children without their parents. Many families lost their sole breadwinner, and their children reached the situation of starvation without any guardian or source of Income. Some respondents alleged that even some Pregnant women were not spared by the Police, and some of these women delivered their babies in Hiranagar Sub-Jail (Holding Centre). There is panic and fear among Rohingyas for their fate as the Police can also detain them; many fled from Jammu after this action by the Government. Almost three to four thousand Rohingyas have migrated from Jammu to other parts of India, fearing deportation and detention by authorities. Two Rohingyas have also been deported by the Government back to Myanmar; most fear for their lives and do not want to go back as it poses a grave threat to their lives.

All these events and happenings have further made them vulnerable, leading to uncertainty and insecurity. Their future is in the dark, and has little hope in the present circumstances; their status has been downgraded from stateless to Illegal migrants. The present study attempted to understand this forced migration's cultural,

social, economic, and political consequences. Their vulnerabilities and problems to which they are exposed as a result of this illegal migration in India have also been highlighted. Some cultural changes and acculturation have also been noticed in this community during this study.

Methodology and Theoretical Framework

Data collection-The data for this study has been collected from different colonies of Jammu located in Channi, Bathindi, Talab Tillo, and Bari-Brahmana. These colonies were visited from March 2019 to February 2022; due to the pandemic, most of the data was collected in 2021 and 2022. Many field visits were also made recently in the year 2023 to document the process of detention and deportation by the Government. The data has been collected from both primary and secondary sources. Fieldwork and Ethnographic methods have gathered the primary data. The qualitative methodology has been employed for the study, and non-participant observation has been used as follows-

Interview- It helped the researcher to explore the respondent's perspective on a particular idea, event, program, or situation. Semi-structured interview schedule has been used to accumulate relevant data and responses from the respondents.

Observation-The respondents have been observed in their natural settings, and the researcher has carried out observations as a known observer. Observing the conditions of the camps, rehabilitation areas, and local settings has revealed important information.

Narratives- This method focuses on individuals' lives as told through their own stories. The emphasis in such approaches is on the story, typically both what and how it is narrated. The narrative account of respondents disclosed their experiences, perceptions, and situation. The primary data for Gendered-based violence is difficult to collect as fear of social dishonor and stigma is deeply entrenched with it. A female research assistant was hired to collect their narratives and experiences to make Woman respondents more candid and comfortable.

The **secondary data** for this study has been collected by review of relevant journals, newspaper articles, published reports, online videos, and all other available material.

Theoretical Framework

The modern nation-states are the products of modernity, and forced migration has been a marked feature of modern society. In this regard, Anthony Giddens terms modernity as a Juggernaut that is out of control and leads to many unintended negative consequences (Giddens, 1990). Ulrich Beck also considers contemporary society a risk society leading to negative consequences for the individual. Rohingyas, as a stateless people, show the failure of the Myanmar state to integrate them into their society.

The lived experiences of Rohingyas have also been divulged from a phenomenological perspective which considers lived human experiences as the fundamental unit of research. It investigates how individuals make sense of and experience the world around them. This approach understands a phenomenon by exploring the views of those who have experienced it. This approach also emphasizes respondent experiences and factors contributing to such experiences.

Pierre Bourdieu's concept of field and capital has also been considered for this study. The field is where actors and institutions mobilize capital to capture the stakes and possibilities. It is the field where various kinds of capital are deployed to increase one's life chances and opportunities. The Rohingyas use their social, economic, cultural, and symbolic capital to readjust themselves to the new host population of Jammu. This group used all available resources, opportunities, and skills to readjust in the new social setting of Jammu against all resilience showing the reflexive nature of forced migrants.

Sampling Methods and Sample Size:

Sample size- 100 respondents were selected for the interview, and a semi-structured Interview schedule was administered. Focussed group discussions with community members were also conducted to ascertain their culture and problems in Jammu.

Sampling Methods: The data for this study has been gathered by non-probability sampling methods, viz. purposive, convenience, and snowball sampling. In purposive sampling, respondents have been categorized according to age, gender, rural background, etc., to cover all the target groups. Convenience sampling was also used as all the areas were not accessible for data collection, and factors such as gender sensitivities and security concerns made this method a feasible option for data collection. During this study, snowball sampling also helped in gathering vital information from some selected respondents.

Rohingyas in Jammu- Some Insights from the Field

Jammu has 6733 Rohingyas living in different colonies, as per data shared by the Shekhawat center. According to some other estimates, around 10 to 15 thousand Rohingyas live in different camps in Jammu. This variance

in data is attributed to factors such as non-registration with UNHCR and the highly mobile nature of these people. Following is the distribution of the Rohingya population settled in Jammu-

S. No	Name of the place	Total Dwellings(<i>Jhuggis</i>)	Total Population	Plot Incharge
1	Jamat Ali Plot	55	230	M.Yusuf
2	Kalagate	93	306	Abdul Khalil
3	Kalu Plot	31	144	Dil Mohammad
4	Kargil Colony-1	119	278	Lal Mia
5	Malik Market	101	958	Rafiqullah
6	Panama Chowk	24	115	Ijhar Hussain
7	Kargil Colony-2	20	113	Mohd. Hussain
8	Papu Plot	78	465	Ershadullah
9	Rahim Nagar	65	281	Amir Hussain
10	Rajiv Nagar	54	210	Abdul Shukkur
11	Sunjwan	65	250	Abdul Shukkur
12	Trikuta Nagar	31	144	Mohd Shafi
13	Bbay Peer Baba	57	238	Abdul Munaf
14	Channi Police Line	41	198	Hafiz Ahmed
15	Bhagwati Nagar	95	413	Karimullah
16	Bari Brahmana	67	209	Ziaur Rehman
17	Bathindi-1	94	402	Mohd Ishaq
18	Bathindi-2	106	459	Mohd Ishaq
19	Beeru Plot-1	35	145	Mohd.Rafique
20	Beeru Plot-2	99	409	Mohd Alam
21	Channi Himmat	27	100	Amir Hussain
22	Narwal Crusher (Mandi)	37	154	Mohd.Rafique
23	Golpoli	85	312	Mohd.Eliyas
	Grand Total	1479	6733	

Demographic profile of Rohingyas settled in different localities of Jammu District (2018) (Source-Shekawat Centre)

Rohingya Settlements-Rohingyas inhabit the plots mentioned above, which are rented to them by different local plot owners. Each household in these plots has to pay rent ranging from Rs.800 to 2000, depending on the size of the family and the area of the inhabitation. These dwellings lack basic facilities such as toilets, drinking water, or a regular electricity supply. Their lack of social, political, economic, and cultural capital has impacted their life chances and led to poor quality of life in Jammu. All these dwellings portray reconciliation with their disturbing past and reflexivity to readjust in a new social setting away from their homeland.

Their vulnerability is further exacerbated by some hostile political groups who oppose their presence in Jammu and fear of detention by the authorities. The illegal status of Rohingya Muslims deprives them of any legal aid resulting in arrests and detention by the Police. Consequently, there is no protection from any Indian law for these lawful yet arbitrary arrests generating panic and fear among these people. In March 2021, 167 Rohingyas were detained by the Police forcing many of them to flee and evade detention. All these detained people were called for COVID testing and were not informed about this action by authorities; many of the children and women were also included in this detention process. The hostile political narrative orchestrated by Right-wing political parties for their deportation and expulsion has paved an uncertain future for this community in Jammu. The Government of India has already prepared a road map for their identification and deportation back to Myanmar after following due procedure. The supreme court of India has also given concurrence to this action by the Government as laws of the land label them as illegal migrants.

Speaking the Unspeakable: Some Narratives from the Field

Abdul Razak is a Rohingya Muslim who escaped Burma in 2012; he established a flourishing tailor shop at Burma Market(Kariana Talab). He was interviewed in March 2022 in his shop, which mostly prepares clothes for local males fetching him around Rs. 9000 per month. He reiterated that he learned this skill in the Rakhine state in his native village.

*While Abdul was being Interviewed, one of his assistants, who hailed from the age group of 60-70, was continuously saying something in Burmese. Abdul clarified that he suffers from mental disorders and has seen trauma in Burma. His language was beyond comprehension, but his pain and suffering were visible through his gestures and body language.

Abdul was reluctant to share information earlier and mentioned, "*Ham log darte hai kisi bi issue pe hame face na lia jaaye ek saal pehle muje police ne pakad lia tha kisi issue ko leke, ham log peaceful log hai aur shanti se rehna chahte hai.*"(We people are afraid of getting caught by authorities, and a year back, I was arrested by the Police, we are peaceful people and want to live in peace here.)

He narrated his whole experience from Burma to Jammu and the conditions which forced them to leave Burma. *"In 2012, there was a complete ban on the movement of Rohingyas, and even going to a neighbor's house was seen as a provocation by the Burmese military. For many decades, there have been severe restrictions on us, and even a simple act of marriage requires Permission from authorities, and a huge bribe is required to get this certificate. There is no opportunity for education, employment, and leading a normal life. I am a primary school pass, but even those with good education are jobless as Burma bars Rohingya from public employment. Military and Police have wide powers to arrest and often torture people in the name of a fight against insurgents. I will be the first to return to Burma if the situation normalizes, as I was born and raised there. I am very grateful to India and the people of Jammu because this country offered us peace and safe shelter where at least our children are safe, unlike in Burma."*

When he was asked whether he wished to return, he remarked: *"Imaan our Jaan Bachane aye hai aur Ham apne desh jana chahte hai, sone ka makan bi ho tab bi nahi rahenge yha."* (We came here to protect our honor and want to return to our homeland, even if given a golden home, we would prefer to return to our land.) There are many more stories like Abdul, who have faced persecution and were forced to leave their homes by coercion. People like him started a new life and faced many hardships in getting necessities like clean drinking water, toilet facilities, health care, education, etc.

Hafiz Mohammad Idris is just 24 and arrived in Jammu when he was just 15 years adolescent. He got married at the age of 17 in 2013 and has three children now. While sipping the Burmese coffee, he offered me; he shared many details of the exodus of Rohingyas and their suffering in different camps. As a young man, he looks forward to having a secure and safe life for his family in Jammu. He doesn't remember much about his escape and the condition of other victims, but he candidly shares his new life in Jammu.

He also expressed his anguish at the humiliation and harassment they face from Myanmar's armed forces in their villages(Rakhine) *"Even for a simple act of marriage, we require Permission from ruthless Burmese Police which harasses us when we go to police stations. Many times they (Police officials) pass lewd comments to women who visit police stations to sign marriage certificates. The Burmese authorities have fixed the marriage age in the range of 21 to 25 for only Rohingyas, and any violation of this rule attracts very strict action. The Buddhists don't have such a rule, and this rule is meant to keep a check on the Rohingya population in Myanmar. We are not provided with any education as it is done to deprive us of any government jobs or gainful employment. I faced a lot of bullying in school because of my Muslim identity, and even teachers would be harsh with us."*

He shared many other violations of their rights in these narratives *"One day I was going to village madrassa and army personnel took my cycle forcibly and slapped me after that. I was beaten even though I was just 17 at that time. Police and armed forces take everything from us whenever they come to our village, i.e., Cattle, Goats, Chickens, bikes, etc. Those who resist this are brutally beaten and sometimes put behind bars. Even our fish catch is looted by Police many times, and most people have no option but to concede to this loot. Most of the Rohingyas have fled Myanmar, and in the year 2020, ICJ (International Court of Justice) promised and directed the Burmese govt. to protect Rohingyas from genocide, but still, 12 Rohingyas were murdered in my village alone(He cited an incident where 12 Rohingyas were killed in cold blood by Myanmar Army). Aung Sang Kyi also failed to help us, and her party NLD (National League of Democracy), has not met our expectations."*

He also emphasized that most of the Rohingyas do not intend to stay for long in India and will go back once they are promised safety and security, which seems to be a fallacy in present circumstances. *"Hame apni zameen mili toh ham wapis jana change, ham jaan bachane aye hai apni India meh."* (If we get our lands back we will surely return and we came to India only for saving our life).

Social, Economic, and Political Deprivation in Jammu

Mushtaq, also the chairman of the Rohingya Refugee committee, also shared the problems faced by Rohingya Muslims in Jammu. This organization works for the overall welfare of the Rohingya community in Jammu, and its chairman commands respect from all the Rohingyas. Being chairman, he actively changes the perception of Rohingyas in Jammu and attempts to bridge the gap between authorities and members of the Rohingya community. The researcher attended many prayers by the Rohingyas for COVID-19 victims in early December 2019 when this virus did not even reach the Indian subcontinent.

He said, *"Our children do not get admission to Government schools as they require a birth certificate for the purpose."* The Shikawat Center, an NGO (Non – Governmental Organisation), helps all Rohingya children get admission and issues necessary affidavits for the purpose. This organization also runs four schools near the Narwhal area, which prepares children for admission to government schools. Every year almost 50 children are admitted to government schools through the efforts of this organization.

It was observed during data collection that most of the Rohingya women had childbirth in non-institutional settings by midwives and traditional practitioners. They are reluctant to visit the hospital for fear of arrest and

detention by the Police as post-2021, Rohingyas have a sense of insecurity for their stay in Jammu. Many of such women succumbed to death due to complications during childbirth. The neonatal mortality rate is also high due to the paucity and reluctance of Rohingyas to avail Health and Medical facilities.

Rohingyas face Unemployment, and most uneducated Rohingyas are involved in rag picking, cleaning, and digging activities and are working as casual laborers. However, some have established small businesses like shops, eateries, etc. Their economic and social exclusion is coupled with financial exclusion as they have no bank accounts due to the absence of any valid identity proof. They are often denied jobs because they lack bank accounts for digital payments. Their students cannot avail of any scholarship scheme or other Government welfare-oriented schemes.

Most Rohingya settlements lack basic requirements such as sanitation, drinking water, electricity, and toilet facilities. Some inhabited plots have these facilities in very short supply and are often inadequate for the needs of all family members. For every habitation, each family has to pay almost Rs1000 to 2000 per month to plot owners, and those with electricity must pay Rs300 extra to the plot owner.

He also reiterated, *"There has been an increased presence of Police and other law enforcement agencies in the colonies of Rohingyas. Due to changing political environment, Government agencies keep high surveillance on us, and routine police patrolling is not a comfortable sight for us. We are seen with suspicion and are always on the radar of law enforcement agencies."*

Rashad-Ulah, who is 50 and lives with his family in Jammu, said, *"The migration impacted our inner self and self-respect; we lost everything material and non-material, which cannot be compensated ever."* He accepts that their society has been affected badly by the shock of this involuntary migration, but they have tried to protect their traditions and cultural values. Still, the majority of their decision at the family level is determined by their male members. He also added that our community in Jammu no longer celebrates many festivals celebrated in Myanmar. He also narrates, *"We found Jammu very peaceful and secure; there is no bloodshed and violence, but still horrors of genocide haunt us many times, and we pray for our brothers trapped in that bloody violence in Rakhine(Myanmar)."*

Post Migration, people from this community had to readjust to this new land with new food options, and their traditional food choices, such as Bamboo curry with prawns, fresh fish, Burmese coffee, and dried seafood, are available in very limited quantities.

Another problem is Arbitrary detention due to the non-availability of UNHCR cards. He narrated, *"Many Rohingyas are languishing in jail as they did not have UNHCR cards at their arrest. In many cases, even those with requisite UNHCR cards have been detained by the Police; many pregnant women and even children are among those who were detained. The absence of legal awareness makes Rohingyas more vulnerable to detention."* The DAJI, also a Social organization, has helped Rohingyas get UNHCR cards to prevent legal action from law enforcement agencies.

Divided families United by Social Media-The exodus of Rohingyas to different parts of the world for refuge divided many families. Many of their family members stay in other parts of India, like Jaipur, Delhi, Hyderabad, and even Bangladesh. Many of their relatives reside in the Cox Bazar district, which inhabits more than ten lakh Rohingyas, and many of them shared that conditions in those camps in Bangladesh are miserable. Many respondents shared that they had lost contact with family members who could not escape Rakhine. Some respondents said that social media such as Facebook or Whatsapp helped many find their family members from Bangladesh camps or other parts of India such as Delhi, Mewat, or Hyderabad.

Understanding the Rohingya Crisis through the Voices of Women

As reported by many International agencies and earlier studies, sexual and gendered-based violence has been used as a tool for pushing genocide in Rakhine and creating fear psychosis in the mind of Rohingyas. Social media has also been widely used to spread gendered narratives, which created animosity between Rohingya Muslims and Rakhine Buddhists. One of the respondents, Bilkis, migrated from Burma in 2017 to India via Bangladesh. Before she arrived in India, she also stayed in Buthiduang camp(a Camp for Rohingyas managed by Security forces in Rakhine). She said, *"These camps are no less than a Jail, and those who try to escape are shot or forced to do hard labor."* She also said, *"In Rakhine, many ultranationalist Buddhist leaders orchestrated a narrative that Rohingya women bear more children and spread Islam through high birth rate. Rohingya men are branded as sexual predators who are a threat to Buddhist women converting them into Islam after marriage."*

Thus, the bodies of Rohingya women and men were seen as a threat to the Buddhist majority and national consciousness. All these theories and stereotypes are widely accepted by the Myanmar army(*Tatmadaw*) and other security forces who unleashed bloody violence and targeted sexual violence against women and men to instigate them to leave Rakhine state.

All these fears of Ultra-nationalist buddhists have alluded to a law prohibiting rohingya muslims from having more than two children. This law, enacted in 2013, also made Permission for marriage mandatory, and in some cases, the pregnancy test was a part of this cumbersome application process. Another discriminatory law (Buddhist women special marriage law, 2015) was enacted by the Legislature to allay the majority Buddhist community's fears and penalize Muslims from intermarrying with Buddhists. Myanmar Army also retaliated brutally to the attacks by ARSA(Arakan Rohingya Salvation Army), and soldiers routinely and systematically employed rape, specifically gang rapes, sexual torture, and other violent and forced sexual acts against women, girls, boys, men, and transgender people(Schmelzer, 2021). This violence was intended to induce trauma, shame, and stigma and humiliate this community to perish or leave from Rakhine state. This selective and targeted sexual violence eroded the continuity of Rohingya culture and identity (Ibid.)

Rahima Hatu, who arrived in Jammu in 2010, also shared many instances of sexual violence in Rakhine *"I escaped from Rakhine in 2010 before the bloody violence of 2011-12 but heard many incidents of human rights violation from a neighboring village. Three women were raped at gunpoint by soldiers, and their family members were murdered in cold blood. Many houses have been burnt, and even children were not spared by them and were maimed mercilessly by the soldiers."*

Tasmina Ara recalled Pre-migration conditions in Rakhine, which were hostile to their community in these words, *"There was strict policing and vigilance by members of Police and military on our movement. My family faced many cases of abuse from authorities, and the Government confiscated a large chunk of land. I heard neighboring villages were burnt, and many dead bodies were found in nearby fields. We had well-established life(Home, Property) in the Rakhine, and whenever somebody has to migrate involuntarily, it is very difficult to readapt to a new social setting. It is a daunting task to live a normal life after losing our land, identity, and dignity."*

Another respondent Nahida said, *"My younger siblings and parents were slaughtered by soldiers on a fateful night in 2012; I escaped with my neighbors, who also happened to be my maternal uncle. We crossed Buthidaung township, and on our way to Bangladesh, a landmine badly hit me, tearing my flesh apart. This blast badly injured my legs, and I remained in Cox Bazar camp in a fragile state, unable to use a toilet for several weeks. Landmines have been planted across the border regions by a special border agency locally named 'Nasaka' to prevent Rohingyas from crossing the border. After my recovery, with my maternal uncle, I reached Jammu and married Arshad, starting a new life after suffering so much."* Nahida now works for a local walnut factory and packs around 100 packets daily, fetching her around Rs.7000 monthly.

Traditionally Rohingya community is highly patriarchal, and their culture made the sexual division of labor more rigid, leaving no room for any social mobility for women. Some male members of this community have seen their education and participation with contempt. However, it has been observed that this migration made women more participative in the economic affairs of their families. The sudden migration drastically impacted their economic well-being, and women, for the first time, also started working to supplement their family income. Julaha, who is 60, came to India in 2004 and stayed in Jaipur with her family before settling in Jammu. She packs walnuts for a small factory and earns around Rs3000 to 4000 monthly to support her family. She said, *"No women in Rakhine were allowed to work due to male-dominated values, but now we work in walnut factories to support our families. We have learned Hindi to adjust to this new home and wear a Salwar suit knitted in Dogra style. We have adapted to this new geographical area, and even eating habits have altered due to no availability of certain foodstuff such as dried fish, Burmese coffee, etc."* Migration altered many social and cultural patterns of Rohingya Muslims, changing gender roles, food habits, and dressing patterns.

The merciless violence and concomitant stress of forced exodus have resulted in social and economic challenges for Rohingyas. The women have been targeted during reign of violence and conflicts in their erstwhile homeland. Many women hesitate to share their bad experiences in Rakhine state; their reconciliation with their disturbing past makes the present better in terms of security and safety for their lives in Jammu. In the dark shadows of their past, Rohingya women are attempting to build their lives again as active agents of social resilience. This resilience is witnessed in altering their gender roles due to this migration and more active participation in social and economic transactions.

Key Findings

The Rohingyas, as a persecuted minority, have been deliberately marginalized economically, socially, and politically from the society of Burma. With the rise of the Military as a proxy for the democratic government in Myanmar, their citizenship rights and fundamental human rights have been infringed by successive military regimes. Both primary and secondary data reveal that there is strong evidence of human rights violations and gender-based violence during this genocide. Most of them are living a miserable life in Jammu devoid of necessities of life and have also been legally reduced to the status of illegal immigrants in India.

Most of them are registered with UNHCR and have UNHCR identity cards, but this does not protect them from detention and action by the authorities. They have been booked under section 3 of the Foreigners Act of 1946, section 5 of the Passport Act of 1920, and other relevant provisions of the Illegal Migration Act of 1939 and the Citizenship Act of 1955. This study found that a total of 37 Rohingyas have also been booked under the PSA(Public Safety Act), and more than 250 of them have also been held in Hiranagar Holding Centre since March

2021 under the provisions mentioned above. The primary data reveals that their illegal stay in Jammu and Kashmir has exacerbated their problems as some of them have been languishing in Jails or holding centers with their families suffering from hunger, disease, and no source of income.

The study also found continuity and resilience among Rohingyas in their cultural practices, such as marriage, family, eating habits, etc. They have maintained an early marriage pattern, with girls being married at 14 -15 years, resulting in high fecundity ratio, leading to large families. There is also substantial evidence for the alteration of gender roles in this community as a result of their migration. In Burma, almost all women were homemakers and abstained from working. However, in Jammu, many Rohingya women have been involved in some work, ranging from walnut packaging to domestic work in nearby areas. They have continued their eating habits, albeit with some restraints due to the unavailability of food items they consumed in Rakhine. Some respondents felt that this exodus changed their food habits and cultural practises to some extent.

The study also found that many NGOs, such as DAJI (Development and Justice Initiative), Shekawat Centre, and Save the Children, have played a key role in providing basic amenities and legal aid to this community in Jammu. Many members of this community felt that they were seen with suspicion by the government, and there was increased surveillance by police and state agencies on their habitations. In Jammu, there is also a growing demand by different political groups and organizations for their early deportation back to Myanmar. Most of them asserted that they were willing to return to Rakhine if the Myanmar government assured their safety and rights. One of them narrated, *"If we get our lands and rights back, we will surely return and we came to India only to save our life."* This seems to be a bleak possibility as the the present military government of Myanmar is unlikely to be soft on Rohingyas.

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