

**THE EXPERIENCES OF CHILD MARRIAGE
AMONG ROHINGYA
REFUGEE GIRLS IN MALAYSIA:
A QUALITATIVE ANALYSIS**

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UNIVERSITI SAINS MALAYSIA

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by

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LIST OF ABBREVIATIONS

ARROW	Asian-Pacific Resource and Research Centre for Women
ASEAN	Association of South East Asian Nations
CBO	Community-Based Organization
CEDAW	Convention on Equality and Discrimination Against Women
CRC	Convention on the Rights of the Child
DHS	Demographic and Health Surveys
FGD	Focus Group Discussion
GBV	Gender-Based Violence
HIV	Human Immunodeficiency Virus
ICC	International Criminal Court
IDI	In-Depth Interview
IPA	Intimate Partner Abuse
IPV	Intimate Partner Violence
JKSM	Jabatan Kehakiman Syariah Malaysia (Malaysia Syariah Judiciary Department)
MASW	Malaysian Association of Social Workers
NGO	Non-Governmental Organization
PSHTC	Penang Stop Human Trafficking Campaign
PTSD	Posttraumatic Stress Disorder
RM	Ringgit Malaysia
SUHAKAM	Suruhanjaya Hak Asasi Manusia Malaysia (Human Rights Commission of Malaysia)
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees

UNICEF

United Nations Children's Fund

USAID

United States Agency for International Development

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**PENGALAMAN PERKAHWINAN KANAK-KANAK PEREMPUAN DALAM
KALANGAN PELARIAN ROHINGYA DI MALAYSIA: SATU ANALISIS
KUALITATIF**

ABSTRAK

Rohingya, sebuah kumpulan etnik Muslim, telah melarikan diri dari Myanmar selama beberapa dekad disebabkan oleh penindasan, penganiayaan, dan penafian kewarganegaraan. Ramai Rohingya telah melarikan diri ke Malaysia kerana ia merupakan sebuah negara Islam dan menawarkan peluang pekerjaan berkemahiran rendah. Malaysia tidak meratifikasi Konvensyen Pelarian 1951 dan Protokol 1967, dan Rohingya di Malaysia dianggap sebagai pendatang haram, sehingga menafikan mereka pekerjaan secara sah dan pendidikan di sekolah-sekolah kerajaan. Status Rohingya sebagai pelarian tanpa negara dan budaya patriarki mereka menyebabkan kekerapan perkahwinan kanak-kanak yang tinggi dalam kalangan Rohingya. Kajian kualitatif ini meneroka perspektif Rohingya mengenai perkahwinan kanak-kanak. Selanjutnya, ianya mengkaji faktor-faktor yang berkaitan dengan perkahwinan kanak-kanak di kalangan Rohingya di Malaysia. Ianya turut meneroka penyelesaian bagi mencegah perkahwinan kanak-kanak dalam kalangan Rohingya di Malaysia. Penyelidik telah menemubual wanita Rohingya yang berkahwin semasa mereka kanak-kanak (n=14). Penyelidik juga menjalankan perbincangan kumpulan fokus dengan ketua masyarakat (n=18) dan lelaki Rohingya berumur 35 tahun ke atas (n=20). Data dianalisis dan tema-tema dikenalpasti menggunakan perisian Atlas.ti. Responden berkongsi pelbagai pandangan mengenai perkahwinan kanak-kanak Rohingya, termasuk bahawa ianya adalah lazim, mempunyai beberapa aspek positif,

dan tidak dapat dihentikan. Kajian ini menemui beberapa faktor perkahwinan kanak-kanak Rohingya di Malaysia yang berkaitan dengan status mereka sebagai pelarian seperti kemiskinan, kurangnya pendidikan, undang-undang perkahwinan di Malaysia, dan kenyataan bahawa terdapat lebih banyak lelaki Rohingya di Malaysia daripada wanita. Faktor lain didominasi oleh budaya dan norma-norma Rohingya seperti budaya patriarki, perkahwinan yang diatur, kepercayaan Islam, pandangan bahawa gadis-gadis perlu dilindungi, dan keutamaan untuk memilih pengantin perempuan yang lebih muda. Penyelesaian untuk mencegah perkahwinan kanak-kanak termasuk pendidikan, pendidikan komuniti, perubahan undang-undang perkahwinan di Malaysia, dan campur tangan dari UNHCR. Responden turut menekankan bahawa sebarang kejayaan penyelesaian semestinya memerlukan penglibatan daripada komuniti Rohingya.

THE EXPERIENCES OF CHILD MARRIAGE AMONG ROHINGYA

REFUGEE GIRLS IN MALAYSIA:

A QUALITATIVE ANALYSIS

ABSTRACT

The Rohingya, a Muslim ethnic group, have fled Myanmar for decades due to oppression, persecution, and being denied citizenship. Many Rohingya have fled to Malaysia because it is a Muslim country and offers low-skilled employment opportunities. Malaysia has not ratified the 1951 Refugee Convention and 1967 Protocol, hence the Rohingya in Malaysia are considered as illegals, denying them legal work and education in government schools. The Rohingyas' status as stateless refugees and their patriarchal culture led to a high prevalence of child marriage among the Rohingya. This qualitative study explored the perspectives of the Rohingya on child marriage. It also examined factors associated with child marriage among the Rohingya in Malaysia. Finally, it explored solutions to prevent child marriage among the Rohingya. The researcher interviewed Rohingya women who married as girls (n=14). The researcher also conducted focus group discussions with community stakeholders (n=18) and Rohingya men aged 35 and older (n=20). Data were analysed and themes were identified using Atlas.ti software. Respondents shared a variety of perspectives about Rohingya child marriage, including that it is common, has some positive aspects, and cannot be stopped. The research found some factors associated with Rohingya child marriage in Malaysia that were related to their status as refugees, such as poverty, lack of education, marriage laws in Malaysia, and the fact that there are more Rohingya men in Malaysia than women. Other factors were dominated by

Rohingya culture and norms, such as patriarchy, arranged marriages, Islamic beliefs, girls viewed as needing protection, and a preference for younger brides. Solutions to prevent child marriage included education, community education, changing marriage laws in Malaysia, and intervention from UNHCR. Respondents also noted that, for any solutions to succeed, involvement from the Rohingya community will definitely be required.

CHAPTER 1

INTRODUCTION

1.1 Introduction

“Child marriages are wrong. No girl under the age of 18 should get married. It should be a personal choice of that girl and she should be able to first complete her education” (Yousafzai, 2019, paragraph 7). Nobel Prize Laureate Malala Yousafzai, the youngest Nobel Laureate ever, stated this when speaking out against child marriage (Yousafzai, 2019). Child marriage, highly prevalent in certain parts of the world, causes many problems for girls. In countries where child marriage is most common, 30% of girls are married before age 18 (Loaiza, 2012), while in Niger, with the highest rate of child marriage, 76% of girls were married before they were 18 (Maswikwa et al., 2015; UNICEF, 2019b; Williamson, 2013; Wodon et al., 2017).

The Convention on the Rights of the Child guarantees basic rights for all children, including the right to education, health care, and basic freedom in life (United Nations Human Rights, 1990). At the same time, the Convention on the Elimination of all Forms of Discrimination Against Women states that marriages of children should not be legal (United Nations Human Rights, 1981). While these international conventions strive to protect the rights of children and girls, their rights continue to be violated through child marriage (UNICEF, 2019b; Wodon et al., 2017). Child marriage is detrimental to a girl’s health, and girls in a child marriage often experience early childbirths because they lack access to birth control and are encouraged to prove their fertility (Erulkar, 2013; International Planned Parenthood Federation, 2007; Loaiza, 2012; UNICEF, 2005). Early childbirth leads to many health risks, including maternal mortality and fistula (Ainul et al., 2018; Maswikwa et al., 2015). Research

has also shown that children of girls in a child marriage are at risk of health problems, including infant mortality and malnutrition (Lee-Rife et al., 2012; Wodon et al., 2017). In addition, girls who married as children are at risk of mental health problems, such as depression, because they are too young to cope with the stress of marriage (Williamson, 2013).

Besides causing health problems, child marriage has other negative effects on girls. First, girls in a child marriage are at greater risk of Intimate Partner Violence (IPV) (Erulkar, 2013; Lee-Rife et al., 2012; Varia, 2016). Girls in a child marriage are thought to be at greater risk of IPV for a variety of reasons, including that their husbands are usually several years older than them and that girls in a child marriage usually lack education (Garcia-Moreno et al., 2005; Williamson, 2013). Girls in a child marriage also lack agency, resulting in decreased use of contraceptives and therefore early childbirth (International Planned Parenthood Federation, 2007; Wodon et al., 2017). Child marriage also leads to a lack of education for girls, which continues the cycle of poverty that is common in girls who married as children (Santhya et al., 2010; Shawky & Milaat, 2001; Wodon et al., 2017). This cycle of poverty and lack of education also perpetuates the marginalization of families and communities where child marriage is common.

Child marriage is common among refugees, as issues of war and displacement cause refugees to flee and increase their vulnerability to child marriage (Ainul et al., 2018; International Planned Parenthood Federation, 2007; Kohno et al., 2020; Loaiza, 2012). Rohingya refugee girls, fleeing oppression and genocide in Rakhine state, Myanmar (Bari, 2018; Equal Rights Trust, 2014; Habiburrahman & Ansel, 2019; Human Rights Council, 2018; Ibrahim, 2018), are vulnerable to child marriage in neighbouring countries, such as Bangladesh, Thailand, and Malaysia (M. Chowdhury

et al., 2018; Fortify Rights, 2019; Fortify Rights & The Human Rights Commission of Malaysia, 2019; UN Women, 2018).

The prevalence of child marriage among the Rohingya is hard to determine. Because they were denied citizenship in Myanmar, many marriages and births were not recorded legally (Ainul et al., 2018; Fortify Rights & The Human Rights Commission of Malaysia, 2019; UNHCR Regional Office for South-East Asia, 2016). Since they have fled to other countries, like Bangladesh, Malaysia, and Thailand, marriages and births there also often go unrecorded because they are considered illegal in Malaysia and Thailand and are permitted in Bangladesh due to humanitarian reasons (Ainul et al., 2018; Kassim, 2015; Wahab, 2017). While data on child marriages among the Rohingya are hard to find, there is anecdotal evidence of child marriage among the Rohingya in Myanmar and Bangladesh (Ainul et al., 2018; M. Chowdhury et al., 2018; UN Women, 2018). Some believe that child marriage occurs frequently among the Rohingya in Malaysia, and research from related studies suggests this is true (Rajaratnam, 2020; Ramakrishnan, 2017; UNHCR Regional Office for South-East Asia, 2017; Verghis, 2013; Welton-Mitchell & Riley, 2018).

Since research suggests that child marriage among the Rohingya occurred in Myanmar and continues in Malaysia, it is worthwhile to explore if much of Rohingya culture from Myanmar seems to be brought to Malaysia. Rohingya culture is very patriarchal and allows men to be the decision-makers in families (Bentil & Adu, 2020; Rajaratnam, 2020; Ramakrishnan, 2017; Ripoll, 2017). Gender norms of Rohingya culture dictate that men work and women should remain in the home doing household tasks, like cooking, cleaning, and caring for children (Bentil & Adu, 2020; Rajaratnam, 2020; Ripoll, 2017; Tay et al., 2018; Toma et al., 2018). The Rohingya practice Islam and greatly value protecting their daughters from even appearing to be in a relationship

with a man before they are married (Ainul et al., 2018; Ripoll, 2017; Tay et al., 2018). Rohingya culture and how it is implemented among the Rohingya in Malaysia will be an important aspect of exploring child marriage among the Rohingya in Malaysia.

While the negative consequences of child marriage mentioned earlier were based on research worldwide, similar negative effects can be found among the Rohingya. These include lack of agency, early childbirth, decreased education, increased poverty, and increased IPV (Fortify Rights, 2019; Ramakrishnan, 2017; Tay et al., 2018; UN Women, 2018; Welton-Mitchell et al., 2019). Given that Rohingya refugees in Malaysia are already struggling with limited income (due to not being able to work legally) and limited access to education (due to the scarcity of refugee schools) (Equal Rights Trust, 2014; Hoo, 2019; Letchamanan, 2013; Wahab, 2017), child marriage of Rohingya refugee girls in Malaysia perpetuates the cycle of poverty and lack of education. By marrying as children, Rohingya girls are denied education and are burdened with the responsibility of caring for children at a young age. The basic freedoms of life and the right to an education that are mentioned in the Convention on the Rights of the Child (United Nations Human Rights, 1990) are no longer feasible for Rohingya girls in a child marriage. Furthermore, some have argued that child marriage itself is a form of sexual and gender-based violence (Tay et al., 2019; Wodon et al., 2017). In the case of Rohingya girls in Malaysia in a child marriage, this rings true, as they do not have the maturity or knowledge to consent to sex, lack the agency to access birth control, and often become pregnant while still in their teens. Child marriage also impacts the families and communities of children in a child marriage, perpetuating poverty and lack of education.

Despite the plethora of research on child marriage, many things about child marriage are unknown. First, data about the prevalence of child marriage among

certain populations, including Malaysians and the Rohingya, is lacking (Ainul et al., 2018; Kohno et al., 2019; UNHCR Regional Office for South-East Asia, 2016; United Nations Human Rights Council, 2019). There is also a dearth of data about girls worldwide who are married before age 15 (Williamson, 2013). Researchers point out that there is not enough data about social and cultural practices and their impact on child marriage. Further research is also needed about various factors that cause child marriage. Child marriage in situations involving a humanitarian crisis has also not been adequately studied (Loaiza, 2012). Also, research is needed to address whether or not polygamy plays a role in the prevalence of child marriage (Wodon et al., 2017). Furthermore, there has not been enough evaluation of the effectiveness of programs and interventions that address child marriage (Loaiza, 2012; Varia, 2016).

While research has been conducted on child marriage among Rohingya girls in Bangladesh (Guglielmi et al., 2021; Islam et al., 2021; Melnikas et al., 2020), information about child marriage among Rohingya girls in Malaysia is lacking. The perceptions of the Rohingya in Malaysia about child marriage are unknown. There is also a dearth of information about the factors associated with child marriage among Rohingya girls in Malaysia. Islam et al. (2021), in their study about attitudes about and experiences of Intimate Partner Violence (IPV) among Rohingya women in Bangladesh who married as children, state, “we recommend future research to have an in-depth qualitative understanding of underlying factors of child marriages in the Rohingya community” (p.4).

In addition, research is lacking about solutions to prevent child marriage among Rohingya girls in Malaysia. This study aims to investigate the perceptions of and the factors associated with child marriage among Rohingya refugee girls in

Malaysia. In addition, this study will address solutions to prevent child marriage among Rohingya refugee girls in Malaysia.

1.2 Problem statement

Research indicates that child marriage negatively affects girls and their families, including increased poverty, decreased education, and health problems, yet child marriage persists (Loaiza, 2012; Shawky & Milaat, 2001; UNICEF, 2005; Williamson, 2013; Wodon et al., 2017). Among Rohingya refugees, the negative effects are similar (Ramakrishnan, 2017; Tay et al., 2018; UN Women, 2018), leaving the Rohingya in Malaysia in a cycle of poverty.

Child marriage among Rohingya refugees in Bangladesh is common and is thought to be related to factors such as displacement, poverty, patriarchy, and gender roles (Guglielmi et al., 2021; Islam et al., 2021; Melnikas et al., 2020). Child marriage among the Rohingya in Malaysia is also thought to be common (Ainul et al., 2018; Rajaratnam, 2020; Verghis, 2013; Welton-Mitchell et al., 2019), but related factors are potentially different due to the unique context in Malaysia.

This project will highlight aspects of child marriage among the Rohingya community in Malaysia to benefit stakeholders such as UNHCR, policy makers, community-based organizations (CBOs), and non-government organizations (NGOs). Information from this study will assist these stakeholders and the Rohingya refugee community in addressing child marriage so that Rohingya girls and communities can have a higher quality of life.

This project aims to explore the perspectives of the Rohingya on child marriage and factors associated with child marriage of Rohingya refugee girls in Malaysia.

Since the problems associated with child marriage are well-documented, this project will also explore potential solutions to prevent child marriage in this population.

1.3 Research questions

The following research questions guided this qualitative study:

RQ1: What are the perspectives of the Rohingya in Malaysia on child marriage?

RQ2: What are the factors associated with child marriage among Rohingya refugee girls in Malaysia?

RQ3: What are solutions to prevent child marriage among Rohingya refugee girls in Malaysia?

1.4 Research objectives

RO1: To explore perspectives of the Rohingya in Malaysia on child marriage.

RQ2: To examine factors associated with child marriage among Rohingya refugee girls in Malaysia.

RO3: To explore solutions to prevent child marriage among Rohingya refugee girls in Malaysia.

1.5 Significance of study

This study is significant in several ways. First, this study will benefit researchers and those studying the Rohingya in Malaysia by identifying factors that cause child marriage among Rohingya girls in Malaysia. Some previous research has focused on child marriage among the Rohingya in the camps in Bangladesh (Ainul et

al., 2018), but this study focuses on the Rohingya's unique situation in Malaysia. Several factors are unique about the Rohingyas' situation in Malaysia. These include lack of legal status, inability to work legally, and living among local Malaysians (as opposed to living in refugee camps). These lifestyle factors potentially impact child marriage among Rohingya in Malaysia differently than child marriage among Rohingya in other settings, such as Bangladesh. While there has been a recent increase in research on Rohingya specifically in Malaysia (Shaw et al., 2019; Welton-Mitchell et al., 2019), researchers have not addressed child marriage in this setting. This research on Rohingya in Malaysia will also benefit future researchers because they will have a unique understanding of the psychosocial factors related to life in Malaysia that will apply to other studies.

Next, this research will benefit the United Nations High Commissioner for Refugees (UNHCR) in their work with Rohingya refugees because it will identify solutions as well as causes of child marriage of Rohingya girls in Malaysia. This information is vital to UNHCR as they work to serve this vulnerable population. This research will also benefit Non-Governmental Organizations (NGOs) and Community-Based Organizations (CBOs). By not only identifying the causes of child marriage but also naming solutions, NGOs and CBOs can use this vital data to formulate new interventions and programs that address child marriage. Furthermore, this study will benefit community learning centres for Rohingya in Malaysia. Staff and teachers at these community schools can understand the causative factors and watch for these among their students so that they can encourage Rohingya girls to continue their education.

In addition, this study can benefit policy makers in Malaysia, especially the Malaysian government and those who make policies regarding refugees. This study

could also help those who make policies related to marriage laws, as this project will provide insight into how marriage laws affect child marriage among the Rohingya. Those involved in making policies regarding refugees and their legal status, right to work, and right to attend government schools could all potentially benefit from the information gained in this study.

Finally, this research will benefit Rohingya girls because understanding the causes and solutions for child marriage among Rohingya girls in Malaysia will help reduce its prevalence. Child marriage has numerous negative effects on girls, including reduced use of contraceptives and increased early childbirth (Erulkar & Muthengi, 2009; Loaiza, 2012; Santhya et al., 2010). Pregnancy and motherhood at a young age increase their risk for medical problems, such as fistula (Maswikwa et al., 2015; Varia, 2016; Wodon et al., 2017). With the added responsibility of caring for a child, girls in a child marriage have limited educational opportunities (Parrot, 2011; Shawky & Milaat, 2001), which also lead to increased poverty (Lee-Rife et al., 2012; Malhotra et al., 2011). In addition, research has shown that they have decreased agency in their lives (International Planned Parenthood Federation, 2007; Wodon et al., 2017). Other research has also shown that girls in a child marriage are at greater risk for intimate partner violence (IPV) (Lee-Rife et al., 2012; Santhya & Jejeebhoy, 2015; Speizer & Pearson, 2011; UNICEF, 2005).

Identifying the causes of child marriage among Rohingya girls in Malaysia has the potential to help Rohingya girls avoid child marriage and, therefore, its negative effects. If they are not married as girls, they can stay in school longer. Their skills gained through education will help them work at a job, helping lift their family out of poverty. Waiting to marry until they are adults will also increase their agency and

decrease their risk of IPV. Avoiding child marriage will help Rohingya girls live a higher quality of life and reach their full potential.

In addition, this research has direct ties to social work. According to the National Association of Social Workers (2017), an American agency that promotes social work and advocates for social workers,

....the primary mission of the social work profession is to enhance human well-being and help meet the basic human needs of all people, with particular attention to the needs and empowerment of people who are vulnerable, oppressed, and living in poverty. (p. 1).

Rohingya refugees, whose background and history will be discussed in Chapter 2, have fled from Myanmar to Malaysia due to overwhelming oppression in Myanmar by the Myanmar military. Their situation in Malaysia, where they are considered illegal and have no legal rights to work or education, magnifies their oppression. The persecution they face in Malaysia leaves them vulnerable. Their precarious legal status complicates their oppression and continues their cycle of poverty. Marriages of Rohingya girls further exacerbate the oppression and difficulties that these girls face in their daily lives. Rohingya refugee girls, especially those in a child marriage, are poor, oppressed, and vulnerable and would benefit from social work interventions. According to the International Federation of Social Workers (2020),

Social work is a practice-based profession and an academic discipline that promotes social change and development, social cohesion, and the empowerment and liberation of people. Principles of social justice, human rights, collective responsibility, and respect for diversities are central to social work. (p. 1)

This research study, which seeks to explore solutions to child marriage among Rohingya refugee girls in Malaysia, will encourage social change. The causes of child marriage and potential solutions explored by this study will contribute to social change. Various CBOs and NGOs can use the information from this study to formulate new programs and address and prevent child marriage in this population.

1.6 Scope of study

This study focused on the perspectives of the Rohingya on child marriage, as well as factors associated with child marriage in Malaysia among Rohingya refugee girls. It also examined solutions to prevent child marriage in this population. This study included three different types of respondents. First, the study focused on Rohingya refugee women in Penang, Malaysia. The researcher conducted in-depth interviews with 14 Rohingya women age 18-30 who married before age 18. Next, the researcher conducted focus group discussions in Penang with Rohingya men age 35 and older. Four focus group discussions were conducted, with five Rohingya men participating in each group.

This study also included community stakeholders, such as refugee learning centre (school) teachers, NGO workers, and Rohingya activists from Penang state and Kuala Lumpur/Klang Valley. Four focus group discussions with 4-6 participants were conducted. Community stakeholders included those who worked with Rohingya refugees for at least one year.

1.7 Organization of thesis

This thesis is organized into five chapters. Chapter 1 includes the introduction and the problem statement, research questions, research objectives, significance of the study, and the scope of the study.

Chapter 2 includes a comprehensive review of the literature related to child marriage among Rohingya refugee girls. First, information about who the Rohingya are and a brief recap of their history is given. It includes information leading to the ongoing genocide and their need to flee to neighbouring countries, including Malaysia. In the next part of chapter 2, the Rohingya in Malaysia are discussed. This includes how their lack of legal status in Malaysia causes them problems in various parts of their daily lives.

Next, child marriage worldwide is discussed, including prevalence, consequences, causes, and solutions. Then, child marriage in Malaysia is addressed.

In the next section, child marriage among the Rohingya is covered. Then, the prevalence and causes of child marriage among Rohingya refugee girls in Malaysia is discussed and a research gap is identified. Finally, the conceptual framework of this research is covered, and the theoretical frameworks that guide this project are discussed.

In Chapter 3, the Methodology is discussed. This includes various methods of qualitative research, including in-depth interviews with Rohingya women who married as girls, focus group discussions with Rohingya men, and focus group discussions with key stakeholders. Sampling, data collection, and data analysis methods are discussed. Also, ethical concerns are addressed in Chapter 3.

Chapter 4 includes the results of the research and the analysis of the data.

Chapter 5 includes a discussion of the research, study recommendations, and suggestions for further research.

CHAPTER 2

LITERATURE REVIEW

2.1 Introduction

Since this study focuses on child marriage among Rohingya refugee girls, it is helpful to first take a broader look at the Rohingya. This will include who the Rohingya are, their history that led to them becoming refugees, and their journey to Malaysia.

Because the setting of this research is Malaysia, the next section will focus on the Rohingya in Malaysia, including daily life, psychological factors, the importance of UNHCR, and factors associated with their length of stay in Malaysia.

Next, four different areas of importance will be discussed. Those include child marriage in general, in Malaysia, among the Rohingya, and among the Rohingya in Malaysia. For each of these topics, prevalence, legal aspects, consequences, causes, and potential solutions will be addressed.

Next, a research gap will be identified. Finally, the conceptual and theoretical frameworks that guide this research project will be discussed.

2.2 The Rohingya

2.2.1 Introduction

Habiburahman (Habiburahman & Ansel, 2019), a Rohingya author and activist, summed up the insecurity that Rohingya face:

Our lives are precarious, whether in Myanmar, our native land, where many of us are in hiding or corralled into internal displacement camps, or in refugee

camps in Bangladesh or forced exile in Malaysia, Thailand, and elsewhere. The Rohingya that have managed to escape alive remain, for the most part, stateless, illegal immigrants, prey to human traffickers, and vulnerable to arrest and torture. (p. 236)

The Rohingya people are a distinct ethnic group from Myanmar.¹ To truly understand Rohingya people, it is best to start with their identity and their history. Understanding their history leads to an explanation of the persecution they face today in Myanmar. After exploring their persecution and challenges in Myanmar, it becomes clear why they flee from Myanmar and become refugees in other countries. Later, transition countries like Bangladesh and Thailand will be discussed briefly. It is also worth noting their challenging journey to Malaysia.

¹ Myanmar has historically been known as Burma. Its name changed to Myanmar in 1989 and any reference to Burma is intended to mean the present country of Myanmar (ASEAN, 2019).



Figure 2.1 Map of Myanmar in Relation to Neighbouring Countries (courtesy of Nations Online Project)

Rohingya people, from Rakhine ² state in Myanmar, have a distinct ethnic, religious, and cultural identity. They are a Muslim people group, making them a

² Myanmar's western-most state, bordering the Bay of Bengal, is currently known as Rakhine by the government of Myanmar. Historically, it has been called Arakan, and Arakan is the term most often used by Rohingya people. In compliance with the Myanmar government, Rakhine state will be referred to as Rakhine, not Arakan, in this paper (Myanmar Government, 2019).

religious minority in predominantly Buddhist Myanmar. Their Muslim identity is an important part of their daily lives (Tay et al., 2018), including giving their children Islamic names and the importance of attendance at Friday prayers. They also have a unique language and culture. Their language is an Indo-Aryan language that borrows words from several other languages, including Urdu, Hindi, and Arabic. Although it is a distinct language, it is similar to Chittagonian (Riley et al., 2017; Ripoll, 2017; Tay et al., 2018) and is an oral language. Rohingya people have often been called the most persecuted minority in the world (Bari, 2018).

2.2.2 The Rohingya in Rakhine, Myanmar



Figure 2.2 Map of Myanmar (courtesy of FreeMapViewer.org)

Rohingya people have a long history in Myanmar (Zarni & Cowley, 2014) and have even been called “indigenous” to Rakhine state (Fortify Rights & The Human Rights Commission of Malaysia, 2019, p. 93). Documented evidence of Rohingya in Rakhine state dates back as early as the 1800s and 1900s (Equal Rights Trust, 2014; Ibrahim, 2018). Nobel Laureate Amartya Sen, in a 2014 forum at Harvard University, stated, "It isn't so much that Rohingya moved into Burma, but that Burma moved into Rohingya" areas (Sen, 2014).

It is difficult to estimate the number of Rohingya who remain in Rakhine state, Myanmar. The Myanmar government denies the existence of the Rohingya and calls them “Bengalis,” so they are excluded from government censuses (XChange Research on Migration, 2016). A 2012-2013 estimate of Rohingya in Rakhine was 1.2 million, or 40% of the state’s population (Dapice, 2015). Considering that over 742,000 Rohingya are believed to have fled to Bangladesh after the August 2017 violence (UNHCR: The UN Refugee Agency, 2019), there are potentially only around 500,000 Rohingya remaining in Rakhine state.



Figure 2.3 Map of Rohingya People in Rakhine State Myanmar (public domain)

2.2.3 Lack of citizenship and resulting statelessness

Despite their long history in Rakhine, the Myanmar government, in the 1982 Citizenship Law, refused to recognize the Rohingya as one of the 135 original ethnic groups (Bari, 2018; Equal Rights Trust, 2014; Kiragu et al., 2011; O'Brien & Hoffstaedter, 2020; Zarni & Cowley, 2014). Their being omitted from the 1982

Citizenship Law has rendered them stateless. While the Rohingya consider themselves citizens of Myanmar, the government considers them, “‘Bengali,’ ‘illegal immigrants,’ and ‘never’ having been a part of Myanmar’s history” (Farzana, 2017, p. 2). This labelling is ironic given that, following Myanmar’s independence from Britain in 1948, Rohingya participated in politics and worked alongside other citizens to help build their nation. When Myanmar first gained independence from Britain, the Rohingya were recognized as an ethnic group (Zarni & Cowley, 2014). It was during the military rule, which started in 1962 and lasted 49 years, that the Rohingya began to lose their rights and identity (Equal Rights Trust, 2014).

2.2.4 Restrictions in their daily lives in Myanmar

The Rohingyas’ lack of citizenship and resulting statelessness, described as “geo-political purgatory” (Kessel, 2015, 4:50), have not only deprived them of political power but have also caused major restrictions in their daily lives (Anan et al., 2017; Habiburahman & Ansel, 2019; O’Brien & Hoffstaedter, 2020). The discrimination and persecution they face in Myanmar are so great, Nobel Laureate Amartya Sen stated, “They suffer from leading a life which no human being should be living” (Sen, 2014). Rohingyas are restricted to Rakhine state and are not free to move about the country. If they wish to travel, they are forced to pay bribes to officials because corruption is prevalent (Anan et al., 2017; Habiburahman & Ansel, 2019; Kiragu et al., 2011). They face discrimination in many areas that affect daily lives, such as politics, work, and education (Bari, 2018; Kiragu et al., 2011; Sen, 2014). Kiragu et al. (2011) describe it well:

As well as being stateless, Myanmar’s Rohingyas are confronted with other forms of persecution, discrimination and exploitation. These include (but are not limited to) forced labour, extortion, restriction on freedom of movement,

the absence of residence rights, inequitable marriage regulations and land confiscation. The Rohingya also have limited access to secondary and tertiary education as well as other public services. (p. 11)

In *First, They Erased Our Name: A Rohingya Speaks*, author Habiburrahman (Habiburrahman & Ansel, 2019), a Rohingya refugee and activist, describes in vivid detail his early life in Myanmar. In retelling his story of growing up in Chin state and then Rakhine, Habiburrahman details how overall persecution and harassment affected every aspect of his family's daily life. He describes having to ask permission to travel to other villages and, as the restrictions worsened, having to be in his home by a sundown curfew. He discusses how they were forced to do hard labour, usually building projects for the military. He also mentions the degrading circumstances in which they lived every day. His father owned a small shop, and Tatmadaw³ soldiers would enter the shop and take anything they wanted without paying. He and his family were repeatedly called “kalar,” a racial slur, and forced to pay bribes or else face beatings and imprisonment (Habiburrahman & Ansel, 2019).

The lack of citizenship and resulting marginalization has had a profound impact on women and girls. This impact can be observed in various ways, including the high prevalence of child marriage among the Rohingya. Bentil and Adu (2020) summarize the oppression that Rohingya women and girls face:

The Rakhine state marks a region where ethnicity combines with statelessness to produce complex and multi-layered discrimination against sections of the society (Rohingyas). Though this discrimination affects all Rohingyas, women

³ The Myanmar military are also known as the Tatmadaw.

and girls are impacted more since the conditions create multiple traps and social structures that increase the chances of their vulnerability. (p. 14)

The long-term persecution of the Rohingya in Myanmar is complex, and there are no easy solutions. This is important when exploring their culture and their views on child marriage. Their mistreatment, experience of trauma, lack of education, and marginalization of rights have significantly contributed to their identity and culture.

2.2.5 Lack of education

The Rohingya's lack of rights in Myanmar, including citizenship, has been a major contributing factor to their lack of education. Denied access to schools and pushed to the margins of society because of their oppression, many Rohingya lack basic education. In a survey of 200 Rohingya construction workers in Malaysia, 54% stated that they had never been to school, and only 11% had finished elementary school (Nungsari & Flanders, 2018). In a study of emotional stress among Rohingya refugees in Malaysia, the findings were similar. Fifty-eight percent of the 115 people surveyed stated that they had never attended school (Shaw et al., 2019).

Lack of education leads to illiteracy (Rajaratnam, 2020), and estimates of rates of illiteracy among the Rohingya vary. In the camps in Bangladesh, the illiteracy rate is thought to be 73% (Toma et al., 2018). According to the Integrated Regional Information Network (2011), 80% of Rohingya are illiterate, with rates higher among women. Some Rohingya activists, such as Sharifah Shakirah in Malaysia, point out that convincing Rohingya men of the negative effects of child marriage is even more of a challenge because of their lack of education (Vit, 2016). Though many are illiterate, it is worth noting that many Rohingya are fluent in several languages

(Nungsari & Flanders, 2018). This is an indication that the Rohingya are bright despite their lack of education.

The Rohingya's lack of education and its relation to child marriage cannot be overstated. Rohingya have been denied education in Myanmar due to their lack of citizenship. In Bangladesh, which will be discussed in detail later, their educational opportunities are extremely limited because they are confined to overcrowded camps. In Malaysia, which will also be discussed later in more detail, Rohingya are also denied public education. Their educational options consist primarily of refugee learning centres that are understaffed and underfunded as well as non-existent in many areas of Malaysia.

As discussed earlier when reviewing child marriage worldwide, lack of education is both a cause and a consequence of child marriage. It contributes to poverty, which contributes to child marriage, which continues the cycle of poverty. Part of the challenge that the Rohingya people face is that they are repeatedly denied education no matter where they live. Their lack of education likely contributes to the prevalence of child marriage.

2.2.6 A brief history of recent flights from Myanmar

The persecution of Rohingya has led to mass exoduses of Rohingya from Myanmar for several decades (Kiragu et al., 2011). Large numbers of Rohingya fled to Bangladesh after increased violence and discrimination in 1978, 1992, 2012 (Equal Rights Trust, 2014), and, most recently, August 2017 (Bari, 2018; Habiburrahman & Ansel, 2019; Mason & Kaye, 2017). The 1992 wave of violence originated because of a Myanmar government cleansing operation known as Operation Dragon King. During Operation Dragon King, the Myanmar government took the documentation papers of many Rohingya, leading to increased brutality and the fleeing of

approximately 200,000 Rohingya to neighbouring Bangladesh (Equal Rights Trust, 2014; Farzana, 2017).

The 2012 violence against the Rohingya in Myanmar was particularly brutal. In *First, They Erased Our Name: A Rohingya Speaks*, Habiburahman (Habiburahman & Ansel, 2019) describes his struggle as he learned of the violence in Rakhine while he sat in detention in Australia. Because he was powerless to help, he was horrified to receive calls from various friends in Myanmar:

They're looting our homes and raping the women.

Habib, I'm begging you! Tell the world. They're coming for us. They count us as less than animals. They've burnt our children in their very homes. There is nothing left of us.

Tell the world. I'm going to die. Why is the world allowing this barbarity to take place? Why aren't you telling them anything?

In their eyes, we're nothing but animals. They take our children, torture them, and then bury them with dozens of other bodies in mass graves. (p. 239-240)

Starting August 25, 2017, a new wave of violence against the Rohingya occurred in Rakhine state (Bari, 2018; Habiburahman & Ansel, 2019; Mason & Kaye, 2017). Over 600,000 Rohingya fled to Bangladesh (Mason & Kaye, 2017)⁴. This resulted in the world's largest refugee camp, bringing the total number of Rohingya refugees in Bangladesh to over 1 million (Bari, 2018). The wave of violence starting in August 2017 echoes other brutality against the Rohingya. In *Rohingya Crisis Through the Eyes of Al Jazeera's Journalists* (2017), Al Jazeera reporters discuss the

⁴ This source is helpful to understand the brutality and violence that the Rohingya faced starting in August 2017. *Horrors I Will Never Forget* tells the stories that many children endured. Some of the stories are so graphic that the publication comes with a warning that some might find the contents distressing.