PANTHAY AND ROHINGYA:
DEALING WITH CITIZENTSHIP IN MYANMAR

Dewi Hermawati Resminingayu
Faculty of Humanities, Universitas Indonesia
dewi.reminingayu@gmail.com

Abstract

Neither ethnic and religious background nor historical root could likely explain the fact that most Panthay have been granted Burmese citizenship while the Rohingya have not. Both groups are not adhering to the majority's religion nor belong to the major ethnic groups. Also, their ancestors were not considered native nor settled in Myanmar before British colonization. This fact triggers question of how these similarities resulted in different outcomes. Therefore, this paper attempts to explain this issue of citizenship by looking at resistance shown by Rohingya and Panthay. This paper argues that different forms of resistance contribute to the denial of Rohingya citizenship but inclusion of the Panthay.

Keywords: Panthay, Rohingya, resistance, Myanmar

Introduction

The denial of Rohingya citizenship in Myanmar has gained international concern for more than a decade. The reason underlying this denial is 1982 Burma Citizenship Law which requires the people to settle in Myanmar prior to 1823 when British officially colonized Burma. According to Human Rights Watch report (2000), this law excludes the Rohingya because they cannot provide "conclusive evidence" stating they or their ancestors had settled before 1823. The Myanmar government considers the Rohingya as migrants brought by the British colonization; therefore, they are not eligible to attain citizenship. In contrast to the Rohingya, the Panthay who also settled in Myanmar after British colonization do not face much difficulty in attaining the citizenship. This fact implies that the reason underlying the denial is beyond that of stated by the government.

Another reason that might explain why the Rohingya have not been granted citizenship is the ethnic and religious identity, for the prominent issues surrounding the national integration in Myanmar are mostly related to ethnicity and religion. Nevertheless, both the Rohingya and the Panthay do not belong to the majority ethnic group and religion. Both groups are Muslims which comprise only 4% of the population although Walton (2013) argues that the percentage is contestable. With regard to the ethnicity, the ancestors of the Panthay are Yunnanese Muslims that are not considered native of Myanmar. While the origin of the Rohingya is still debatable,

the Myanmar government has regarded them as descendants of migrants from Chittagong area, part of Bangladesh.

Based on the above explanation, it is clear that neither historical root nor ethnic and religious identity could likely explain why the Rohingya and the Panthay are treated differently. Therefore, this paper attempts to identify the reasons underlying the exclusion of the Rohingya and the inclusion of the Panthay. This paper will argue that the contributing factor is the form of resistance towards the domination of the Burmans and the Buddhists embedded within the government. Each group had employed different forms of resistance which provoked different reactions from the government. Before this argument is elaborated further, this paper will describe the brief history of both groups in order to understand the ongoing conflict coherently

Brief History

The Panthay

Panthay is a term widely used to refer to the Yunnanese Muslims living in Myanmar. However, there are some different opinions within the Yunnanese Muslims regarding the term. One religious leader in Mandalay prefers his community to be referred as Chinese Muslim having Han blood which reflects their ancestors in China because he thinks Panthay has pejorative meaning (Chang, 2014, p.121). After studying the community, Yegar (1966, p. 84) also emphasizes how the Yunnanese Muslims refer to themselves as Chinese Muslims because they disregard the term Panthay. Another religious leader living in the same city, in contrast, insists on using Panthay which gives the community distinct ethnic identity among many ethnic groups in Myanmar (Mullins and Aye, 2014). With regard to this matter, this paper employs the term Panthay in order to differentiate Yunnanese Muslims living in Myanmar from those living in China and Thailand. The use of Panthay, nevertheless, is not intended to degrade or disrespect the community.

As described earlier, the current Panthay are mostly descendants of the Yunnanese Muslims from two waves of migration. The first wave occurred when Yunnan Sultanate was defeated by the Chinese government during Panthay rebellion around 1873, which triggered the mass migration to Myanmar (Yegar, 1966, p.80). Some of them went to the Nanpha region where the Wa ethnic group has been living. They then requested a place to settle which later was named Panglong (Chang, 2014, p.120). There were only small disputes among the Panthay and the Wa during the first decades after the Panthay arrived. The biggest war happened in1926 which was caused by the local jealousy towards the Panthay (Chang, 2014, p.121). This war coincided with the emergence of Burman nationalist movement which spread anti-Indian and anti-Chinese sentiment (Forbes, 1986, p.391). From 1942 to 1945, some of the Panthay migrated back to Yunnan because of Japanese occupation.

The second wave took place after World War II when communist took over the Chinese government. One Panthay explains that the Yunnanese Muslims migrating to Burma after World War II were the same as those migrating from Myanmar to Yunnan during Japanese occupation (Chang, 2014, p.122). Forbes (1986, p.391) also states that the Panthay fled from Myanmar because of Japanese occupation, but they preferred migrating to Thailand instead of Myanmar after communist government ruled China. Based on this, it is possible that not only the Panthay but also some Yunnanese Muslims who had not settled in Myanmar previously might have migrated to Myanmar during 1945.

The Rohingya

The use of term Rohingya is actually controversial. On the one hand, Myanmar government and the majority are reluctant to use the term. The change of military government does not affect the perspective, for Smith (2010, p.223) mentions that both SLORC (State Law and Order Restoration Council) under Ne Win's regime and SPDC (State Peace and Development Council) which replaced it did not acknowledge Rohingya as an identity of particular ethnic group. Similarly, the majority group prefer to address them as Bengali Muslims or Kala (Kipgen, 2014, p.242). On the other hand, the Rohingya and several international organisations consistently employ the term Rohingya.

These contrasting arguments lead to different versions of the Rohingya's history in Myanmar. The first group believes that Rohingya migrated to Arakan after British conquest in 1826. Since the British needed lots of agricultural labours, colonized people from South Asia were brought to the area of present Myanmar (Taylor, 2005, p.272). Similar to any typical colonization system, British favoured the particular group of diligent workers. In Arakan, particularly, the Muslim labours from South Asia were favoured because of their obedient characteristics compared to the Arakan people (Charney, 1999, p.284). This surely prompted tension between Arakan people and the Muslim migrants. The enormous confrontation that finally split the Buddhists and the Muslims in Arakan took place in 1942, for the Rohingya were recruited by as British fighters while the Arakan people supported the Japanese (Christie, 1996, p.166). This confrontation has resulted in geographical division: south Arakan occupied by the Buddhist and the north was for the Muslims (Constantine, 2012, p.154). As the language of Rohingya resembles that of people in Chittagong area in Bangladesh, the Rohingya are considered Bengali immigrants and cannot attain Burmese citizenship (Gee, 2008; Chan, 2005, p.397). Moreover, it is argued that the term Rohingya had just emerged in 1951 (Chan, 2005, p.412). This enhances the argument that the Rohingya do not have historical root like other ethnic groups that date back their history before colonization era.

The second group, in contrast, believes that the ancestors of Rohingya had settled in Arakan state, where most Rohingya are currently living. This argument dates back to the 7th

century Arakan (now Rakhine) when Muslims were believed to first settle (Arakan Rohingya National Organisation, 2012). Others prefer to base their argument from 13th century Arakan when Muslims' population grew during Mrauk U Dynasty (Charney, 1999, p.147). Those references do not explicitly state the presence of the Rohingya during 7th or 13th century. Nevertheless, they argue that the various Muslim groups in the past have evolved into the current Rohingya population and formed their distinct culture along with religious identity (Siddiqui, 2005).

Regardless this controversy, this paper employs the term Rohingya because it has been widely known. The term Bengali Muslims might confuse the community in Myanmar with the Muslims in Bangladesh. Meanwhile, Kala has various interpretations, for it might refer to non-Buddhists (Egreteau and Jagan, 2013, p.61) or foreigners mostly from South Asians (Lintner, 2007).

Forms of Resistance

The Panthay

As illustrated above, the Panthay and most Rohingya settled in Myanmar after British colonization in 1823. Most of the Panthay have acquired citizenship (Mullins and Aye, 2014) while the Rohingya have been fighting to get citizenship since 1980s. This triggers question why the requirement in 1982 Burma Citizenship only affects the Rohingya. This paper argues that different forms of resistance towards Myanmar government have resulted in different treatments. To start with, the Burman nationalist movement during 1920s-1930s had caused anti-Chinese and anti-Indian sentiment flourish. Dealing with this situation, Forbes (1986, p.391) argues that the Panthay chose to assimilate with the majority of Burmese people. In similar vein, Yegar (1966, p.84) states that the trend of being Burmese among the Panthay has reduced their attachment to Chinese culture. This decision to assimilate might have contributed in building good relationship between the so-called native in Myanmar and the Panthay. It can be seen from the story presented by Chang (2014, p.122) in which the Panthay and the Wa had a harmonious relationship since the War in 1926.

This argument regarding Panthay assimilation also explains how the Panthay could easily adapt in Myanmar after the independence although the Burman nationalist sentiment could have harmed them for having identity as Yunnanese descendants. Moreover, the assimilation also helped them survived during U Nu's government in which Buddhist belief was made as state religion (Taylor, 1987, p.291). The only predominant concern emerging among the Panthay was the nationalisation policies under Ne Win's government since 1962. Ne Win called for the nationalisation of enterprises leading many businessmen to give up their private enterprises in 1964 (Chan, 2005, p.413). This affected the Panthay who made a living through their private enterprises. Chang (2014, p.129) gives an example of story in which one Panthay had to hand

over his transportation business and started over in the knitting machine business. Interestingly, they were not ousted like the Indians during the nationalisation project. The fact that Ne Win needed investment from Yunnanese traders to reconstruct devastated Mandalay during 1980s (Egreteau, 2015, p.124) cannot be ignored, for the Panthay are part of the successful Yunnanese traders in Mandalay. Thus, they could stay in Mandalay by providing financial aid to the government.

At first glance, the choice to assimilate and give up their private business can be seen as the acts of obeying the dominant ruler which is the Myanmar government. However, Chang has provided a contrary fact from that of Yegar (1966, p.84) and Forbes (1986, p.392) who predicted that the Chinese culture and Islam would slowly disengage from the Panthay's life. In her recent book, Chang presents the stories of the Panthay during 2000s which show how the Panthay are able to maintain their Chinese culture as well as Islamic identity. In the same account, Egreteau (2015, 126) also argues that the strong Chinese culture can still be seen in Mandalay. The fact that the Panthay are able to maintain their cultural and religious traits as well as their business can be explained by the theory of everyday politics. Kerkvliet (2005, p.3) defines everyday politics as a form of political activities, specifically resistance towards authoritarian government, that is embedded in daily life. This resistance is not direct resistance in which the people refuse to subsume under the government's rules openly. Instead, their daily activities reflect their resistance towards the government.

To illustrate, U Maung Maung Lay, one of the Panthay living in Mandalay, has Burmese, Chinese, and Arabic names each of which is used based on the needs; the Burmese name is used when he works in university while the Arabic is for religious events (Mullin and Aye,2014). By adjusting his name with his activities, he could avoid harsh treatment whenever he deals with the complicated situation because of his ethnic and religious identity. Similar story is presented by Mu Dadie in Pyin U Lwin where he founded class for Arabic learning in 1990 but registered it as student's dormitory (Chang, 2014, p.130). Although it seems that both of them do not resist over the Buddhist domination, the fact that they still embrace Islamic teachings by all means reveals how the resist to embrace Buddhism imposed by the government.

The Rohingya

Compared to the Panthay who choose to perform everyday politics, the Rohingya have openly expressed both their opinions and disagreement towards Myanmar government. During the first decade after the independence, the Rohingya demanded autonomous state within the Union of Burma. Similar to the controversial term Rohingya, this demand also has two versions. The first version presented by Chan (2005, p.411) states that Rohingya uprising has begun before the independence under MLO (Muslim Liberation Organisation). She further states that this organisation in 1948 was renamed into Mujahid Party which sent a letter consisting of their

seven demands to the government (ibid.). As the demands were not fulfilled, they caused ruckus in Rakhine state (Chan, 2005, p.412). Similarly, Saw (2011, p. 14) argues that Mujahid were rebels who listed unreasonable demands to Myanmar government, although he does not mention whether Mujahid was the continuation of MLO. The Myanmar government, in this case, did not favour the presence of any rebellious group.

Arakan Rohingya National Organisation (2012), in contrast, provides an alternative point of view stating that the general Rohingya population were against the rebellious group that destroyed the stability in Rakhine state. The Mujahid movement was formed after the independence as a response to the rebellious group; this movement intending to clear Rohingya's name is the one submitting seven demands including the formation of autonomous state (ibid.). Despite the violence to counterattack the rebellious group, the Myanmar government during this period still accommodated the Rohingya by issuing National Registration Card for them in 1951 (Constantine, 2012, p.154). Moreover, they are allowed to participate in 1960 election and some could fill the position in the legislature (Chan, 2005, p.412). Arguably, the opportunity to openly confront the government and get recognition is provided by the parliamentary system of Myanmar government.

Nevertheless, under Ne Win authoritarian government, the open resistance from Rohingya was barely present. Saw (2011, p.14) argues that their political activities went underground during Ne Win's regime. After the 1988 uprising that dethroned Ne Win, some Muslims saw the chance to register their party using a Rohingya name; as their proposal was turned down, they changed the name into National Democratic Party for Human rights (NDPHR) (Chan, 2005, p.414). Even though the party won some constituencies during elections in 1990, it was abolished in 1991. Once again, the movement went underground. (ibid.).

This situation reflects an argument made by Taylor (2005, p.267) that "political identities were often in opposition to, rather than in support of, political authority." Thus, the Rohingya that continuously confront the government in order to gain political recognition as a distinct religious and ethnic group have been facing more unfavourable treatment from the government compared to the Panthay that prefer to perform everyday politics. Moreover, Rohingya not only demands recognition but also authority over their own people and area. This has ignited more unfavourable response from the Myanmar government since the independence.

The authoritarian regime brought by Ne Win further worsened the Rohingya's situation, for the notion of Burmese unity was employed to legitimize the military operation against any separatist movement. It was reflected in Operation Naga Min launched which aimed to scrutinize every identity paper in the border region, resulting in the Rohingya's mass escape to Bangladesh (Constantine, 2012, p.154). Meanwhile, most of the Panthay lived in Mandalay which is not a border region, so they were not much affected by the operation. The following decade after the operation, when Ne Win was no longer in power, the relation between the Rohingya and the

government still did not improve. For instance, there was a case in 2005 during which an NDPHR leader received a 47-year sentence because of nationality issue while other leaders were driven out as Bengali refugee (Siddiqui, 2005). Meanwhile, there has never been any report stating the imprisonment of the Panthay leader as they did not form any political party.

Conclusion

To conclude, the analysis above has an essential point regarding the issue of the Rohingya and the Panthay in Myanmar. The religious and ethnic identity was used both by the Rohingya and the government to justify their actions. It was used by the Rohingya to resist the Buddhist and Burman domination openly, which later contributed to the denial of their citizenship. The government, on the other hand, used it to legitimize their actions to fight all forms of insurgency. The Rohingya who were mostly living in border region were at disadvantage, for the Ne Win government focused on the resistance in border area. Meanwhile, the Panthay who were mostly living in the city, Mandalay, were less affected. Most importantly, the Panthay have been preforming everyday politics in which their resistance is embedded in their daily activities. Therefore, the Panthay are able to get citizenship while maintaining their religious and ethnic identity.

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