



## Myanmar's Rohingya Problem in Context

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### Executive Summary

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Images of beaten Rohingya went around the globe in October 2016. They have sparked unabated international attention for the plight of the stateless Muslim community in Western Myanmar. But ever since, the international mainstream media have portrayed the conflict almost exclusively in terms of human rights violations, racism and government inaction. Many have suggested that by giving full citizenship rights and providing greater state protection, the humanitarian crisis facing the Rohingya would be resolved. However, calls for fast-track citizenship inadequately consider the complexity of the conflict that is not only about legal status, but deeply rooted in contested claims of ethnic identity. The hatred seen on both sides today evolved historically following (post-) colonial demarcations and subsequent waves of immigration.

Legal reform alone would therefore do little to substantively improve the situation, whereas the biased, pro-Rohingya media reporting has in fact further increased resentment, as the Buddhist Rakhines feel mischaracterized and unfairly treated. What is necessary is a more balanced debate, which is sensitive to the historical dimensions of the conflict and takes seriously all conflict parties. Long-term approaches to conflict resolution therefore not only need to consider the question of citizenship, but more importantly have to build new trust between the two communities in Rakhine.

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## Analysis

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### The question of Citizenship

At the heart of the debate as currently framed by the mainstream international media lies the question of citizenship. Since the Burmese government and large parts of society do not accept the Rohingya as one of the countries "national races," a majority of the Muslims living in Rakhine are today *de facto* stateless. They are considered to be migrants from Bengal that only settled in Myanmar after the first Anglo-Burmese War and subsequent British colonialization in 1824. As such they are not eligible to full citizenship according to the 1982 Citizenship Act. Those who advocate for a distinct Rohingya identity, in return, insist that their ancestors have been natives to Rakhine as early as the 8<sup>th</sup> century, wherefore they merit recognition as an ethnic group of Myanmar and thus deserve full citizenship rights. However, in view of the historical evidence such a representation of the Rohingya turns out more problematic than willingly suggested by contemporary Rohingya advocates and mainstream international media.

### The Historical Context

What appears historically verified based on the current state of research is the claim that Muslims had indeed settled in Arakan (now Rakhine) prior to the Burmese conquest in 1784. But there is no historical evidence available, which proves that Muslim settlements have existed in Rakhine since the 8<sup>th</sup> century. In fact, the earliest historical sources mentioning Muslim settlers date back to the late 16<sup>th</sup> century and suggest that they had travelled on trading fleets from Bengal to Rakhine.<sup>2</sup>

To contest the Bengali origin and provide prove for a Rohingya ethnic identity, Rohingya advocates refer to an article published by the British ethnographer Francis Hamilton-Buchanan in 1799. He mentioned "Mohammedans, who have long settled in Arakan and who call themselves Rooinga (...)."<sup>3</sup> However, in the Chittagonian dialect, which the Muslim settlers spoke, the name "Rohingya" means nothing but "Rakhine." Given that the name is not mentioned in a single other historical source, it seems unlikely that the Muslims Hamilton-Buchanan met referred to a shared Rohingya identity. Instead, it appears more convincing that they simply stated their place of settlement.

In line with this British testimonies suggest that the early Muslim settlers had largely assimilated to local Rakhine society and did not articulate a separate ethnic or communal status.<sup>4</sup> In the 1872 population census the British therefore simply recorded them as Arakan Muslims.<sup>5</sup> In other documents they further distinguished between Burmese Muslims, which referred to those who had inhabited the land prior to the arrival of the British, and Indian Muslims, sent to support the colonial administration after colonization. A majority of Muslims living in Rakhine today are descendants of these later migrants from Chittagong.<sup>6</sup> The large influx of new Muslim settlers drastically altered the dynamics between the two religious communities in Rakhine. Large

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<sup>2</sup> Leider, Jacques. Rohingya: the name, the movement and the quest for identity. In: Nation building in Myanmar. In: Nation Building in Myanmar. Yangon: Myanmar EGRESS/Myanmar peace Centre, 2013: 223.

<sup>3</sup> Ibid: 221.

<sup>4</sup> See J.C. Fink cited in ibid: 225.

<sup>5</sup> Suaedy, Ahmad and Muhammad Hafiz. "Citizenship challenges in Myanmar's democratic transition: case study of the Rohingya-Muslim." In: Studia Islamika 22, 1 (2015): 44.

<sup>6</sup> Pugh, Cresa. "Is citizenship the answer? Constructions of belonging and exclusion for the stateless Rohingya in Burma." In: Working Papers International Migration Institute 76 (2013): 13.



segments of the Buddhist population grew to resent the newcomers based on their greater access to labor opportunities and British favoritism.<sup>7</sup>

With the end of the British Empire also the culturally, linguistically and socially inter-related Muslims of Chittagong and Rakhine were separated by international borders.<sup>8</sup> Inspired by the independence movement that led to the separation of the Islamic Republic of Pakistan from India, Muslim settlers in the 1950s started to advocate for the northern part of Rakhine to become an autonomous Muslim zone or alternatively merge with East Pakistan (today Bangladesh).<sup>9</sup> In choosing the name Rohingya, the Muslim insurgents known as Muhjahid identified themselves with the history and geography of Rakhine state and thereby aimed to legitimize their fight for autonomy.<sup>10</sup> Against this backdrop, the Rohingya, as a distinctive group, appear to have their origin first and foremost in a political movement that emerged from a historical moment of separation and since then has been reinforced by their shared suffering under the military regime.

Until the military took over control in 1962, the Muslim population in Rakhine was not only socially better integrated, but also enjoyed the same civic rights as the Buddhist Rakhines.<sup>11</sup> The junta used the political movement of the Rohingya to demonstrate that only the military could keep the Union of Myanmar together and thereby legitimized its own leadership claim. The military first stripped the Muslims off their legal documents, and then stigmatized them as foreigners. *De facto* stateless more than 200.000 Muslim Rakhines were violently forced into Bangladesh in 1978. After the mass exoduses of Muslims in 1978 and again in 1991 and 1992, international pressure each time persuaded the government of Myanmar to allow repatriation of some Muslim communities back to Myanmar. However, upon the Rohingya's return the Buddhist majority entirely thought of them as Bengalis and their living conditions further deteriorated.<sup>12</sup>

When violence escalated between the communities in 2012, the military similarly spurred tensions to force Aung San Suu Kyi to take sides in the conflict. She had just been elected into parliament and now faced a dilemma: Showing solidarity with the Rohingya would equal political suicide in Myanmar, especially for her as a member and representative of the ruling Bamar ethnicity. But internationally her silence was seen as indifference and harmed her reputation as a human rights defendant.

### Policy Recommendations

The primary goal of the international Rohingya debate and subsequent policies should be the improvement of the humanitarian crisis in Rakhine. From a political point of view it is therefore essential to acknowledge the complexity of the conflict and take into account the existing fears within both communities. Accusations that internationally isolate the NLD-run government should be avoided.

<sup>7</sup> Cheung, Samuel. "Migration control and the solutions impasse in South and Southeast Asia: Implications from the Rohingya Experience." In: Journal of Refugee Studies 25, 1 (2011): 51.

<sup>8</sup> Leider, Rohingya: 235.

<sup>9</sup> Khin Maung Saw. Arakan, a neglected land and her voiceless people. Yangon: Kha Yee Phaw Publication House, 2016: 117.

<sup>10</sup> Leider, Rohingya: 240.; Khin Maung Saw, Arakan: 125.

<sup>11</sup> Cuningham, Susan. "Do Myanmar's Rohingya really need citizenship now?" In: Forbes (04.07.2015): 10. Online: <https://www.forbes.com/sites/susancunningham/2015/07/04/do-myanmars-rohingya-really-need-citizenship-now/#489056c449e0> (11.04.2017).

<sup>12</sup> Plugh, Is citizenship the answer: 14.



### *Improving the legal status*

As an important first step in the resolution of the conflict, the improvement of the Rohingya's legal status matters to guarantee their basic civil rights, such as freedom of movement and access to government services (i.e. education and health care). However, to find a politically viable solution in Myanmar, the international community needs to start differentiating between a legitimate demand for citizenship for the Muslims living in Rakhine and full citizenship based on a Rohingya ethnic identity native to Myanmar. From a historical perspective the latter is highly problematic and by reproducing such a claim the international media only intensify grievances, as the Buddhist Rakhines feel unfairly treated and misrepresented in the conflict. Instead of insisting on the recognition of the Rohingya as a national race, their citizenship could be established based on the time of their migration as outlined in the 1982 Citizenship Act. Such a process, however, needs to take place in accordance with the Buddhist majority in Rakhine and at a rate acceptable to them. As the International Crisis Group has repeatedly warned, setting out a "path to citizenship" after decades of unchecked immigration, will likely crank up fears among the Buddhist Rakhine of a Muslim take-over: "there is a fear that they could soon become a minority in their own state - and valid or not, there is no doubt that it is very strongly felt in Rakhine communities."<sup>13</sup>

### *Building new trust between the communities*

As the situation of the few registered Muslims in Rakhine has shown, documents alone do not decrease the mutual hatred and experienced discrimination against the Rohingya in Myanmar. Accordingly, Lilian Fen who is a research fellow at the Overseas Development Institute (ODI) has pointed out that fast-track citizenship leaves unaddressed the defining challenge of shifting the perceptions the two communities hold of each other.<sup>14</sup> As long as the Buddhist Rakhine simply do not want Muslims to live amongst them, there is very little that a stroke of legal reforms implemented by the government can achieve. Populating one of Myanmar's poorest states with a poverty rate of 78 percent, most Buddhist Rakhines believe that they have been left behind, after a group of foreigners had taken their jobs and land. With international humanitarian support now focusing primarily on the Rohingya they feel betrayed once again.<sup>15</sup> To reduce such resentments and contribute to rebuilding trust between the communities, from an international donor perspective it is therefore essential to accord development aid equally to all groups in Rakhine state.

### *Responding to military violence*

In response to the military crackdown on Rohingya communities following the attacks on police stations in October 2016 an extreme policy, such as the cancellation of urgently needed development aid in Rakhine would thus be counter-productive. It would punish those who were not responsible for the events. Other than 2012, when tensions between Muslim and Buddhist communities escalated in Rakhine, what happened in October 2016 depicts a conflict between a separatist Rohingya group and the government of Myanmar. However, focusing on Aung San Suu Kyi, who as state counsellor is *de facto* responsible for running the country and blaming her for the subsequent military violence ignores that she has almost no power over the military forces of the country. Her means in Rakhine are severely limited, where the military could operate almost unrestrictedly after declaring the state of emergency. To make matters worse, all of the relevant ministries and

<sup>13</sup> "The politics of Rakhine State" In: International Crisis Group (2014). Online: <https://www.crisisgroup.org/asia/south-east-asia/myanmar/myanmar-politics-rakhine-state> (11.04.2017).

<sup>14</sup> Fan cited in Cunningham, Do Myanmar's Rohingya really need citizenship now: 3.

<sup>15</sup> Ibid: 6.



institutions (i.e. defense, interior, border affairs, police and army) continue to be run by the military. Sanctions in response to the subsequent military violence should therefore target the military leadership. By instead welcoming the commander in chief of the Myanmar forces in Germany, Italy and Austria as seen in April 2017, the respective governments not only send the wrong signal, but also fundamentally undermine the European Union's human rights critique of Myanmar. In view of such hypocrisy it is not surprising that Aung San Suu Kyi refuses to receive a fact finding mission of the UN Human Rights Council in the country. Given the power the military still holds, there is no guarantee that it will allow the NLD to continue governing, if it sees its own interests threatened. Instead of playing into the hands of the military by further undermining Aung San Suu Kyi's strongest asset – her reputation – the international community should encourage her administration and facilitate development especially in Rakhine.

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**Remarks:** Opinions expressed in this contribution are those of the author.

### About the Author of this Issue

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