THE PROBLEM OF MUSLIM NATIONAL IDENTITY IN MYANMAR

BY

MYINT THEIN (a) ABDUS SALAAM

A thesis submitted in fulfilment of the requirements for the degree of Doctor of Philosophy (Muslim World Issues)

> International Institute of Islamic Thought and Civilization International Islamic University Malaysia

> > MAY 2012

ABSTRACT

This study examines the identity of Muslim communities in Myanmar (Burma) based on their ancient origins and settlements in Myanmar and their struggle to maintain their national identity under successive governments. The results of this study confirm that Muslim communities in Myanmar, namely Burman Muslims (including Pathi, Myedu and Zerbadee), Rakhine Muslims (including Rohingya and Kaman), Panthay Muslims (Chinese) and Pashu Muslims (Malay) have historically evolved and are stable communities, like other ethnic groups of Myanmar, and that they are by right Myanmar nationals. This study shows that Muslim communities at Burma's independence automatically had Burmese citizenship, the same status as all other citizens of Burma, and that they were among the 144 national races of Burma until 1982. However, they gradually lost their status, rights and privileges after the military coup led by General Ne Win, in 1962. It is the main finding of the present research that the 1982 Burma Citizenship Law created by General Ne Win did not only deliberately target the Rohingyas in Rakhine State to make them "Stateless" and refugees, but also degraded most of the Muslims and other minorities throughout the country to become second class or third class citizens without any justification. This study also found that the 1982 Burma Citizenship Law is contrary to the basic principles of the United Nations Charter, human rights and international norms.

خلاصة البحث

تبحث هذه الدراسة عن هوية المجتمعات المسلمة في ميانمار (بورما) بناءعلى أساس أصولهم القديمة والمستوطنات في ميانمار، ونضالهم من أجل الحفاظ على هويتهم الوطنية في ظل الحكومات المتعاقبة. ونتائج هذه الدراسة تؤكد أن المجتمعات المسلمة في ميانمار، وهم البورميين المسلمين (عا في ذلك باثي، وميدو، وزيربادي)، ومسلمي راحين (عا في ذلك روهينجاوكمان)، وبانثاي المسلمين (الصينيين) وباشوالمسلمين (الملايو) قد تطورت تاريخيا وهي مجتمعات مستقرة، كبقية العرقيات الأخرى في ميانمار، وألهم من مواطني ميانمار بصورة قانونية. هذه الدراسة تبين أن المواطنين المسلمين حصلوا على الجنسية البورمية تلقائيا مثلهم مثل جميع المواطنين الآخرين من بورما، وكانوا من بين144عرقا وطنيا من بورما حتىعام 1982. ومع ذلك، فإلهم قد فقدوا وضعهم وحقوقهم وامتيازاتهم بعد الانقلاب العسكري بقيادة الجنرال بي وين، في عام 1962. والهدف الرئيسي من هذا البحث هو إثبات أن قانون مواطنة بورما لعام 1982 الذي أنشأه الجنرال بي وين لم يكن يستهدف الروهينجا في ولاية راحين ليصبحوا البلدون "ولاجئين فقط، ولكن أيضا استهدف إنقاص حالة معظم المسلمين والأقليات الأخرى في جميع أنحاء البلاد لكي يصبحوا مواطنين من الدرجة الثانية أو الثائلة دون أي مرد. ووحدت هذه الدراسة أيضا أن قانون مواطنة بورما لعام 1982 يتعارض مع المخادي المعاسية لميثاق اللأمم المتحدة لحقوق الإنسان، وكذلك يتعارض مع الأعراف

APPROVAL PAGE

Baharudin Ahmad Supervisor	
Abdul Ghafur Hamid Internal Examiner	
Abu Talib Ahmad External Examiner	

Chairperson

DECLARATION

I hereby declare that this thesis is the result of my own investigations, except where

otherwise	stated. I	l also	declare	that i	it has	not	been	previously	or or	concurrently
submitted a	as a whol	le for a	ny other	degre	es at I	IUM	or oth	er institutio	ons.	
Myint The	in (a) Ab	dus Sa	laam							
Signature .							Date .		•••••	

INTERNATIONAL ISLAMIC UNIVERSITY MALAYSIA

DECLARATION OF COPYRIGHT AND AFFIRMATION OF FAIR USE OF UNPUBLISHED RESEARCH

Copyright © 2012 by Myint Thein (a) Abdus Salaam. All rights reserved.

THE PROBLEM OF MUSLIM NATIONAL IDENTITY IN MYANMAR

No part of this unpublished research may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording or otherwise without prior written permission of the copyright holder except as provided below.

- 1. Any material contained in or derived from this unpublished research may only be used by others in their writing with due acknowledgement.
- 2. IIUM or its library will have the right to make and transmit copies (print or electronic) for institutional and academic purposes.
- 3. The IIUM library will have the right to make, store in a retrieval system and supply copies of this unpublished research if requested by other niversities and research libraries.

Affirmed by Myint Thein (a) Abdus Salaam	
Signature	Date

ACKNOWLEDGEMENTS

All praise be to Allah, Lord of the worlds, who created man and blessed him with knowledge and wisdom, and sent down the Revelation to His Messenger Muhammad (PBUH) that keep us on the straight path.

First and foremost, my deepest gratitude goes to Allah by whose Infinite Mercy and Blessings I have been able to undertake this work and complete it.

This study would not have been possible without the support and encouragement of many people and institutions inside and outside Myanmar.

It is a pleasure to express my deepest appreciation to my respected former Dean of ISTAC, Professor Dr. Ibrahim M. Zein, for his warmly welcome, kind understanding, co-operation, invaluable advice and help for the fulfilment of this work. I owe a special thanks to my respected Prof. Dr. Sayyid Mohamed Ajmal b.Abdul Razak Al-Aidrus (ISTAC) for his invaluable guidance and assistance throughout my studies. I wish to express my gratitude to Prof. Dato' Dr. Mahmood Zuhdi b. Hj. Abdul Majid (former Deputy Dean of ISTAC) and members of the thesis committee for their kind co-operation and valuable suggestions to complete this thesis. I am also indebted to Shaykh (Dr.) Muhammad 'Uthman El-Muhammady (ISTAC) for spending his valuable time to enlighten me.

I acknowledge my sincere thanks to my respected Supervisor Assoc. Prof. Dato' Baharudin Ahmad (ISTAC) and Post-Viva Supervisor Prof. Dr. Abdul Ghafur Hamid (AIKOL, IIUM), my respected External Examiner Prof. Dato' Dr. Abu Talib Ahmad (Dean, School of Humanities, USM), and Doctoral Examination Committee for their enlightening guidance, advice and help to complete this thesis.

I also wish to extend my profound thanks to Lt. Col. Shahreer (Retd.), former Executive Secretary of Regional Islamic Da'wah Council for South East Asia and Pacific (RISEAP) and Dr. Muhammad Yunus for encouraging me to join ISTAC, IIUM. I wish to express my gratitude to Prof. Dr. Hassan Ahmed Ibrahim (Dean of ISTAC), Prof. Dr. Abdullah Al-Ahsan (Deputy Dean of ISTAC), Prof. Dr. Hassan El-Nagar (ISTAC), Br. Sheikh Fareed and my colleagues of Futuwa committee of ISTAC, Sis. Majdiya, and the management committee of ISTAC, and the officers and staffs of libraries of ISTAC and IIUM (Gombak). My gratitude also goes to the Dean, Deputy Deans and staffs of Centre for Post Graduate Studies, IIUM, for their kind understanding and assistance during my studies.

My special gratitude goes to my beloved mother Ameenah and beloved wife Sarah, who are always supporting me and whose constant encouragements and sacrifices made me capable of finishing this work.

Finally, I am grateful to my colleagues Haji Muhammad Haneef, Maulvi Zakaria, Muhammad Umar, Umar Shareef, Muhammad Uthmaan, Muhammad Saleem, Capt. Isma'il, Haji Jalarluddin, Munna, Dr. Omar, Hafiz Iqbal, T. Rose, Br. T.Z. Aye, Haji Yusuf, Musa and Sakeenah, Sis. Laiqa Browne (UK), Al-Haj Syyad M.K. Ghaffari, A. Tun, Haji Mohamed Raihan bin Abu Bakar and those who supported me throughout my studies and always wish my success.

Myint Thein (a) Abdus Salaam May 14, 2012.

TABLE OF CONTENTS

Abstract	
Abstract in Arabic	
Approval Page	iv
Declaration Page	
Copyright Page	Vi
Acknowledgements	. vii
Table of Contents	viii
List of Abbreviations	Xi
Transliteration	. xii
CHAPTER 1: INTRODUCTION	
1.1. Background of the Study	
1.2. The Statement of the Problem	
1.3. Significance of the Study	9
1.4. Objectives of the Study	13
1.5. Literature Review	14
1.6. Methodology	29
1.7. Outline of the Study	34
1.8. Conclusion	35
CHAPTER 2: ORIGINS AND DEVELOPMENTS OF MUSLIM	
COMMUNITIES IN MYANMAR	
2.1. Introduction	
2.2. Kingdoms before the Colonial Period	
2.3. Muslim Settlements in Myanmar	
2.3.1. Muslim Communities in Myanmar before the Bagan Dynasty	
2.3.2. Muslim Communities in Bagan Era	
2.3.3. Settlement of Muslims during the Second Myanmar Empire	
2.3.4. Muslim Communities in the Third Myanmar Empire	76
2.4. Conclusion	105
CHAPTER 3: MUSLIM SETTLEMENTS IN RAKHINE (ARAKAN) AND	
THE ROHINGYA ISSUE	110
3.1. Introduction	
3.2. The Early Indian People (Indo-Aryan) of Rakhine	111
3.3. Muslim Settlements in Rakhine	
3.3.1. The First Phase: The Arrival of Arabs and Persians in Rakhine	115
3.3.2. The Second Phase: The Coming of Muslims from Bengal	117
3.3.3. The Third Phase: The Arrival of the Muslims of the Coastal Ar	reas
of Bengal as Victims of Pirates as well as Muslim Nobility	126
3.3.4. The Fourth Phase: Moghul Prince Shah Shuja Episode	129
3.3.5. Kaman, Myedu, Rohingya and Rakhine Muslims	
3.4. The Burmese Period (1785 – 1825)	

3.5. Rakhine under the British Colonial Period137
3.6. The Post Independence Period and the Rohingya Issue
3.7. Conclusion
CHAPTER 4: THE STRUGGLE OF MYANMAR MUSLIM COMMUNITIES
TO MAINTAIN THEIR IDENTITIES182
4.1. Introduction
4.2. The Role of Muslims in Anti-Colonial Struggle
4.3. Burmese Muslims in the Independence Movement203
4.3.1. The AFPFL and the Burman Muslim Congress (BMC)207
4.4. Burmese Muslims in the Post Independence Burma or the Era of
Parliamentary Democracy (1948-1962)219
4.4.1. Dissolution of the BMC and Emergence of the New BMC221
4.5. Burmese Muslims under Military Rule (1962-2010)
4.5.1. Military Socialist Government (1962-1988)227
4.5.2. The SLORC/SPDC Government (1988-2011)
4.6. Conclusion
CHAPTER 5: SUPPRESSING THE NATIONAL IDENTITY OF MUSLIMS
IN MYANMAR: VIOLATIONS OF INTERNATIONAL AND
HUMAN RIGHTS NORMS266
5.1. Introduction
5.2. The 1947 and 1974 Constitutions of Myanmar and Their Provisions
on Citizenship267
•
5.5. The 1982 Burina Chizenship Law vs international Norms
5.3. The 1982 Burma Citizenship Law Vs International Norms272 5.4. The 2008 Constitution of the Republic of the Union of Myanmar
5.4. The 2008 Constitution of the Republic of the Union of Myanmar
5.4. The 2008 Constitution of the Republic of the Union of Myanmar and Its Provisions on Citizenship287
5.4. The 2008 Constitution of the Republic of the Union of Myanmar and Its Provisions on Citizenship
 5.4. The 2008 Constitution of the Republic of the Union of Myanmar and Its Provisions on Citizenship
5.4. The 2008 Constitution of the Republic of the Union of Myanmar and Its Provisions on Citizenship
5.4. The 2008 Constitution of the Republic of the Union of Myanmar and Its Provisions on Citizenship
5.4. The 2008 Constitution of the Republic of the Union of Myanmar and Its Provisions on Citizenship
5.4. The 2008 Constitution of the Republic of the Union of Myanmar and Its Provisions on Citizenship
5.4. The 2008 Constitution of the Republic of the Union of Myanmar and Its Provisions on Citizenship
5.4. The 2008 Constitution of the Republic of the Union of Myanmar and Its Provisions on Citizenship
5.4. The 2008 Constitution of the Republic of the Union of Myanmar and Its Provisions on Citizenship
5.4. The 2008 Constitution of the Republic of the Union of Myanmar and Its Provisions on Citizenship
5.4. The 2008 Constitution of the Republic of the Union of Myanmar and Its Provisions on Citizenship
5.4. The 2008 Constitution of the Republic of the Union of Myanmar and Its Provisions on Citizenship
5.4. The 2008 Constitution of the Republic of the Union of Myanmar and Its Provisions on Citizenship
5.4. The 2008 Constitution of the Republic of the Union of Myanmar and Its Provisions on Citizenship
5.4. The 2008 Constitution of the Republic of the Union of Myanmar and Its Provisions on Citizenship
5.4. The 2008 Constitution of the Republic of the Union of Myanmar and Its Provisions on Citizenship
5.4. The 2008 Constitution of the Republic of the Union of Myanmar and Its Provisions on Citizenship
5.4. The 2008 Constitution of the Republic of the Union of Myanmar and Its Provisions on Citizenship
5.4. The 2008 Constitution of the Republic of the Union of Myanmar and Its Provisions on Citizenship
5.4. The 2008 Constitution of the Republic of the Union of Myanmar and Its Provisions on Citizenship
5.4. The 2008 Constitution of the Republic of the Union of Myanmar and Its Provisions on Citizenship

U Pe Kin, pp. 8, 9, 26, 90, 91	391
APPENDIX VII: Prime Minister guaranteed that Burmese Muslims are Bur	rmans.
The Hanthawaddy Daily Newspaper, 30 December, 1955	392
APPENDIX VIII: Felicitation from U Ba Oo, the President of the Union of	
Burma, dated 28 December, 1956, to the first All Burma	
Conference of Islamic Religious Affairs Council held at	
Meikhtila on 28-30 December, 1956	393
APPENDIX IX: The Instruction Book "How to Fill up the Form" for the 19	73
Population Census List issued by the Immigration and	
Manpower Department, the Ministry of Home and Religion	ous
Affairs, the government of the Union of Burma on	
9 December, 1972	395
APPENDIX X: "There are 143 National Races in the Union,	
It has been already prepared to take the Population Census	3"
Botahtaung Daily, 23 February 1973	397
APPENDIX XI: Map Showing the 14 States and Regions of Myanmar	398
APPENDIX XII: List of Districts, Townships, Cities/Towns, Wards, Villago	e
Groups, Villages in the Union of Myanmar	399
APPENDIX XIII: Map showing the Districts of Kayin (Karen) State	400
APPENDIX XIV: Map of the Northern Rakhine (Arakan) State	401
APPENDIX XV: The National Flag and the Official Name of the Country	
changed	402
APPENDIX XVI: The Rakhine Governors of Chittagong and their coins	
(with Arabic)	403
APPENDIX XVII: Some Burmese Muslims' Names in Ant-Fascist Movement	ent405
APPENDIX XVIII: Translation of the Burma Citizenship Law, 1982	407
APPENDIX XIX: Translation of the Speech on Burma Citizenship Law	
by General Ne Win	417
APPENDIX XX: United Nations Press Release on the Burma Citizenship L	aw,
1982	422

LIST OF ABBREVIATIONS

AFPFL Anti-Fascist Peoples' Freedom League ASEAN Association of Southeast Asian Nations

AMMYO All Myanmar Myanmar Muslim Youth (Religious) Organization

ARIF Arakan Rohingya Islamic Front

ARNO Arakan Rohingya National Organization

BMC Burman Muslim Congress
BMO Burman Muslim Organization
BMS Burma Moslem Society

BSPP Burma Socialist Programme Party
DHP Democratic Human Rights Party
DKBA Democratic Karen Buddhist Army
FPL Free People League of Burma

GCBA General Council of Burmese Associations

GCBMA General Council of Burma Moslem Associations

IRAC Islamic Religious Affairs Council
JBRS Journal of Burma Research Society
KNLA Karen National Liberation Army

KNU Karen National Union

ME Myanmar Era

MMNAO Myanmar Muslim National Affairs Organization

NGO Non-Governmental Organization

NDPHR National Democratic Party for Human Rights

NLD National League for Democracy
NPDP National Peace and Democracy Party
OIC Organization of Islamic Conference
RSO Rohingya Solidarity Organization

SLORC State Law and Order Restoration Council SPDC State Peace and Development Council

UN United Nations

UNC United National Congress

UNESCO United Nations Education, Science and Culture Organization

UNHCR United Nation High Commissioner for Refugees USDA Union Solidarity and Development Association

USDP Union Solidarity and Development PartyYMBA Young Men's Buddhist AssociationYMCA Young Men's Christian Association

THE SYSTEM OF TRANSLITERATION USED (FROM MYANMAR LANGUAGE TO ENGLISH)

Consonants

က	ka	Ø	sa/ca	Q	ta/tta	တ	ta	Ø	pha	O	la
ခ	kha	ဆ	sa/cha	បា	hta/ttha	8	hta	Ö	ba/bha	0	wa
O	ga	Q	za/ja	2	dda	3	da	ဘ	ba	သ	tha/sa
ಬ	gha	ဈ	za/jha	υ	ddha	0	dha	မ	ma	ဟ	ha
С	nga	೭	nya/nnya	ന്ത	na/nna	န	na	ယ	ya	Ē	lla
	·	ည	nya			O	pa	ရ	ra	အ	a

Vowels

–ე	a/aa/ar	<u>o</u>	i	9	i/ee	ī	u
_ IL	uu	6-	e		ai	6−ɔ	aw
<u>–ေ</u> S	aw'	<u>o</u>	О				

Medials

٦	-у	G E	r	10	-W		-h
Eg. ကျ	kya	ကြ	kya/kra	നു	kwa	မှ	hma

Killers

က်	ka	દ્	t	હ	f/ph	હ	z/j	કુ	d	8	w
ક	kh	ဌ	th	g	b/bh	စ်ျ	z/jh	δ	dd	మే	th/s
δ	g	ဍ	dd	ဘ်	b	ی	ny	CA)	n	ගි	h
బ్	gh	ઈ	ddh	န်	m	ည်	i/ee/nny	ઠ	p	5	I
3	ng	ග්	nn	ယ်	y/ae			အ်	a	7	
δ	s/c	නි	t	ရ်	r/y						
න්	s/ch	ထ်	ht/th	ર્જ	1	Eg.	ကက် kak	မင်	min	မန်	man

CHAPTER ONE

1. INTRODUCTION

1.1. BACKGROUND OF THE STUDY

Burma, renamed as Union of Myanmar in 1989 and Republic of the Union of Myanmar in 2008, is a multi-ethnic country¹ in Southeast Asia in a strategic position with the Indian Sub-continent in the west, China in the north and east and Indochina peninsula nations in the southeast. Ethnic Burmans or Bamars form the majority of Myanmar's total population and they comprise the vast majority of strongly centralized Myanmar government and army. Although the country has no official state religion, the government continued to show preference for Theravada Buddhism through official propaganda and state support because it is professed by the majority of country's population.² Previously an independent kingdom, Burma was annexed by the British Empire into the colony of India in 1886. The Japanese invaded and occupied the country during the Second World War but it was returned to British control and finally it regained her independence in 1948.

This study tries to examine and discuss the origins and development of Muslim communities in Myanmar, their struggle for independence and contributions to nation building with a Union spirit, their struggle to preserve their national identity under successive governments, the change of the attitude of Burmese Buddhist political

¹ Constitution of the Republic of the Union of Myanmar (2008), Chapter I: Basic Principles of the Union, Section 3, (Yangon: Printing and Publishing Enterprise, Ministry of Information, 2010), 3. "Burma" is the official name of the country under the 1947 constitution. "Myanmar" means "nation of the swift and strong people." The spelling of capital city's name "Rangoon" was also changed to "Yangon" in 1989 by the military junta.

² Ibid., Chapter VIII: Citizen, Fundamental Rights and Duties of the Citizens, Section 361, 149.

leaders towards Muslim communities in Myanmar in the post-independence periods, the key sources of social tension between some Burmese Buddhist extremists and the Muslim minority, the burdensome and dangerous effect of the 1982 Burma Citizenship Law on Muslim communities, the Rohingya issue and refugee problem, and the possible solution for the problem of Muslim national identity in Myanmar.

1.2. THE STATEMENT OF THE PROBLEM

Islam has flourished in Myanmar for centuries since the 8th century AD³ and throughout the history of Myanmar, Muslims have had very cordial and amicable relationships with their brothers and sisters of other faiths. The indigenous Muslims were regarded as ethnic national races and were given responsible posts by Burmese monarchs and Rakhine kings in the state services. The term "*Pathi*" was officially used for the Burmese Muslims during the reign of Burmese kings.⁴

During the British rule, the term "Zerbadee" was used for the Burmese Muslims, both the descendants of Burmese Muslims from the days of Burmese kings and the progeny of mixed marriages between Muslims Indians and Burmese since the period of British conquest, in the population census taken in Burma in 1891, which was the first census to include the whole of Burma. However, the Burmese Muslims were not fond of the term "Zerbadee" and by their struggle, in 1941; the government

³ SasanaYaung-war Htun-se-boh, [The Glory of Religion to be Enlightened], vol. 1, (Yangon: Office of the Director of Rehabilitation, Ministry of Defense, 1997), 65-73; R.B. Smart, Burma Gazetteer: Akyab District, vol. A, (Rangoon: Government Printing and Stationary, 1917), 20; U Kyi (B.A), Myanmar Yazawin Thi-at-phwe-yar Ah-phyar-phyar [Various Notable Facts in the Chronicle of Myanmar], (Rangoon: University of Rangoon, 1962), 160. The author was formerly a lecturer in the history department of the University of Rangoon.

⁴ U Tin, Myanmar-min Oke-choke-pone Sartan hnit Bo-daw-pha-ya-gyi-i' Ya-za-that khaw-thaw ahmaint-taw taan-gyi [Thesis of the Administration of Burmese Kings and Criminal Law Royal Decree of Bodawpaya], part 4, (Rangoon: Government Printing Press, 1962-1973), 176.

⁵ Moshe Yegar, *The Muslims of Burma: A Study of a Minority Group*, (Otto Harrassowitz: Wiesbaden, 1972), 33. It was a thesis submitted to Hebrew University, Jerusalem, for his master degree in 1960s and it was published in 1972.

announced its decision by the Notification No.1112, dated August 9, 1941, to grant the Muslims' request and replaced the term "Zerbadee" by "Burman Muslim." "Burman" refers to the ethnic group and "Burmese" refers to all citizens of Burma as well as the name of the language spoken by Burmans.

During the struggle for the independence of Burma, the Anti-Fascist People's Freedom League (AFPFL) convention in January 1946 in Rangoon (Yangon), led by the national leader Bogyoke Aung San, affirmed the Burmese Muslims' loyalty to the country like all others and applauded the stand of the Burman Muslim Congress (BMC), "Burmese Muslims are Burmans." The AFPFL convention offered to give national minority rights to the Burmese Muslims if demanded according to the proposal no.6. According to the section 10 of the Constitution of the Union of Burma (1947), there was one class of citizenship only throughout the Union. According to the subsections (i), (ii) and (iii) of the section 11 of the Constitution, Myanmar Muslims both the descendants of Burmese Muslims, from the days of Burmese kings, and the progeny of mixed marriages, between Muslim Indians and Burmese, since the period of British conquest were already the citizens of the Union.

On December 29, 1955, at Rangoon City Town Hall during the meeting with the representatives of the Burman Muslim Congress to dissolve the Congress, U Nu, the Prime Minister and the leader of the AFPFL affirmed and guaranteed that Burmese Muslims are Burmans and that if they wish to continue their political careers after dissolving the Congress they should join the AFPFL as Burmese nationals or

⁶ The Government Notification No. 1112, 9 August 1941, (Rangoon: Secretariat, Ministry of Information, 1941), See Appendix III; Col. Henry Yule and A.C. Burnell, *Hobson-Jobson: A Glossary of Colloquial Anglo-Indian Words and Phrases, and Kindred Terms, Etymological, Historical, Geographical and Discursive*, (London: John Murray, New edn., 1903), 1984.

⁷ "The AFPFL Solved the National Minority Problem," *Deedok Journal Weekly*, vol. 19, no. 26, (4 February, 1946), 15-16, 31. See Appendix IV.

⁸ Constitution of the Union of Burma, (Rangoon: Government Printing and Stationary, 1948), Section 11.

they should join the Islamic Religious Affairs Council if they want to carry out religious activities.⁹

According to the Instruction Book "How to fill up the form" for the 1973 Population Census issued by the Ministry of Home and Religious Affairs, the Government of the Union of Burma, on December 9, 1972, there were 144 national races in Burma including Rakhine-Chittagong, Burmese Muslim, Rakhine-Kaman, Myedu, other Burmese-Indians (except Chittagong, Hindustani, Tamil, Talagu, Dainet, other Indians and Pakistanis),and Burmese-Chinese (including Panthay). Moreover, the government newspapers quoted the Immigration and Manpower Department that there were 143 principal ethnic races 11 including the abovementioned 6 ethnic races which professed Islam as their faith. Therefore, these Muslims gave their votes for the new Constitution of the People Socialist Republic of the Union of Burma (1974) as the ethnic races and citizens of Burma. However, under the dictatorship of General Ne Win, his Burma Socialist Programme Party (BSPP) excluded the names of these ethnic races who professed Islamic faith, except Rakhine-Kaman by proclaiming the 1982 Burma Citizenship Law and recognized only 135 ethnic groups. 12

Thus, we can observe that the Burmese military and political leaders changed their attitude towards Muslim minority ignoring the historical facts and laws. The concept of the decision of Burman Muslim Congress in 1946 "Burmese Muslims are Burmans," and the affirmation and guarantee for their identities given by the AFPFL

⁹ *The Hanthawaddy Daily Newspaper*, 30 December, 1955. "The Prime Minister U Nu's Speech." See Appendix VII.

¹⁰ Pone-san Phyae-swet-yan Hnyun-kyar-chet [The Instruction How to Fill up the Forms], (Rangoon: Immigration and Manpower Department, Ministry of Home and Religious Affairs, 9 December, 1972), 45. See Appendix IX.

¹¹ "There are 143 National Races in the Union, Already Prepared to Take Population Census," *Botahtaung Newspaper*, 23 February, 1973, 11. See Appendix X.

Myanpyithar, "Our Union of Myanmar Where 135 Ethnic Groups Reside," *The Working People's Daily*, 26 September, 1990, 7.

and the Constitutions of Myanmar 1947 and 1974 no longer seem to be working. Therefore, close attention is required to make known and recognize that the above-mentioned Muslim communities in Myanmar are not only the citizens of Myanmar by birth, but are also national ethnic groups of Myanmar.

We can also observe that misunderstandings and mutual distrust arose between The majority Burmese and ethnic minorities during the colonial period due to the divide-and-rule policy andafter regaining independence, some ethnic minority groups took up arms against the Burmese dominated central government claiming that they gradually lost their rights while they could maintain their national identities. ¹³ The Burman Muslim Congress contributed their best services to unite the Mainland (Majority Burmese) and the Frontier Areas (Ethnic minority groups) and to sign Panglong Agreement in 1947 to form the Union of Burma. However, as for the Muslim communities in Myanmar, although they struggled hand-to-hand with their Burmese Buddhist brothers and sacrificed their minority rightsin order to give priority to the independence movement, after regaining independence, they not only lost their citizen's rights gradually but also were unjustly rejected even their community identity. Nowadays, the legal status of the vast majority of Muslims in Myanmar is described as "suspicious" by the immigration officials who refuse to issue the Citizenship Scrutinizing Cards to them, claiming that they are not qualified, as the 1982 Burma Citizenship Law requires. Rohingyas in Rakhine (Arakan) State have been commonly referred to as "stateless" because they were generally not eligible even for National Registration Cards¹⁴ and some of them are treated as refugees in Bangladesh, Saudi Arabia, Thailand, Malaysia and Indonesia.

¹³ Union Spirit, (Yangon: News and Periodicals Enterprise, Ministry of Information, 2000), 74-82, 120.

¹⁴ International Religious Freedom Report 2010 - Burma, U.S. Department of State.

Since then, there were numerous misunderstandings on Islam and Myanmar Muslim communities by non-Muslims. The new generation of Burmese Buddhists - both laymen and educated persons - unwittingly think that the Myanmar Muslims are "Kalas" which means aliens or "undesirable Indians" who are not their countrymen. Some immigration officials, without knowing the true history of Muslims in Myanmar, even claim that there was neither Islam nor Muslims among the ethnic races of Myanmar and accuse Muslims in Myanmar of trying to create new races solely on religious grounds. Many Muslims have to admit that they are of mixed-blood so that their races are noted as Indian-Bamar, Pakistan-Bamar, Bangladesh-Bamar on their identity cards. Even after making such a statement, most Muslims do not receive their citizenship scrutinizing cards. Moreover, Muslim graduates of the universities who have no citizenship scrutinizing cards in hand cannot receive their degrees/certificates. Therefore, they face difficulties in progressing to further studies and employments, as well as being able to apply for passports to travel abroad.

Even though there is no written directive, that bars Muslims from job opportunities and promotion in the government services, in practice that is what happens.¹⁶

Moreover, there have been anti-Muslim movements and riots and many Muslims have lost their lives and property. Mosques and madrasahs (religious schools) were destroyed, copies of the Holy Qur'an were burnt or insulted, many people who defended themselves are in prison because of frequent anti-Muslim riots in many cities such as Hin-tha-da, Taung-gyi, Yangon, Mandalay, Maw-la-myaine, Bago (Pegu), Pye (Prome), Kyauk-pyu, Sit-twe (Akyab), Toung-oo, Kyauk-se and

¹⁵ The Mirror Daily, 14 July, 1990 and 13 September, 1990.

¹⁶ Harry Priestley, "The Outsiders," *The Irrawaddy*, vol. 14, no. 1, January 2006, 17.

Chauk etc.¹⁷ Some mosques and madrasahs were allowed to be rebuilt or reopen in other places after the riots, but not allowed to reopen in some places (e.g., Toung-oo and Chauk).

Certain townships in Rakhine State such as Gwa and Taung-kote were declared as "Muslim-free Zones" by some extremists in 1983 and Muslims no longer are permitted to live in those townships. Man-aung Island (Cheduba) was noted as a Muslim-free Zone too. In Rakhine State, it is very difficult for Muslims to travel, to do business and to study without an identity card. The government said that it is for security reason, but Muslims feel that it is a form of ethnic cleansing. 19

In discussing the problem of Muslim identity in Myanmar, there are some inescapable questions because General Ne Win, the dictator and the real author of the Burma Citizenship Law of 1982, which creates three classes of citizen and denies citizenship to many Muslims, openly declared that only *pure blood* should be called nationals of Burma. Since then Muslim communities in Myanmar are being accused that they are mix-blooded people, migrants only and *Kalas* (aliens or undesirable Indians who do not belong to Myanmar) and they have no separate state, and no race can be formed based on the religion. Therefore, they are neither part of the national ethnic groups of Myanmar nor even eligible to be citizens. Some Burmese leaders blindly or unwittingly followed General Ne Win's words and identified themselves as

¹⁷ This kind of news is never mentioned in the primary sources and not allowed to mention officially in the secondary sources by the authorities inside Myanmar too. However, the military junta published a book in two volumes "Sasana Yaung-war Htun-se-boh" [The Glory of Religion to be Enlightened] in 1998, after widespread Buddhist monks' attack on mosques in 1997, to show its encouragement to other religions. Buddhists also claimed that the monks who attacked the mosques were not the real Buddhist monks and it was a political diversion only.

¹⁸ "Abuse of Religious Freedom," *International Religious Freedom Report 2005 - Burma*, U.S. Department of State.

¹⁹ Priestley, 18.

²⁰ The Working People's Daily, 9 October, 1982.

pure race while condemning the inter-breeding as *impure race*. ²¹ This research discusses and analyses:

- 1. Did Muslim communities in Myanmar such as Burman Muslims, Pathi, Myedu, Rakhine Muslims, Rohingya, Kaman, Pashu, and Panthay emerge during the colonial period as aliens, or emerge as national races of Burma prior to the colonial period? Had they established their races solely based on religious grounds as accused by some ultra-nationalists?
- 2. Did the Islamic civilization flourish in Mrauk-U period (15th-18th centuries AD) in Rakhine? Are the Rohingyas migrant Bengalis of the British period as accused today, and what are the roots of the Rohingya issue?
- 3. What are the consequences of the resolution of the Burman Muslim Congress (BMC) in 1946, "Burmese Muslims are Burmans," in order to support the efforts of Bogyoke Aung San, Father of the nation, for the total independence? How did the Myanmar Muslim Communities struggle to maintain their national identities after the independence?
- 4. Are there violations of human rights and international norms in Myanmar including the suppressing of the national identity of Muslims in Myanmar? Does pure race exist in the world today and does the 1982 Burma Citizenship Law deliberately target the Rohingyas to become "statelessness" and degrade most of the Muslims and other minorities to second-class citizens?

.

²¹ The Working People's Daily, 22 February, 1991.

1.3. SIGNIFICANCE OF THE STUDY

The National identity and rights of citizen seem to have become an important issue (in socio-politics) in Myanmar, after regaining independence in 1948 generally and specially after the military coup, led by General Ne Win, in 1962. The challenge for the citizens of Myanmar today is to redress the lack of democracy. Many seem to remember the 1988 uprisings, a cry of the oppressed against the dictatorship of General Ne Win and his Nazi-like Burma Socialist Programme Party (BSPP), some recall the military coup in 1962 because all the minority ethnic groups and minority religious groups lost their rights gradually after that coup. The majority of Burmans also suffered very badly, economically and educationally. However, we seem to forget the forced dissolution of the Burman Muslim Congress by the AFPFL in 1956.

At the time of the establishment of the AFPFL, by the advice of its leader Bogyoke Aung San, ²² the Burman Muslim Congress (BMC) was founded by the Burmese Muslim nationalities and the existing Burmese Muslim Organizations in December 1945, in Pyinmana. Sayagyi U Razak, ²³ an influential leader in the Burmese national movement and in the AFPFL, was elected as the President of the Congress. ²⁴ It established branches, and became powerful throughout the country and joined the AFPFL as an ethnic group. ²⁵

During the struggle for the independence of Burma, the AFPFL convention in

-

²² The term *Bogyoke* in Myanmar means Major General. However, people in Myanmar called Aung San *Bogyoke* until now to show their respect and love to him not only as a military leader but also as the father of the nation. There are many places in Myanmar to commemorate him such as Bogyoke Street, Bogyoke Garden, Bogyoke Market etc.

²³ Saya in Myanmar means Treet and Myanmar means M

 $^{^{23}}$ Saya in Myanmar means Teacher or Master and Gyi means big or great. Therefore, Sayagyi means Great Teacher or Great Master. People in Myanmar used this term for some leaders with due respect for their good leadership with wisdom. The term U (for a man) or Daw (for a woman) is used in the beginning of a Burmese name of a person. Although U Razak was a Muslim, he was called Sayagyi because of his exemplary leadership with patriotic spirit, wisdom and sacrifices for the country.

Saya U Than Pe (Pyinmana), *Bamar Muslim Pyat-tha-nar* [The Issue of Burman Muslim], (Rangoon: World Peace Press, 1946), 45-57.

²⁵ "The People Who Will Contrive the Fate of Burma," *Deedod Journal Weekly*, vol. 19, no. 26, (4, February, 1946), 22.

January 1946 in Rangoon (Yangon), led by the national leader Bogyoke Aung San, affirmed the Burmese Muslims' loyalty to the country like all others and applauded the stand of the Burman Muslim Congress, "Burmese Muslims are Burmans." The AFPFL convention offered to give national minority rights to Burmese Muslims, if demanded according to the proposal no.6.²⁶

National Elections for a Constituent Assembly were held in April 1947. The AFPFL, led by Bogyoke Aung San, won the majority of seats. However, on July 19, nine persons, including Bogyoke Aung San and Sayagyi U Razak, were assassinated during their ministerial meeting by a group of armed men. Out of the nine martyrs of the country, Sayagyi U Razak and Ko Htwe (Bodyguard of Sayagyi U Razak) were Muslims. U Nu became the Head of the AFPFL as well as the Executive Council. The Union of Burma became an independent nation on January 4, 1948, and U Nu became the first Prime Minister of the country.²⁷

Many foreigners, Muslims as well as non-Muslims, think that Rohingyas are the only Muslim group in Myanmar and therefore, the terms Rohingya and Bamar Muslim (Burman Muslim) are the same. As a result, sometimes they make wrong or incomplete statements and decisions for the cause of Myanmar Muslim communities thinking that solving the Rohingyas' problems is solving the problems of Myanmar Muslim communities as a whole for the political, economic, educational, social aspects etc. The issue of Rohingyas is very sensitive in Myanmar. Rohingyas are just one group of Myanmar Muslim communities, who live in the northernmost part of Rakhine (Arakan) State, and now some of them live in different parts of Myanmar and outside Myanmar.

²⁶ "The AFPFL Solved the National Minority Problem," *Deedok Journal Weekly*, vol. 19, no. 26, (4 February, 1946), 15-16, 31. See Appendix IV.

U Pe Kin, *Ko-twe Pinlon* [Pinlon, An Inside Story], (Yangon: Ministry of Information, 6th edn., 1990), 90.

This study deals with the struggle of Myanmar Muslim communities for their identities and rights in the different political situations and the impact of the resolution of Burman Muslim Congress (BMC) in 1946 "Burmese Muslims are Burmans" on Myanmar Muslim society which provoked the idea that clashed among the members of the old BMC itself, and later, between the old BMC and the new BMC. And this study also concentrates the issues which emerged from this clash of ideas.

After the dissolution of the old BMC by the pressure of the AFPFL on September 30, 1956, many members of the old BMC, who wished to continue their political careers, joined the AFPFL. However, on October 1, 1956, the new Burman Muslim Congress was formed by those who did not accept the dissolution of the old Congress and later changed its name to the "All Burma PathiNational Congress." It renewed the old claim that the Myanmar Muslim community be granted the status of a recognized national minority by the term "Pathi," similar to the Kachin, the Karen and the Chin.²⁸

This difference of ideas regarding the identity of the Myanmar Muslim community, "Burmese Muslims are Burmans which means to merge with the Burmese majority" and "Burmese Muslims are a national minority group of Myanmar," still continues among the Myanmar Muslim communities and organizations up till now, and it was one of the important items to be discussed among the Myanmar Muslimbased political parties before and after the Multi-Party Democracy General Election period (May, 1990). Moreover, some elements among Myanmar Muslims, without proper knowledge of the history of Myanmar Muslims and with no political foresight, claim that they are neither Burmans nor Myanmar Muslims but they are *Kalas* (Indians), and that Myanmar is not their country.

²⁸ Report of the General Secretary of the new BMC to the general assembly to discuss the Burman Muslim affairs and the issues of Burmese politics, in Mandalay, Upper Myanmar, in March, 1960.

Some Myanmar Muslims, nowadays, are blaming the old BMC and its President Sayagyi U Razak for the resolution "Burmese Muslims are Burmans," because they think that the current problems of the Myanmar Muslim communities are the consequences of that resolution. In fact, they have very poor knowledge of history and politics, and some of them are not even interested in politics. Although there were differences of opinions on the identity of Myanmar Muslims, this resolution was also working well for that period because, after the emergence of the 1947 Constitution of Burma and her Independence in 1948, there were Muslim Ministers, Members of Parliament and high-ranking officers in government services and in the military. Moreover, Myanmar Muslims participated as full citizens of Burma to vote for the emergence of the 1974 Constitution of the Socialist Republic Union of Burma. It was only after the Burma Citizenship Law of 1982 proclaimed by the dictatorship of General Ne Win and his so-calledSocialist Government; that Myanmar Muslim communities faced the different kinds of problems in many aspects socially, economically and politically, including their identity problem. Today, the Myanmar Muslim refugees' problem extends, not only to border countries like Bangladesh and Thailand, but also to Saudi Arabia as well as to ASEAN countries, as refugees andboats-people in the beginning of 2009.²⁹ Therefore, this study is important not only to Myanmar society but also to the world communities including ASEAN, the United Nations (UN) and the Organization of Islamic Conference (OIC).

General Ne Win had ruled Myanmar since 1962 after a successful military coup by the Revolutionary Council and then it formed the Burma Socialist Programme Party (BSPP) to govern the nation in his socialist

²⁹ Hardyanto, "The Rohingya Question, a True Test for ASEAN," *The Jakarta Globe*, 17 February, 2009. (Opinion).