

THE ROHINGYA MINORITY IN BURMA/MYANMAR: A CASE OF
PROTRACTED SOCIAL CONFLICT

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ABSTRACT

THE ROHINGYA MINORITY IN BURMA/MYANMAR: A CASE OF PROTRACTED SOCIAL CONFLICT

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This thesis investigates the causes of the protracted conflict in Burma/Myanmar, between the Buddhist Burmese majority and the Muslim Rohingya minority in northern Rakhine State within the framework of Edward Azar's (1990) theory of Protracted Social Conflict (PSC). Considered as a critical challenge for global peace and security, the Rohingya crisis is a contemporary dilemma implying the world's most persecuted and oppressed minority fleeing their homeland to escape deep-rooted violence. Thus, this study will provide a comprehensive analysis of the Rohingya case within Azar's (1990) theoretical framework of PSC by focusing on two key phases; *Genesis* factors which, according to Azar (1990), are the four major preconditions to conflict and identified as communal content, deprivation of human needs, governance and the state's role, and international linkages and *Process Dynamics* which are the conditions activating overt conflict; communal actions and strategies, state actions and strategies, and built-in mechanisms of conflict.

Keywords: Rohingya Minority, Protracted Social Conflict, Burma/Myanmar, Ethnic Conflict, Communal Violence

ÖZ

BURMA/MYANMAR' DAKİ ROHINGYA AZINLIĞI: UZATILMIŞ SOSYAL ÇATIŞMA VAKASI

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Bu tez, Edward Azar'ın (1990) Uzaltılmış Sosyal Çatışma (USÇ) teorisi çerçevesinde, Burma/Myanmar'ın Kuzey Arakan eyaletindeki Budist Birmanya çoğunluğu ve Müslüman Rohingya azınlığı arasındaki uzun süren çatışmanın nedenlerini araştırıyor. Küresel barış ve güvenlik için kritik bir problem olarak kabul edilen Rohingya krizi, köklü şiddetten kurtulmak için anayurtlarından kaçan dünyanın en zulmedilmiş ve ezilen azınlığını kapsayan çağdaş bir ikilemdir. Bu nedenle, bu çalışma Azar'ın (1990) USÇ teorik çerçevesinde iki önemli aşamaya odaklanarak Rohingya davasının kapsamlı bir analizini sağlayacaktır. Azar'a (1990) göre çatışmanın dört önkoşulu olan *Genesis* faktörleri; toplumsal içerik, insan ihtiyaçlarının yoksun bırakılması, yönetişimin ve devletin rolü, ve uluslararası bağlantılar, ve silahsız çatışmaları silahlı çatışmalara çeviren koşullar olarak tanımlanan *Süreç Dinamiği* olan; toplumsal eylemleri ve stratejileri, devlet eylemleri ve stratejileri ve yerleşik çatışma mekanizmalarıdır.

Anahtar kelimeler: Rohingya Azınlık, Uzaltılmış Sosyal Çatışma, Burma/Myanmar, Etnik Çatışma, Toplumsal Şiddet

To My Parents...

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LIST OF ABBREVIATIONS

ARSA	Arakan Rohingya Salvation Army
ASEAN	Association of Southeast Asian Nations
BIA	Burma Independence Army
BSPP	Burma Socialist Programme Party
CPB	Communist Party of Burma
CSC	Citizenship Scrutiny Card
EAO	Ethnic Armed Organisations
FDI	Foreign Direct Investment
ICC	International Criminal Court
ISIS	Islamic State of Iraq and Sham
MoU	Memorandum of Understanding
NA	Northern Alliance
NLD	National League for Democracy
NRC	National Registration Card
PSC	Protracted Social Conflict
SLORC	State Law and Order Restoration Council
SPDC	State Peace and Development Council
TRC	Temporary Registration Card
UN	United Nations
UPC	Union Peace Conference
US	United States

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Conflict, once used to accomplish foreign policy ambitions, seems to have been now attributed with the purpose to attain “ethnic homogeneity” (Kaldor 2012). Ethnic conflicts or “new wars” (Kaldor 2012) have significantly increased since the 80s and 90s of the last century to become the major source of conflict. Such cases include Kosovo, Bosnia, Rwanda, Sri Lanka and Somali (Rahman 2015). Even if many scholars such as Gurr (2000), an ethnic conflict expert, consider that the “tsunami of ethnic and nationalist conflict” seemed to have reduced, contemporary and compelling conflicts can still be observed at this very moment, exemplified by the Rohingya case.

The Rohingya, composed predominantly by Muslims, is a minority group living in the Rakhine (Arakan) State in Burma/Myanmar, which is one of the poorest states in the country and where there is a lack of basic services and opportunities since Myanmar’s independence in 1948 (Smith 1995). The people of this community have also lost their citizenship and many other rights since the *Burma Citizenship Law* (1982) which does not recognise the Rohingya as one of the country’s official ethnic groups and which rendered the Rohingya stateless (Human Right Watch 2013).

The alleged rape of a Buddhist woman by three Muslim men in June 2012 pushed angry Arakanese Buddhists to attack a bus transporting Rohingya Muslims and beat them to death, generating sectarian clashes in many places in Rakhine State. These events began an appeal for the ethnic cleansing of Rohingya from Rakhine State and the whole country

made by Arakanese political parties, civic groups, and local monks' leader and associations (Human Right Watch 2013). Additionally, in August 2017, members of a Rohingya armed group named the Arakan Rohingya Salvation Army (ARSA), attacked around 30 military and police stations in northern Rakhine State. In reaction to this, the Myanmar Army began an attack on the Rohingya population as a whole rather than just targeting ARSA camps (Amnesty International 2017). According to Médecins Sans Frontières (MSF) (2017), more than 500 000 people had fled to Bangladesh since August 25 to escape violence perpetuated by Burmese security forces and Buddhist civilians. Moreover, MSF (2017) have conducted a survey from which it concluded an estimation that “between 9,425 and 13,759 Rohingya died during the initial 31 days following the start of the violence, including at least 1,000 children below the age of five years” (McPherson 2017) and that 71.7%, so 6 700, including 730 children, of those deaths are directly caused by violence; gunshots, burnt and beaten to death (McPherson 2017).

Furthermore, it is also significant to look at the word *Rohingya* itself. According to the Burmese government, the Rohingya are Bengali immigrants who came to Myanmar during British rule between 1824 and 1948. Consequently, the government does not accept the existence of the term *Rohingya* since those people are seen as foreigners or worse, as terrorists; views which have led to their persecution by the Myanmar Army. In so doing, the government is allowing itself to justify the persecution of this group of *others* since they are classified as illegal immigrants. This tactic of dehumanisation has previously been seen in 1992, in the infamous speech of

Léon Mugesera, an old member of *Hutu Power* which is the extremist Hutu movement in Rwanda, and which generated the Rwanda genocide in amassing people together against the Tutsis (Mohdin 2017).

Thus, this research examines the causes and origins of the extended and ongoing conflict in Burma/Myanmar within the theoretical framework of Edward Azar's (1990) theory of Protracted Social Conflict (PSC). Specifically, this thesis seeks to provide a comprehensive analysis of the Rohingya case with the help of Azar's (1990) theory. The origin of the conflict will be analysed within the *Genesis* factors of the PSC approach which looks at the four major preconditions transforming non-conflictual situation to a conflictual one; communal content, deprivation of human needs, governance and the state's role, and international linkages. Then, the analysis will turn to the dynamics between those preconditions and the relevant actors' actions required to activate overt conflict, what Azar (1990) referred to as *Process Dynamics* which consist of communal actions and strategies, state actions and strategies, and built-in mechanisms of conflict. Therefore, before the analysis of the conflict's causes and origins which will be the main focus of this thesis, there will be a prior section which examines the background of the conflict by looking to the colonial era up to the 1982 Citizenship Law.

CHAPTER 1

POLITICAL HISTORY

Colonial era

In order to understand the group division visible in today's Burma and the role that the British rule had on this division and on its maintenance, it is necessary to look at the colonial era before 1982.

British interest in Burma first started in 1630, after its trade in the Persian region started experiencing troubles, even if the Dutch presence in Myanmar was already strongly established (Hall 1943, 184). However, it only became a great political and territorial interest when the war of the Austrian Succession started in 1740 between the French and the British trading companies in the regions around the Bay of Bengal. In parallel, Burma became a militaristic power in the pursuit of an expansion' policy under the Alaungpaya dynasty. Consequently, a clash between the two powers began due to the expansionist behavior of Burma threatening British colonies borders in the east (Hall 1943, 188).

Meanwhile, Arakan invasion by the Burmese started in 1784, when King Bodawpaya of Burma attacked and conquered the old kingdom of Arakan. To show his accomplishment, the king started the construction of the largest pagoda of the country, the Mingun Pagoda, and as a result, wholesale deportations of Arakanese

began. These massive deportations of Arakanese by the Burmese may be considered as the first of many that have been registered by British officials in Bengal since in 1794, the Arakanese, out of desperation, rose in revolt and had to flee into British territories in order to escape Burmese reprisal (Hall 1943, 191).

Burma became a British colony in 1886 by being annexed to Bangladesh, then a separate colony in 1937. At the beginning, Burma's center was constituted by a majority Buddhist population while the regions at the border were populated by other minority groups. The British empire was using its famous divide and rule tactic to control Burma and thus, divided it into 2 major parts. Thus, two distinct systems of administration were built; Ministerial Burma and the Frontier Areas. The former was importantly constituted by the Burman majority while the latter was generally occupied by ethnic nationalities such as the Rohingya, Shan, Chin and Kachin ethnic groups (Walton 2016, 1-2). This system of administration determined the different routes towards political and economic development that these diverse groups in Burma would follow. In addition, it aggravated the already existing tensions due to ethnic cultural differences (Walton 2016, 2). The minorities' loyalty was kept by the British with false promises of autonomy and by attributing them some military positions (Strausz 2014), as for example, the Kachin and the Chin being preferred for use as militias in the military by the British and the Frontier areas groups were ruled by local chiefs and leaders, while the Burmese majority was kept out of military and government positions, in addition to be ruled by indigenous officers coming from the

other parts of the British empire. This can be considered as one element which caused and developed Burmese' resentment against the other ethnic groups.

“Afflicted by ethnic conflict and civil wars since independence in 1948, exposing it to one of the longest-running armed conflicts in the world” (Kramer 2010, 51), the situation of Myanmar only worsened after the 1962 *coup d'état*. Notably with the abnegation to take into account the political demands of other ethnic groups, and by managing ethnic issues as a military and security issue (Kramer 2010, 51). The independence of Burma was essentially affected by the General Aung San and the group of 30 Burmese young nationalists known as the “30 Comrades” (McCarthy 2010, 547). This comradeship, trained by the Japanese who, in secret, promised to help Burma get rid of the British and hence gain independence, is at the origin of the first Burma's Independent Army (BIA) which later became the Burmese National Army. Having negotiated independence for 1948, General Aung San, considered as a wartime hero and the father of the Tatmadaw (official name of Burma's armed forces), and his cabinet were assassinated together in 1947. Finally gaining its independence with the so-called Aung San-Attlee Agreement, the country was ruled in a parliamentary system of government under the Tatmadaw reign in which ethnic minorities could represent themselves from 1948 to 1958, with a close friend of Aung San at its head, U Nu. Then, fearing a communist or a military coup, the Prime Minister U Nu gave his place to Ne Win, the army's most senior general, in order to establish a military custodian government and to prepare the country for the elections of 1960. However, U Nu came back to power with the election of his faction of the

Anti-Fascist People's Freedom League supported by the Buddhists monasteries and monks. In 1962, facing important problems with the Tatmadaw and the ethnic minority leaders, U Nu lost power in a *coup d'état* orchestrated by Ne Win, encouraged by the Tatmadaw, and he "arrested the civilian political leaders, dissolved the national parliament and state legislatures, dismantled the court system, suspended the 1947 Constitution, and created a Revolutionary Council comprised of 17 military officers with himself as chairman" (McCarthy 2010, 547-8).

Therefore, between 1962 and 1988, Burma was directly and indirectly ruled by the military, which had created its own party; the Burma Socialist Programme Party (BSPP) following Leninist lines in 1962. Supported by the 1974 Constitution implementing a single party system, the military's direct rule moved to an indirect constitutional rule with the creation of the BSPP (McCarthy 2010, 547-8). The adoption of the new Constitution of 1974 aimed to transfer the power from the military junta to a People's Assembly led by Ne Win and other military officials (BBC News 2018). Notably, General Ne Win and twenty other senior officers retired from the Tatmadaw in an attempt to demonstrate a shift from a military government towards a more civilian one (Kin 1983, 95).

Meanwhile, even if the ethnic groups had the right to represent themselves at the parliament, some of them still decided to take up arms when their leaders realized that the Burmese government had no intention to respect the promises they made before independence at the Panglong Conference of 1947 (McCarthy 2010, 547-8). Groups such as the Karen, Mon, Kachin and Arakanese revolted in the countryside,

where the fighting was principally taking place. This civil war lasted for more than 60 years and caused considerable harm to the peoples of Burma (Kramer 2010, 51-52). In fact, the promises made to the ethnic groups during the Panglong Conference in 1947 was all about giving them political autonomy and to “make Burma a federation of ethnic nationalities” (McCarthy 2010, 550). Since U Nu was close to making concessions to ethnic minorities, Ne Win’s return, supported by the Tatmadaw, was a way to block this and preserve state unity. Henceforth, the Tatmadaw’s ability to maintain peace and order by blocking any revolts and insurgencies provided the army with a source of legitimacy (McCarthy 2010, 550). Thus, giving up General Aung San’s federal system of the 1947 Panglong Constitution and idea of unity in diversity (Silverstein 2018, 10), Ne Win decided to implement socialism with the BSPP (Steinberg 1983, 165).

1982 Citizenship Law

Considered as discriminatory on ethnic grounds, the Citizenship Law was enacted in 1982 and with its application in Rakhine State, it permitted the authorities to strip Rohingya of citizenship unanimously. Part of many discriminatory laws, policies and practices, the 1982 Citizenship Law is the major source of the de facto stateless situation of the Rohingya population. Not even considered amid the national races, the Rohingya lack a coherent legal status since they do not even enjoy the rights of a “second class” citizen (Human Rights Council 2018, 8-11).

According to the Independent International Fact-Finding Mission on Myanmar, a mission established by the Human Rights Council in 2018 in order to investigate the serious human rights violations in Rakhine State, the law has created a “citizenship framework” (Human Rights Council 2018, 116) composed of three different classes of citizens; indigenous nationals, associate citizens and naturalized citizens. Accordingly, people belonging to groups which were established in Burma before 1823 and their descendants are considered as citizens (Kin 1983, 93), or in other words as having full citizenship. These groups include the national ethnicities “such as the Kachin, Kayah, Karen (Kayin), Chin, Burman (Bamar), Mon, Arakan (Rakhine) or Shan” (1982 Citizenship Act, art. 3.). Excluding the Rohingya and people of neighboring Asian countries such as China, India and Bangladesh, these 8 initial groups were subsequently subdivided into 135 subgroups. In addition, the third generation of citizens descending from parents appertaining in the other categories of citizenship may also obtain the status of full citizens. This category of citizens possesses the advantage of receiving a “Citizenship Scrutiny Card” (Human Rights Council 2018, 116). The second category is the one of *associate* citizenship which include those whose application to obtain citizenship under the 1948 Citizenship Law was still pending when the 1982 law was enacted. The decision for those applications then relays on the decision of a central body. In addition, this group of citizenship receive an “Associate Citizenship Scrutiny Card” (Human Rights Council 2018, 116). The last category is for the *naturalized* citizens which apply to people that can provide convincing proof of their entry, residency and the birth of their children in the country

before 1948. Marriage and descent can also be considered as circumstances granting *naturalized* citizenship which receive a “Naturalized Citizenship Scrutiny Card” (Human Rights Council 2018, 116).

The following discourse of the Chairman of the 1982 Citizenship Law Commission, Dr Maung Maung, summarizes well who is considered as being a “full citizen”:

members of racial groups who had settled in Burma anterior to 1823 are citizens . . . they are nationals. Every national is a citizen. Persons born of parents, both of whom are nationals, are nationals and citizens. However, not all citizens are nationals. There are persons who have considerable blood of a Burmese citizen or a Burmese national or whose grandparents made the State their permanent home or those who elected for citizenship within the prescribed period following the country's independence. By law, some of them are citizens. However, they are not Burmese nationals. Those who are not full blooded nationals or those who are foreigners who have been granted citizenship by the State upon application are classified as associate or naturalized citizens (WPD 1982).

Thus, the Burma Citizenship Law of 1982 is doing the same thing the constitution of 1974 “did to restrict the institutional rights of the individual ethnic states” (Steinberg 1983, 170). The *Central Body*, which consists of three Ministries, endorse the authority to decide the type of citizenship every applicant will get, and to revoke and terminate citizenship. Complex regulations exist concerning the attribution of people to one or another category of citizenship regarding citizenship registrations made before 1948 and it is clearly visible that this law was firstly supposed to be discriminating towards Indian, Pakistani, Bangladeshi and also Chinese communities. *Associate* and *naturalized* citizens cannot apply and obtain key governmental positions (Steinberg 1983, 170). Accordingly, the law is making especially Indian and

Chinese communities face political, social and economic difficulties due to two factors; firstly, there is a deep-rooted, persistent and generalized opinion about the fact that Indians and Chinese have profited from the country's assets since the British colonial era; and secondly, the demography and politics of the rest of Asia render Burma attractive for overpopulated countries' people like Indians and Chinese (Kin 1983, 94).

After 1982

In the year of 1988, Burmese politics was marked by many important events, but three of them were especially striking. First, Aung San Suu Kyi, General Aung San's daughter, returned to Burma and joined the National League for Democracy (NLD) and participated in many pro-democracy demonstrations that took place in the country but were suppressed during the same year by the army. Second, the head of the Tatmadaw and consequently of the government, Ne Win retired as the chairman of the BSPP, but his presence remained, especially in the suppression of the pro-democracy demonstrations. Finally, on September 8th, "a military coup led by Senior General Saw Maung but under the direction of Ne Win put an end to the 14-year period of constitutional military rule" (McCarthy 2010, 548). The country was once again put under direct military rule with a State Law and Order Restoration Council (SLORC) of 19 members composed essentially by military officers (McCarthy 2010, 548). Plus, the country's name was changed from Burma to Myanmar by the military government since the latter is considered as being a closer translation of the country's name in the Burmese language (McCarthy 2010, 545).

Thus, the military junta tried many times to consolidate its grip on power by offering referendums and elections to calm domestic and international criticism (McCarthy 2010, 546) and therefore, general elections were held in 1990 after the violent suppression of the peaceful demonstrations of 1988. Without surprise, Aung San Suu Kyi's NLD won 392 seats of the 485 contested seats by getting more than 59,9 % of the popular vote (Seekins 2002, 210). However, the NLD's claim for power ended with the SLORC's refusal to hand power and the arrests of Suu Kyi and many other successful NLD candidates. Then, to gain back its legitimacy, the SLORC summoned a National Convention which draft was written from 1993 to 2007 (McCarthy 2010, 558-562). In addition, the military regime changed its name to State Peace and Development Council (SPDC) in 1997 (OHCHR 2018, 22). Thus, from 1988 to 1997, the country was ruled by the Tatmadaw under the SLORC's authority and from 1997 to 2010, under the supervision of the SPDC (McCarthy 2010, 548).

Nevertheless, the SPDC again faced mass demonstrations in 2007 and 2008 similar to the ones of 1988. Peaceful demonstrations took place across the country following the economic mismanagement and evident corruption of the government after the relocation of the country's capital in 2005. Indeed, the government started the mass relocation of all its ministries and civil servants from Rangoon (old capital) to Naypyidaw, which is a completely new city constructed from zero and which consequently needed major funds. As a result, the government increased the prices of goods such as oil and other basic commodities to increase its revenue for the construction of the new capital and compensation of its officials by increasing their

salaries. This angered the population, and many took the streets to demonstrate their dissatisfaction regarding the government's corruption. Consequently, the government responded by violently repressing those peaceful demonstrations with its military and police forces (McCarthy 2010, 553-561). Additionally, the massive participation of monks attracted the attention of the international community and gave the name to these demonstrations; the "Saffron Revolution" (OHCHR 2018, 22-23). Then, the government finally published the draft of the new Constitution on February 2008 and held a referendum to approve it. It is important to realize that the persistent presence and role of the Tatmadaw in the political process and the provision stating that "the President of Myanmar could not be the spouse or parent of a foreign national", obviously designed to exclude Aung San Suu Kyi, were present in the draft (OHCHR 2018, 23). In addition, the Constitution of 2008 guarantees the Tatmadaw's independence of any civilian authorities, to retain the only authority to investigate itself, permits it to appoint 25 per cent of the Parliament and to keep control over many key institutions such as the police forces and border guards (Paddock 2018).

Furthermore, the Tatmadaw finally loosened its grip by allowing the first elections on November 2010 since 1990 and by "gradually giving civilian leaders authority over public services, foreign affairs and economic policy" (Paddock 2018). Facing the economic consequences of running a secluded pariah state over decades, the military junta had no other choice than opening the country to seek foreign investment and the lifting of American and European economic sanctions (Paddock, 2018). Undeniably, the Tatmadaw allowed falsely free elections "to ensure continuity

of ultimate military control, and to adapt and preserve such control rather than to make a break with the past” (Cheesman, Skidmore and Wilson 2012, 3). Even if the participation of opposition groups was restricted, especially the NLD, the elections permitted to end the one-party system with the election of the military-backed party, the Union Solidarity and Development Party (Cheesman et al. 2012, 3). This marked the country’s transition from a military rule to a civilian democracy which led to, in 2011, the release of hundreds of political prisoners, including the NLD’s leader Aung San Suu Kyi, the relaxation of media censorship and the beginning of peace process with ethnic insurgent groups with President Thein Sein at the head of the new civilian government (BBC News 2018). Then, parliamentary by-elections were held on April 2012 and Aung San Suu Kyi entered the Parliament at the head of the NLD (OHCHR 2018, 23).

Regarding the situation in northern Rakhine State, things between Muslim and Buddhist communities worsened after the alleged rape and murder, in 2012, of a Buddhist woman by three men identified by the media as being originated from “Bengali/Islam” origins (OHCHR 2018, 147-8). The Independent International Fact-Finding Mission on Myanmar confirmed the death of the woman but did not find anything reliable on the rape allegation and the ethnic origins of the accused. This led to the death of 10 Muslims killed by 300 angry Buddhists while travelling by bus from one city to another (OHCHR 2018, 147-8). Consequently, sectarian clashes between Muslim and Buddhist communities occurred and both sides experienced losses, with the Muslim side experiencing more violence due to the security forces’ failure to

intervene and sometime support to the Buddhists in the killings, destruction of properties and mass displacements (Amnesty International 2017, 8). This event of 2012 can be considered as the first important event which triggered sectarian clashes that led to the displacement of many Rohingya and their ill-treatment in the following years to today.

In 2014, Burma held “its first nationwide census since 1983” and the Rohingya community was not included since they were not allowed to self-identity themselves because of the 1982 Citizenship Law (Amnesty International 2017, 8). Then, the NLD won the general elections held on November 2015 by “claiming 86 per cent of the non-military seats in the Assembly of the Union” and two NLD chosen candidates became President and Second Vice-President (OHCHR 2018, 23-4). In 2016, Aung San Suu Kyi became the de facto leader of Burma by taking the position of State Counsellor, specially created for her since she could not become President due to the Constitution of 2008, and which, on the other hand, permits the Tatmadaw to still hold its dominant role in the country’s politics and governance (OHCHR 2018, 23-4). Not to mention that Rohingya were completely excluded from the general elections since they were not allowed to vote or to run as candidates for Parliament, mainly due to the revocation of the Temporary Registration Cards (TRCs) leaving the Rohingya deprived of any kind of identity document (Amnesty International 2017, 9). At the same time, the government signed a draft ceasefire agreement with 16 ethnic armed organizations (BBC News 2018).

Regarding the second key event in the escalation of the violence in the Rohingya conflict, it occurred when the Arakan Rohingya Salvation Army's (ARSA) attacked 30 police and military forces' outposts on August 25th of 2017. As a result, the Tatmadaw's response was disproportionately violent and targeted the Rohingya community as a whole, instead of targeting the ARSA's members or camps (Amnesty International 2017, 6). This "ethnic cleansing campaign" forced more than 530, 000 Rohingya to flee to Bangladesh in less than two months in order to escape death, rape, burning and torture (Amnesty International 2017). The Burmese authorities' *Clearance operations* constitute what the Independent International Fact-Finding Mission on Myanmar calls as a human rights catastrophe. Notably, ARSA's attack which primary goal was to gain the international community's attention to the plight of the Rohingya worked, but not in a positive way for the Rohingya community which faced the Tatmadaw's anger. Ultimately, more than one million of Rohingya are believed to be in the Cox Bazaar's refugee camp in Bangladesh since almost 40 per cent of the villages in northern Rakhine State have been destroyed (OHCHR 2018, 177-8). Under those circumstances, the Human Rights Council established the Independent International Fact-Finding Mission on Myanmar on March 2017 to gather information on the recent human rights violation committed by the military and security forces by collecting information on these events through the gathering of "interviews with victims and eyewitnesses, satellite imagery, documents, photographs and videos" (OHCHR 2018, 7; 178). Hence, the United Nations accuses in its report six generals from the Burmese military leaders of perpetuating "genocide, war crimes,

and crimes against humanity” against the Rohingya population (OHCHR 2018, 178). In addition, it calls for the opening of a case trial at the International Criminal Court (ICC) and also accuses Aung San Suu Kyi, Nobel Peace Prize laureate, of failing to act, prevent or recognize the violence (BBC News 2018).

CHAPTER 2

LITERATURE REVIEW

Communal conflict or communal violence?

The Rohingya conflict is generally categorized as a communal conflict or as an ethnic conflict and studied accordingly. Therefore, many scholars like Cheesman (2017) and Van Klinken (2007) differentiate communal conflict; which may be stated openly in various types of actions and speech which then in return cause “animosity but not recurrent physical hostility” (Cheesman 2017, 340), from communal violence which can involve many types of episodic, recurrent direct physical violence between two distinct communities which believe that the other community “poses an existential threat” (Cheesman 2017, 338-340). The following recent studies oppose, but not reject, conventional assumptions about the causes of the violence in the Rohingya conflict as being the effect of religion. Plus, due to the “lack of specificity about perpetrators and their motives”, some scholars have decided to conduct interpretive research in order to find if other attributes than the conventional ones may be the causes and origins of the violence in the Rohingya conflict (Cheesman 2017, 343).

Van Klinken and Su Mon Thazin Aung (2017) discard assumptions attributing violence to impromptu hatred reaction to unexpected events and focus on the way this violence is produced. They look at how militant Buddhist nationalism has brought

together the whole nation when it was, at first, only the concern of some monks and militaries. They found that images of violence through conventional media and social media have been used to convince the Buddhist population that Buddhism was in danger and that people needed to unify and take action in order to protect it. Thus, the way of production of the violence is attributed to influential army officers and spiritual leaders' (monks) actions and strategies in the effort to build a nation. However, similar to Cheesman (2017), Van Klinken and Su Mon Thazin Aung (2017) only focus on one dimension; leaders' actions and strategies and does not take into consideration the actions of the other group. This does not permit to grasp the dynamic of the origins of the conflict.

Besides, McCarthy and Menager (2017) look at hateful expressions on social media and oral accounts, through an ethnographical research, coming from local communities that are not directly involved in the violence. They use "meta-data" (Fuji 2010) such as "rumours, inventions, denials, evasions and silences" (Cheesman 2017, 345) and concentrated on the way vulnerable Buddhist women are used as a tool by people in central Myanmar on social media to support the *threat* posed by Muslim men perpetuating sexual violence. Hence, McCarthy and Menager (2017) attribute the production of violence to universal concerns about women security rather than to Myanmar's history. Thus, long-hatred resentment, misconceptions, prejudices and fears that each ethnic group have towards each other play an important role for increasing the intergroup animosity but are not the source of the violence. In contrast to Van Klinken and Su Mon Thazin Aung (2017) which attribute the source of the

violence to the leadership of influential army officers and spiritual leaders using religion as a tool to unify and gather people, McCarthy and Menager (2017) ascribe it to the Buddhist population and Burmese government's concerns about the security of Buddhist women.

In a different manner, Chit Win and Kean (2017) also relay on multiple interviews and documentary research like McCarthy and Menager (2017) but focus on the actions and strategies of the national legislature like Van Klinken and Su Mon Thazin Aung (2017). Since the violence in Myanmar happened before the country's *democratic* transition from military dictatorship, the new government was not experienced to face and deal with those kinds of events. On the contrary, the new legislature chose to call off all debates about it in the parliament and deny the events in front of the international community. This had a positive effect; it prevented the commencement of politics of hate. However, the negative outcome was that the new legislature of 2016, which is supposed to be democratic (National League for Democracy), remained inactive and non-responding to put an end to the violence since it chose to deny everything and prohibit journalists to access the country. As a matter of fact, Chit Win and Kean (2017) look at an under analysed dimension of the conflict; the unexperimented newly formed government and the way it deals with the ethnic problems left by the previous military regimes.

Brooten and Verbruggen (2017) discuss about the access to news and their production during the violence between 2012 and 2014. They look at international and local journalists and how they report the events in Rakhine State for their own

audiences by using a mapping exercise. This permits them to demonstrate that relations and exchanges between outsiders and their fixers inside Myanmar only recreate same interpretations of the events; a narrative of victimhood. Reporters, international or local, does not try to understand the violence's nature and consequences.

Cheesman (2017) categorises the Rohingya conflict as a communal one by reviewing the type of violence that the Rohingya minority is enduring from the government, its security forces and Buddhist civilians in Myanmar between 2012 and 2014. He uses a conflict-based approach and focuses on the violence itself. He argues that the violence is deep-rooted and cyclical and uses historical data from the 1990s and 2000s reporting the attacks of Myanmar armed forces against targeted groups to compare it with the reports of people between 2012 and 2014. He identifies one juridical category "Rohingya from the political community 'Myanmar'" and argues that the category of "national races" is the source of the exclusion of the people that are obliged to identify themselves as such due to politics which development can be traced to 1964 in a military dictator speech (Cheesman 2017, 346). Cheesman (2017) article is the only one going that far in history, up to the colonial period, to look at the origin of the violence in this conflict. Thus, even if he acknowledged the deep-rooted and cyclical nature of the conflict, he could not grasp the complexity of the causes and origins explaining the conflict's protraction since he only focuses on one dimension; the type of violence. Conflicts frequently evolve throughout time; thus it is important to also take into consideration actors' actions and other dimensions.

Ethnic conflict

Burke (2016) classifies the Rohingya conflict as a communal and ethnic conflict and focuses on the origins and causes of the deep-rooted historical tensions between Buddhists and Muslims by looking at economic, social and political factors. He looks at the social group and position of the people from those two communal groups; Buddhists and Muslims, at their economic situation and position in the Rakhine society (commerce, shop owners, merchants) and their political privileges or power deriving from their ethnic identity. However, his research does not capture the complexity of the conflict itself since he only focuses on communal group's actions and does not really look at the state's actions and strategies, which is a key element in order to understand this conflict's protraction (Burke 2016).

On the other hand, Alam (2017) argues that the Rohingya identity as a non-Burman ethnic minority throughout time is the source of the conflict's protraction. Subsequently, the author does not look at the conflict from the theoretical framework of communal violence, but from the identity (ethnic) based one. He explains that the attribution of the *Rohingya* identity to the people fitting in that category resulting from Burmese nationalism driven politics is at the origin of the conflict. However, this author also just looks at one element of the Rohingya conflict, which does not permit an understanding of the complex nature of this conflict which sits at the juncture of many violent conflicts, thus many reasons and dynamics at the same time.

As has been noted, the Rohingya conflict is a well-known and well-documented case for human rights analysts and experts. However, it has only been analysed by focusing on one or two factors or dimensions at the time. But to understand the real causes and origins of the conflict in order to have a chance for the conflict's resolution, a multi-disciplinary theoretical framework is necessary since this conflict is a multi-dimensional one. Therefore, it is necessary to analyse external and internal factors and actors together to grasp the complexity of an intra-state conflict's protraction like this one. Thus, the underestimated theoretical framework of Protracted Social Conflict (PSC) will be applied to the critical Rohingya conflict. The purpose of this research, hence, is to present, test and justify the theory of PSC and to offer a solid base for an eventual resolution of the conflict.

CHAPTER 3

THE THEORY OF PROTRACTED SOCIAL CONFLICT

Concepts

Conflict. On the one hand, to understand the concept of Protracted Social Conflict (PSC), the concept of *conflict* alone needs to be defined. Azar (1990) sees conflict as “an inseparable part of social interactions” since conflict is a common and universal social phenomenon implicating a range of various actors such as “individuals, societies, states, and their collectivities” (Azar 1990, 5). He describes it as a product of “mutually incompatible goals among parties amidst a lack of coordinating or mediating mechanisms” (Azar 1990, 5). In pursuance of analysing and understanding conflicts, scholars divided them into two scopes; internal and domestic conflicts versus external ones. While some scholars tried to link those dimensions but failed to capture the complexity of the phenomenon of “conflict” itself, Azar (1990) developed the concept of Protracted Social Conflict (PSC) as an attempt to address these failings.

In order to understand conflicts’ evolution and especially in the Rohingya case, it is necessary look at Ramsbotham and Woodhouse’s (Ramsbotham, Woodhouse and Miall 2011, 14) *hourglass model*. It is a combination of Galtung’s (1990) theory of violence and peace and the escalation/de-escalation phases which “represents the

narrowing of political space that characterizes conflict escalation (top half of the hourglass model) and the widening of political space that characterizes conflict de-escalation (bottom half of the hourglass model)” (Ramsbotham et al. 2016, 13). The resolution of the conflict become more difficult as the space in the hourglass narrow and different responses are to be adopted for narrowed and widened spaces. It is possible to understand that the Rohingya conflict is stuck at the *violence* phase where conflict resolution is difficult.

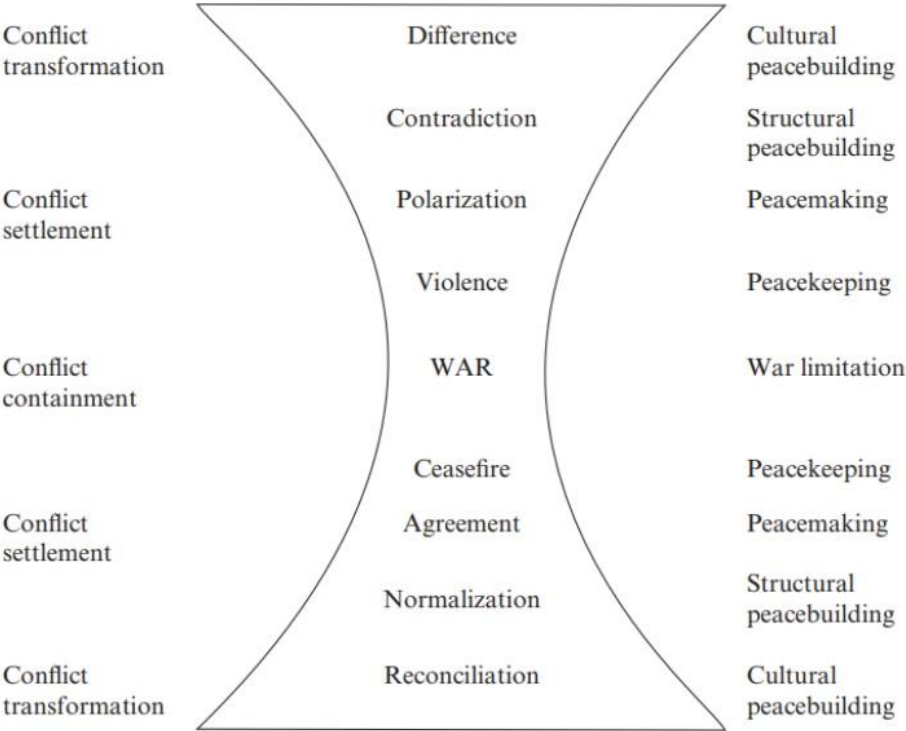


Figure 1. The hourglass model: conflict containment, conflict settlement and conflict transformation. Reprinted from *Contemporary Conflict Resolution* (3rd ed., p. 14), by Ramsbotham, Woodhouse and Miall 2011, Cambridge: Polity Press.

Social conflict. On the other hand, Kriesberg (2007) defines social conflict broadly as a “relationship in which at least one party believes it has incompatible goals with another”.

Oberschall (1978) argues that the *social* in social conflicts “refers to conflict in which the parties are an aggregate of individuals, such as groups, organizations, communities, and crowds, rather than single individuals, as in role conflict” (291). It is about interactions between those actors which are, each of them, in the pursuit of their own goals and this pursuit can sometime generate violence.

Additionally, Coser (1967) defines *social conflicts* as “a struggle over values or claims to status, power, and scarce resources, in which the aims of the conflict groups are not only to gain the desired values, but also to neutralize, injure, or eliminate rivals” (232). Thus, social conflicts include many social phenomena such as class, religion, race, ethnic and others (Oberschall 1978, 291).

Besides, Acemoglu (2003) explains *social conflicts* in terms of societies’ policies that can be harmful for its own citizens “because those decisions are made by politicians or politically powerful social groups that are interested in maximizing their own payoffs, not aggregate output or social welfare” (621). This particular point can be observed in the case of the Rohingya and the 1982 Citizenship Law.

Deep-rooted, intractable and protracted conflicts. Burton (1987) defines “deep-rooted conflicts” as protracted since they are periodic and cyclical and can also transform into violent conflicts. They are the result of the “preservations of cultures,

human values and need” between nations and communities and can arise on all social echelons. Burton (1987) argue that “deep-rooted conflicts” are endless and violent due to deep feelings, values and needs that are contained by governments with the use of political or military pressure. However, this containment is not resolving the conflict, but the reason of the conflict’s protraction (Adediji 2015). Thus, this type of conflict can only be solved by the meeting of those needs which will then change the nature of the conflict (Burton 1987).

Similarly, Mitchell (1991) describes “deep-rooted conflicts” and “protracted conflicts”, which he uses interchangeably as synonyms, as “intranational conflicts, occurring – and recurring – between human communities and involving organized physical violence as a strategy for pursuing interests and achieving goals.” He also supports the fact that those conflicts are the product of values and needs, such as identity, security and recognition, that are not satisfied.

Kriesberg et al. (1989) claims that “intractable conflicts” are persisting and destructive conflicts which occur on a prolonged period of time, at least beyond more than one social generation, and in which the external actors fail to end or transform. The intractable nature is determined by the failures to end or transform those conflicts. Kriesberg et al. (1989) also identify four components of social conflicts: (1) identity-based conceptions of itself and of the adversaries, (2) the grievances for each other, (3) the goals set in order to reduce the grievances and (4) the means used to realise the goals.

On the other hand, Coleman (2000) defines broadly “intractable conflicts” as “intense, deadlocked, and resistant to de-escalation or resolution” and which is a cyclical phenomenon persisting over a long period of time. Similar to Burton (1987) and Mitchell (1991), Coleman (2000) argues that the focus of this type of conflict is on needs and values and parties do not see any other way to get what they want than destroying the other side. Such conflicts are intractable because of their resistant nature to resolution methods like negotiation, mediation, or diplomacy. The issues of “intractable conflicts” are deeply-rooted in the past and tend to multiply which renders their analysis problematic. Moreover, “contexts of extreme power imbalance, social injustice or structural violence, where people find it difficult to satisfy their basic human needs” are more prone to produce intractable conflicts.

Theoretical framework

According to Ramsbotham (2005), the traditional preoccupation of the scientific community in the 80s and 90s towards relations between states has concealed the apprehension of the dynamics present in conflicts classified as protracted social ones, and in which the sources lay principally within and across states. Thus, Galtung (1990) and Azar (1990) developed similar theories of PSC in order to overcome this concealment and to better understand their dynamics. Consequently, Edward Azar’s (1990) multi-disciplinary approach of Protracted Social Conflict (PSC) will be used in this thesis. Azar (1990) developed his approach and theory with the aim to fill a gap in the existing literature of conflict resolution; scholars divided conflicts into two dimensions, internal and external and very few among them

were trying to link them. Plus, while analysing and focusing on overt and violent conflicts, scholars tended to ignore covert and non-violent conflicts. Difficulties to separate and identify “internal and external sources and actors” (Ramsbotham 2005, 114) are also one of the problems that Azar (1990) tried to overcome by developing his theory of PSC. Since the concept and phenomenon of *conflict* is in itself complex due to its multi-dimensional nature, only a multi-disciplinary theory will be useful in providing “clear, measurable components from which conflicts can be analysed to determine whether a conflict is, or is on its way to becoming a PSC” (Beaudoin 2014, 2). Hence, an attempt to identify and analyse the causes and origins of the protracted conflict in northern Rakhine State will be made within the Genesis factors of the PSC theory of Azar (1990). These factors are the preconditions for the conflict’s intensity to transform and increase or as Azar (1990) explains: “the transformation of non-conflictual situations into conflictual ones” (12).

Genesis factors. Firstly, the key factor and unit of analysis of protracted social conflicts is the one of communal content of a society which Azar (1985, 31) identifies as identity groups based on race, religion, ethnicity and culture. Then, two factors are identified as the main sources of the increase of multicommunal societies’ political activity; colonial legacy and “historical pattern of rivalry and contest among communal actors” (Azar 1985, 31). As a matter of fact, the presence of multiple communal groups in old colonial states is considered to be the result of the principle of *divide and rule* employed by many colonial empires. Consequently, the colonial legacy caused the domination of governments by one communal group insensible to

the other groups' needs in the society. Thus, fundamental societal needs such as identity, security and recognition are not met, and this come to feed the "historical pattern of rivalry and contest" (Azar 1990, 7). As an illustration, the communal content factor is visible in the conflict between Aguleri and Umuleri communities in the State of Anambra in Nigeria. These two neighbouring groups, sharing the same language and culture, have historically fought for land and have deep-rooted resentment for each other due to "inequalities in access to social, economic and political resources" (Onwuzuruigbo 2011, 567) during the British occupation. In essence, the famous divide and rule method employed by the British colonialists to prevent insurgencies by giving better conditions and opportunities to minorities and by keeping the majority group excluded from the social and political life in the colony can be observed in this conflict in Nigeria. This caused one group to develop and cultivate deep-rooted resentment against another group which is still holding key positions in the political and economic life of the country (Onwuzuruigbo 2011, 567).

Secondly, Azar (1990, 9) underlines the importance of human needs' deprivation as a major source of causing the protraction of social conflicts (Ramsbotham 2005, 115). Similarly, Azar (1990, 9) also argues that "basic rights" (Shue 1980) of security, subsistence and freedom which also consists of "security needs, development needs, political access needs, and identity needs (cultural and religious expression)" (Azar 1990, 9) are important for understanding and identifying the causes and origins of the increase of violence intensity in those types of conflicts. Notably, underdeveloped and poorer regions and states of which the central

government, monopolised by a communal group in particular, ignore the economic development and investment are inclined to be the major places where conflicts tend to take place. Additionally, deprivation of basic material needs is also included in Azar's (1990) explanations, but one of the most essential element he identifies is the right to access society's superstructure which includes governmental and other official positions. An eventual exclusion forces the marginalized groups to use other means than peaceful ones in order to express their dissatisfaction due to their non-existent representation and access to political and economic powers. The passiveness and incapacity of the government to meet those needs causes the evolution of conflict into protracted ones. Moreover, the perpetual and obstinate refusal to recognize or accept the communal identity of other groups is generating the deprivation of needs and access (Azar 1990, 9). For instance, the conflict between the Hutu and the Tutsi communities which caused the death of more than 800,000 persons in few months took place in Rwanda, one of the poorest country in the world and former French colony. With the government dominated mainly by the Tutsi communal group, the Hutu community was facing racial-based discrimination which caused their socio-economic inferiority and total deprivation of political power (Utterwulghe 1999).

Thirdly, according to Azar (1990, 10-1), states in which protracted social conflicts tend to occur are generally monopolised hegemonically by one communal group or a coalition of groups which ignore the needs of other groups. Thus, the government is characterised as "incompetent, parochial, fragile, and authoritarian governments that fail to satisfy basic human needs" (Azar 1990, 10-1) and which fails

to protect its citizens by providing in an equal way collective goods to its population. The primary role of a State is not respected to any further extent since the government is not fair and impartial anymore, and this causes communal and social instability. Therefore, the State become the tool of a hegemonic group that intend to maximise their own interests without taking into account the well-being and basic rights of others. For example, the case of the conflict between the Turkish-Cypriots and Greek-Cypriots in Cyprus. The “Greek-Cypriot controlled administration and the failure of the government” (Leventis and Tsokkalides 2007, 37) to deal with the isolation and exclusion of the Turkish-Cypriots by blocking their access to social institutions shows this third component of the Genesis factor. In effect, the Cypriot State is no longer an independent and impartial organ since it became a ruling tool used by Greek-Cypriots in order to maximise their own socio-political and economic interests while ignoring the well-being and rights of other minority groups, especially of the Turkish-Cypriots which constitute the second largest group of the country (Leventis and Tsokkalides, 2007, 37).

Finally, “international linkages” is the last precondition identified by Azar (1990, 11) and which he describes as the influence, of the relations that the country has within the international system, on its “Formation of domestic social and political institutions”. He then advanced two dimensions of international linkages. On the one hand, the first dimension is the state’s “economic dependency within the international economic system” (Azar 1990, 11) which affects the state’s economic development and its capacity to fulfill the security needs of its population since this dependency

limit its autonomy. On the other hand, the second dimension is the state's "political and military client relationships with strong states" (Azar 1990, 12) which also affects its autonomy and independence by influencing the state to follow policies in contradiction with the needs of its population. Subsequently, Azar (1990, 12) describes protracted social conflicts as occurring:

when communities are deprived of satisfaction of their basic needs on the basis of their communal identity. However, the deprivation is the result of a complex causal chain involving the role of the state and the pattern of international linkages. Furthermore, initial conditions (colonial legacy, domestic historical setting, and the multicomunal nature of the society) play important roles in shaping the genesis of protracted social conflict (Azar 1990, 12).

To demonstrate, the conflict between the Sinhalese dominated Government of Sri Lanka and the Liberation Tigers of Tamil Eelam representing the Tamils, which occurred between 1983 and 2009 is a perfect example to see the international linkages factor (Kulatunga and Lakschman 2010, 6). Sri Lanka's relations, willing or unwilling, with many regional actors such as India, Pakistan, and China, and international actors like Norway and the United States influenced largely its internal affairs. For example, in an attempt to end violence and resolve the conflict motivated by a fear that "a successful liberation movement in Sri Lanka could inspire radical nationalistic groups in Tamil Nadu and lead to separation or instability within its own boundaries" (Hargreaves et al. 2003, 7-8), India formulated a peace agreement and installed Indian Peace-Keeping Forces on the Sri Lankan territory. This affected directly the Sri Lankan government's credibility and autonomy, thus forcing the Sinhalese elite to act consequently to counter this forced intervention (Hargreaves et al. 2003, 7-8).

Process dynamics. Accordingly, Azar (1990) specifies that those preconditions of the Genesis factor will depend on the actions and events of Process dynamics, conditions activating overt conflicts, which he divides into three categories.

In like manner, the first category is *communal actions and strategies* which includes the forming and development of identity groups and the way they organise and mobilise themselves. This category is seen as the source of the increase and intensification of violence in conflicts, as Azar (1990) underlines: “When organizational and communication systems break down within an environment of mutual distrust between groups, protracted social conflict can begin to escalate” (12). Thus, when the members of one identity group become aware of their own victimization and of the oppression that they endure collectively, they will start to organise their means of protests which will in turn provoke the government response. The way that the government will respond is more likely to present itself under the form of violent repression or complete suppression by the state’s security and military forces in an attempt to end the insurgencies. However, this violent response will only trigger the already growing tension between parties and motivate the persecuted side to organise better is opposition, including a high possibility that their pacifist mobilisation turns into a non-pacifist one like guerrilla or secessionist movements. Usually, the oppressed communal group is prone to get external military and economic assistance since the country’s power balance is not in its favor. This uneven and unequal power balance confuses the internal and external factors in the conflict since another nation-state can try to interfere in the conflict by supporting one side (Azar

1990, 12). Notably, the Syrian conflict is a good example in which the mobilisation and radicalisation of the oppressed population against the government is visible. In fact, the Syrian government and military are dominated by the Al Asad family which belongs to the minority Alawite sect constituting 12 per cent of the total population. The rest of the population includes many ethnic and religious groups; such as the ethnic Arabs constituting 90 per cent of the population, Kurds, Turkmen and some Muslim and Christian religious groups. Back in 2011, the Syrian population organised peaceful demonstrations against government's corruption, lack of political freedom and mobility, and repressive security forces. Albeit, the government responded by using force to repress and end the protests and prevent any further insurgencies, but this provoked the formation and mobilisation of opposition armed groups like the Free Syrian Army (Sharp and Blanchard 2012, 1-2). Moderate opposition groups received the support, diplomatically or logistically, by many countries forming the US-led coalition. Indeed, the United States, France and England have backed diplomatically, and sometimes provided trainings and ammunitions to the moderate rebels fighting the Assad government (Shaheen et al., 2015).

Additionally, the second determinant is *state actions and strategies* which is about the ruling elites' choice of a policy of coercive repression over accommodation due to the prevalence of the *winner-take-all* norm in multicomunal societies. Hence, the choice of the state concerning the actions and strategies for handling the situation is the main reason of conflicts' protraction. Since states are generally dominated by a hegemonic group which does not take into account the rights and needs of the other

ethnic groups, making concessions or accommodations are not envisaged as an option in order to not be perceived as weak and consequently, states respond with their military and security forces. Correspondingly, this strategy using violence as a response generally motivates the opposition groups to try to reply by using equal military and violent means. Furthermore, states have tendencies to try to “contain a conflict situation within a national boundary” (Azar 1990, 14) in order to isolate and cut external supports to the opposition groups, and if this containment’s strategy does not work, the ruling side then also tries to get external support for itself (Azar 1990, 14). For instance, continuing with the example of the Syrian conflict, Assad government got military support from Russia and Iran after the US-led coalition was formed and interfered by providing diplomatic and logistic support to the rebels. Russia, long-term supporter of the present Syrian government, has attacked anti-regime groups with air-strikes and blocked any attempt of intervention at the United Nations’ Security Council by using its veto. Likewise, Iran has supported the Syrian State by providing military equipment, advisers, and training and assistance for the Syrian armed forces with its Revolutionary Guards commanders (Shaheen et al. 2015).

Lastly, the third category is about *built-in mechanisms of conflict* which concerns the history and nature of interaction between the parties in the conflict. Azar (1990) explained it as: “The perceptions and motivations behind the behavior of the state and communal actors are conditioned by the experiences, fears and belief system of each communal group” (15). Both sides tend to have prejudices about each other and this produces the animosity and hostility between them (Allport 1954). Thus, Azar

(1990) considers important the analysis of both sides' perceptions in each conflict and of the "cognitive processes generated through experience of conflictual interactions" (Mitchell 1981). For instance, the factor of prejudice can be seen in the intergroup prejudices between Arabs and Jews in Israel. These two groups, competing for scarce resources and lands since before Israel's formation, are in an asymmetrical power relation since the Jewish majority group control the power and resources of the country without really taking into account the rights and needs of the Arab minority group. As a matter of fact, "political climate that followed the Lebanon war" triggered the development of right-wing extremism and anti-Arab tendencies in Israel. Plus, the quasi non-existent encounter between those two groups fed the fears and prejudices that each group held against each other today (Maoz 2000, 260-2).

Ultimately, PSC can be conceptualised as follow:

Protracted social conflicts are hostile interactions extending over long periods of time with sporadic outbreaks of open warfare which fluctuate in frequency and intensity. These situations can involve either groups in one nation-state or in different nation-states of the same region, where deep-seated racial, ethnic and religious hatreds may generate or intensify domestic and international hostilities. Because protracted social conflicts are rooted in ethnic hostilities and the ingroup/outgroup effects which accompany them, the actual distribution of power and resources or the perception of these distributions play a crucial role. PSC are distinguishable from other conflicts in terms of their focus on group and national identity and the rights and privileges associated with them (Azar and Farah 1981, 319-320).

It can also be summarised as "a type of conflict which does not show clear starting and terminating points and in which there are multiple causal factors and dynamics that are reflected in changing goals, actors and targets (there is an interrelation between internal and external sources and actors)" (Azar 1990, 6). Plus, as mentioned,

the primary actor of those enduring conflicts are communal actors, not states, even if one of the parties can still be a state actor since it may be possessing all the resources such as the military and police forces. Violence is also a crucial element of protracted social conflicts and in many cases, other communal groups that do not constitute one of the two main parties in the conflict may be participating in the perpetuation of violence towards the persecuted group.

CHAPTER 4

THE ANALYSIS

Genesis factors

Communal content. Firstly, protracted social conflict's most important factor is the one of communal content of a society and the "most useful unit of analysis in protracted social conflict situations is the identity group – racial, religious, ethnic, cultural and others" (Azar 1985, 31). Azar (1990) identifies two factors which are the causes of the politically active multicomunal societies' upsurge; colonial legacy and "historical pattern of rivalry and contest among communal actors" (7). On the one hand, the existence of many communal groups in old colonial states is mainly attributed to the principle of *divide and rule* employed by colonialists. On the other hand, as a result of colonial legacy, in many states the government is dominated by one communal group that are not taking into consideration the needs of society's other groups. Consequently, the communal group whose societal needs such as identity, security and recognition are ignored come to feed the "historical pattern of rivalry and contest" (Azar 1990, 7).

As mentioned in the first part of the thesis, the British used its famous "divide and rule" to administer Burma. Some may say that even before British colonialism, Burma was already "one of the most ethnically diverse countries in Asia" (Walton

2016, 1), but the colonial legacy is still applying in this case as the cause of the communal content of a protracted conflict since the divide and rule system employed by the British consolidated the ethnic division in the country and intensified the resentment of one group towards another one. Thus, the colony was divided into two main administrative areas; the central area, called *Ministerial Burma* or *Burma Proper*, which was constituted by the Burman majority but also by a considerable percentage of non-Burman ethnicities, and the *Frontier Areas*, which consisted of the regions at the northern border populated by the other minority groups as well as the Shan States and the zones primarily peopled by Chin and Kachin ethnic groups (Walton 2016, 1-2). Ministerial Burma's administration was directly done through Indian officials brought in by the British Empire, while the frontier areas' administration was conducted indirectly by collaborating with traditional leaders (Walton 2016, 2). The Burman majority was excluded from administrative positions and the armed forces, since the Karen and Kachin were preferred for the colonial militia because of their warlike abilities while the Burman majority were considered as more docile and more useful for agriculture (Charney 2016, 1). This led Burmans to associate the other ethnic minorities to colonial rule and repression and "Burmese nationalism thus developed not only in opposition to British colonial rule, but also mostly as an ethnic Burman nationalism suspicious of minority ethnic groups" (Walton 2016, 2).

This strict separation also intensified the differences between the ethnic groups and led them to have different political and economic aspirations. It is clearly visible

that British intention was to keep the majority group, the Burman, out of any power related positions and make them cultivate a feeling of resentment against the other minority groups in order to keep them from collaborating and plotting against its rule. In parallel, by attributing administrative and army positions to minorities, the British made them feel important and superior to the majority group, and at the same time gave them a sensation of freedom and kept them from opposing or revolting against its power. The exclusion of the Burman majority was also visible with the influx of Indian and Chinese labor into Burma coming from the rest of the British Empire. Indian and Chinese labor were seen as being hard-working compared to locals who were considered as lazy. This created inequalities among the locals and the immigrants, since the British also sold the monopolies of trade and banking to the immigrants which were more experienced in trading and banking than the locals. It became really hard for the locals to compete with Indians and Chinese. As a result, local Burmese would try to get some advantage and power through politics or the military instead of through commercial opportunities (Charney 2016, 3). Henceforth, the ethnic minority groups were considered as cooperating with colonial rule by the Burmese majority and the latter would conduct some riots or attacks against non-Burmans and British people. Hereafter, the minorities also started to develop a “national consciousness increasingly defined themselves in opposition to the Burman majority” (Walton 2016, 2). The way the British administered colonial Burma permits us to see that even if the communal division was already existing, the divide and rule policy employed by the British only exacerbated those divisions and thus played an

important role in the maintenance and widening of those divisions in the post-colonial era.

Then, to see how one communal group, the Burman, came to dominate the government over the other non-Burman groups, it is necessary to see the route to Burma's independence. Thus, in 1941, with the outbreak of the Second World War in the Pacific (Charney 2016, 2), a group of Burmans made an alliance with the Japanese to get rid of the British which were allied with some of the non-Burman minority groups. In the 1930s, colonial Burma experienced the birth and growth of radical revolutionary movements and the foundation of the CPB, the Communist Party of Burma, composed by today's well-known General Aung San and other Marxist elites (Hein 2017, 194-195). Later, the People's Revolutionary Party, was also founded and for many of the nationalists of that time, "capitalism and imperialism appeared indistinguishable" and revolutionary success could be achieved via the "destruction of both" (Thompson and Adloff 1950, 82). In the 1940s, colonial Burma became increasingly radicalised with labor and student revolts in the whole country, forcing the British colonial government to adopt an emergency law and arrest many students and leftist leaders and put them in the same prison. The Insein Prison Annex became the school of communism since it was like a training camps of Marxism for important people that later would play a significant role in the nationalist movements (Hein 2017, 196-197). As Zinoman (2001) underlines in the case of Thailand, colonial prison in Burman can be considered to have played a crucial role since it has fostered and cemented national and revolutionary consciousness. In the meantime, Aung San went

to China in order to obtain some help from the Communist Party of China, but instead he met with agents of the Japanese Secret Services. The Japanese military “agreed to offer weapons and military training for the Burmese liberation movement” (Hein 2017, 198). Thus, with the help of the Japanese and under Aung San’s leadership, the Burmese Independent Army (BIA) was founded and the British were expelled in 1942.

This so-called independence under Japanese rule was little different from the colonial rule of the British, so the Burmans started to form an anti-Japanese resistance (Walton 2016, 2). Because of their collaboration with the Japanese, some leftist leaders from the Burman majority occupied important cabinet role in the government under Japanese occupation. While keeping good relations with the Japanese, those leftist leaders were collaborating with other leftist groups to pursue a nationwide revolution against the Japanese (Nu 1946; Tin Mya 1974). So, the Burman, which had to cooperate with the Japanese in order to get rid of British colonialism were facing at that time Japanese colonialism while all they wanted was an independent and Burman led state. Under the political leadership of Thakin Soe, which is “the leading theoretician of the wartime communist party” (Hein 2017, 197-198), the Anti-Fascist Organisation became the main anti-Japanese movement. Plus, the Burmese military was trained with Marxist ideologies (Hein 2017, 197-198).

Hence, the Burmans were working together with the British and non-Burman troops to defeat the Japanese and kicked them out in 1945. At the end of the Japanese occupation, the leaders of the communist party became the leaders of the Anti-Fascist People’s League, the most important and influential nationalist alliance facing the

return of British colonialism (Hein 2017, 190-192). Although, British colonial rule recommenced after the war, it faced an organised political movement led by Aung San, a national hero, demanding independence. After the war against Japan, the British wanted to get rid of their colonial commitments, while the Karen minority group wanted to remain under British rule because of the suffering they endured under the rule of the Burman majority. At the same time, some other minority groups such as the Kachin and the Shan were eager to accept a Burman-led government if their economic concerns were taken into consideration. As a result, the British only required that the Burman needed to get the agreement of all the minority groups in order to get independence, which was achieved at the 1947 Panglong Conference, considered as one of the most important step in the route of Burma's independence and at which the creation of a multiethnic federal nation was agreed on (Walton 2016, 3).

However, this promise of a multiethnic federal nation became impossible with Aung San assassination in 1947 by political rivals, just before Burma's independence in early 1948. Many ethnic groups had faith in Aung San and his assassination resulted in a civil war along ideological lines. In the light of the role communism had played in the wake of myriad nationalist movements against colonial oppression" (Hein 2017, 189) in Southeast Asia, the Communist Party of Burma (CPB) played a significant role in the formation of an independent state in Burma under British and Japanese occupation. Nevertheless, the CPB rebelled against the new post-colonial government and tried to take over territories. It failed to seize power even if they had more coercive

resources than the actual Burmese state at that time and the major non-Burman ethnic groups remained loyal to the Burman-led post colonial government. Throughout the 1950s, the army portrayed itself as the protector of the country, as being the only institution to be able to hold the country together despite many rebellious groups (Walton 2016, 3). Thus, as Callahan (2003) has supported, “the years of battle against various insurgent groups (some of them ethnic-based) let the military to develop a view of their own citizens as potential enemies who needed to be pacified and controlled” (Walton 2016, 3-4). Not to mention that leaders of ethnic minorities started to ask for the promised multiethnic federal nation agreed on before independence, with military leaders and some Burman civilians viewing this as a sign of disloyalty to the nation.

Thus, the military took control of the country in a *coup d'état* in 1962 by arguing that the increased demands of ethnic groups for a federation would disintegrate the country. Consequently, the military rule from 1962 up to 2011 “reinforced the central place of Burman culture in the definition of a Burmese national identity” (Walton 2016, 4). Since Burmese nationalism was only Burman nationalism, non-Burman ethnic groups also started to develop a separate nationalist sentiment. Hence, the government of post-colonial Burma is dominated by the Burman majority, as the military, which is not taking into consideration the demands of basic needs of the other groups in the country. This inconsideration can be seen by the demands of non-Burman groups; “political power sharing, equitable distribution of the country’s wealth and resources, and, ideally, some form of federal government” (Walton 2016,

4). All of those demands are basic needs; however, their political aspirations have been frustrated by a hegemonic identity which controls the state whose leaders do not recognize the ethnic, religious or linguistic differences of the other groups (Fink 2008; Gravers 2007; Harriden 2002). Consequently, this feeds what Azar (1990) identified as the “historical pattern of rivalry and contest” (7).

Deprivation of human needs. Secondly, similar to Burton (1990), Azar (1990, 9) identifies the “deprivation of human needs as the underlying source of protracted social conflict” (Ramsbotham 2005, 115). Azar (1990, 9) claims that “basic rights” (Shue 1980) of security, subsistence and freedom which also consists of “security needs, development needs, political access needs, and identity needs (cultural and religious expression)” (Azar 1990, 9) are important in order to understand the causes and origins of the escalation of violence in protracted social conflicts. Conflicts are more likely to occur in underdeveloped regions or states since central governments are not investing and developing those parts of the country. Furthermore, Azar (1990) also considers material needs in his explanations of this factor but claims that the right to access the superstructure of society, such as governmental jobs or services giving access to power, pushes marginalized groups to address their dissatisfaction outside legal structures since they do not have any representation and access to political and economic power. The incapacity and non-existent willingness of the government to meet those basic needs transforms and escalates these grievances into protracted ones. Moreover, Azar (1990) also suggests that “deprivation of physical needs and denial of access are rooted in the refusal to recognize or accept the communal identity of

other groups” (9). In the Rohingya case, Rohingyas are denied access to political and social institutions on the basis of their religious and racial heritage since they are not citizens of Burma and are considered as Bengali immigrants, even if there is proof of their presence in Rakhine state from centuries ago.

The absence of freedom needs, and identity needs, which englobe cultural and religious expression, is salient in the case of the Rohingya. Albeit, let’s first give a simple and classic definition of freedom. Liberty and freedom are used as synonyms by many scholars that have tried to define freedom. According to Hobbes (1651), freedom or liberty “in their most general connotation signify absence of opposition; applied specifically to a human-being, liberty “consisteth in this, that he finds no stop, in doing what he has the will or desire, or inclination to do” (Chap. 21) (Scanlan 1958, 194-195). We can also add Parent’s (1974) definition of freedom in order to make it more precise; “non-restriction of available alternatives or options” (432). The restrictions may be carried out by governments and its institutions such as police and armed forces through discriminatory and limiting rules and laws, and the use of physical or psychological violence employed by the executive forces.

Albeit being geographically fortunate since located along the Bay of Bengal and near a Bangladeshi’s border, Rakhine State “remains one of Myanmar’s poorest, with an estimated 44 per cent of the population living below the poverty line” (OHCHR 2018, 100). All the communities living in the state, such as the majority group composed by Buddhist ethnic Rakhine, the Kaman, the Chin, the Mro and many others are affected by scarcity and not only the Rohingya. Notably, the ethnic Rakhine

also have many complaints towards the central government which they consider is neglecting the development of their state. In addition to the high level of poverty, “the highest unemployment rate in the country, and the lowest access to clean water and sanitation” are attributed to Rakhine State (OHCHR 2018, 101). Therefore, “the persistence of communal tensions signaled a need to address one of the root causes of conflict: crushing poverty” (CDNH 2015, 3). As a matter of fact, Rakhine State is considered as being Myanmar’s second poorest state “characterized by malnutrition, low income, poverty and weak infrastructure” (CDNH 2015, 5). As mentioned previously, Muslim communities are not exclusive in not having their basic needs, such as access to decent infrastructure, food, and proper health and education services met, but all the residents in Rakhine State are facing the same challenges. Thus, one of the factors that Azar (1990) identified is clearly visible in the Rohingya case; the location of the conflict which is occurring in an underdeveloped state and where the government does not consider worth investing and developing.

Particularly, the “denial of the right to freedom of movement” is a very important factor to mention and analyze since it is the major reason why many other basic rights are not or cannot be met (OHCHR 2018, 119). Accordingly, “Under international human rights law, once a person is lawfully within a state, no restrictions on the right to freedom of movement, as well as any treatment different from that accorded to nationals, may be imposed” to someone that is lawfully within a state’s territory (OHCHR 2018, 119). This means that even people that are not considered as citizens are supposed to have the right to move freely from one place to another within

the state's border they are. In addition, according to the Human Rights Committee, “the statelessness of a person resulting from the arbitrary deprivation of nationality, cannot be invoked by States as a justification for the denial of other human rights, including freedom of movement” (HRC 2011, 5). Nevertheless, this is not the case for the Rohingya. As a matter of fact, they are facing strict restrictions on their right to movement since they cannot even travel between villages in the same town, let alone between towns and states within the country. Those constraints are established and enforced through “a complex system of written or verbal instructions as well as security rules, physical barriers, abusive practices, and self-imposed restrictions based on fear” (OHCHR 2018, 120).

In like manner, Rohingya cannot travel without a temporary travel permit known under the name of *Form 4* since an instruction dating from June 1997 was issued by the Rakhine State Immigration and National Registration Department. Despite that this travel permit is required for foreigners and those considered as non-citizens, the Kaman, which is another Muslim community but are in the possession of Myanmar's citizenship, are also required to obtain this permit in order to travel. This illustrates that the discrimination is applied on a large-scale englobing *Muslims* in particular considering that ethnic Rakhine, which are Buddhists, do not face this kind of restriction when travelling. Not to mention that the application process of a *Form 4* is arduous and lengthy, and that applicants must travel to the closest town immigration office to apply, Rohingya are prevented by officers at security checkpoints to travel to the township which in turn prevent them from applying for

Form 4. Those security checkpoints, which the reported number is up to 161 only in northern Rakhine State, may be operated either by the Border Guard Police, by the Myanmar Police Force or by the Tatmadaw. Likewise, Rohingya need to get an authorisation from the administrator of their village, called the “village departure certificate” (OHCHR 2018, 121), to travel from one village to another. In addition to the fact that Rohingya need to obtain those two types of travel permit, the security checkpoints are especially difficult and long for Rohingya in particular since “Rohingya often face questioning, searches of vehicles and harassment” coupled with transit fees imposed by the officers at the checkpoints (OHCHR 2018, 121).

The restrictions towards the Muslim communities, the Rohingya and the Kaman, were enforced after the violence of 2012, when clashes between Muslim and Buddhist communities occurred. As a pretext to maintain order, the central government separated Muslim and Buddhist communities, and forced Muslims to move and reside in distinct villages and displacement camps and sites. The United Nations Special Rapporteur who was in charge of describing the situation in Myanmar described the government’s actions as “a policy of segregation” (OHCHR 2018, 122). This policy had serious consequences on the already existing mistrust and misunderstandings between the two communities. The displacement camps and sites are cut off “from the outside world, with Rohingya and Kaman unable to move outside freely” (Danish Refugee Council 2017, 12). Many humanitarian actors have described the camps as:

These camps should be viewed as internment camps as the people there are not seeking refuge (at the heart of the definition of a camp for internally displaced people). Rather, they are “locked up”. To get into the camp you have to pass through a series of barbed wire fences, then an army checkpoint, and then a police checkpoint (OHCHR 2018, 123).

In the report of the International Fact-Finding Mission on Myanmar, some displacement camps, such as the ones in Sittwe, have been visited and the people inside interviewed. The camps are compared to ghetto where Muslims are forced to live separately since 2012. It is difficult for Muslims living in those camps to access basic medical care since they can only access medical facilities if they have emergency medical referrals, and markets to buy food since only some designated people can access markets under the vigilant control and escort of security forces. By the same token, nightly household inspections were held in order to dissuade Rohingya to have overnight guests without permission. If caught, arrests followed, and bribes had to be paid in order to get released (OHCHR 2018, 124-125).

Regarding Rohingya’s right to food, a report on Rakhine State needs assessment issued by the Center for Diversity and National Harmony (CDNH) with the help of the United Nations Peacebuilding Fund published on September of 2015, shows that food security is a serious problem for all the communities living in Rakhine State, but more specifically for the Rohingya. Since their access to adequate food, to productive lands and markets are limited by the restriction of movement, they rely mostly on food assistance (CDNH 2015, 62). According to the United Nations

Committee on Economic, Social and Cultural Rights (1999): “To realize the right to food, States must ensure that food is available, economically and physically accessible, and adequate” (5). The non-respect of this right for the Rohingya is clearly visible through interviews of Rohingya and research on their movement restrictions. Rohingya were relying on “fishing, farming and trading to provide themselves and their families” (OHCHR 2018, 127- 129), but they cannot practice any of these activities since there are specific restrictions on their “access to fishing, agricultural lands and forests” (OHCHR 2018, 127- 129). Plus, malnutrition, which is already at a high rate in Rakhine State at 13.9 per cent, is five times higher in northern Rakhine State where Rohingya mostly live (OHCHR 2018, 127- 129). Not to forget that the presence of security forces and their constant intimidation created an environment of fear which forced Rohingya to reduce their number of meal per day to one in order to survive without going outside of the house. Forced to get out and find work to buy food, people started to get out in order not to die of hunger, but then were facing discrimination and ill-treatment by security forces; fishers needed to get special permission to go fishing and were forced to give half of their catch at security checkpoints. If caught fishing at curfew hours or at *illegal* areas, fishers were arrested and tortured. Non-access to adequate food and livelihoods may be considered as one principal factor that forced Rohingya to leave Myanmar (OHCHR 2018, 127- 129).

Another factor, which is an important part of the development needs, is the access to healthcare: “Key elements of the right to health are non-discrimination and equal treatment. This includes the right to equality of access to health care and health

services” (OHCHR 2018, 129). While all the communities in Rakhine State experience a lack of adequate access to healthcare because of under-development and poor transportation, Rohingya are facing further difficulties “due to travel restrictions, financial hurdles, cumbersome bureaucratic procedures, and overall discriminatory treatment” (OHCHR 2018, 130). Since Rohingya and Kaman are sometimes getting health services denied because of their religious inclusion, humanitarian actors have created a medical emergency system for them through which they act as a *liaison* between the patient and the Rakhine State Health Department. Nevertheless, the patient still needs to go through the long process; permission, transport, police escort and pay the costs. If able to get to a medical facility, Rohingya face discrimination from the medical staffs at the hospital; delays, bribes and higher fees for everything. As a result, many people die because of not being able to get medical care (OHCHR 2018, 130-132).

Regarding the right of education, “one key element of the right to education is the prohibition against any form of discrimination” (OHCHR 2018, 132), so that education should be accessible and available to everybody regardless of their race, religion and gender. Before the segregation due to the events of 2012, Rohingya, which were going to government-run schools, have faced many forms of discrimination including humiliating practices; seated separately, placed in different classrooms, not having the teacher’s help or simply not being taught. After the 2012 violence, many schools closed and “many Rohingya and Kaman children are prevented from attending the formal education system because of the combination of

movement restrictions, the lack of schools, and the confinement of an estimated 60,000 displaced children” (OHCHR 2018, 132-135). The only education facilities present in displacement camps are primary schools staffed by volunteers, and therefore, there is a lack of accessibility and opportunity of higher education. In addition, Rohingya were also facing discrimination at university for only those who could access higher education before 2012, generally children of wealthy families, and even if this minority could access university, they were not permitted to study some subjects such as law, medicine and engineering, since they were not considered as full citizens. After 2012, Rohingya students were not able to enrol at any university based on “security concerns” (OHCHR 2018, 132-135).

Then, “the refusal to recognize or accept the communal identity” (Azar 1990, 9) of the Rohingya Muslims by the Burmese Buddhists is clearly observable through the adoption and application of the 1982 Citizenship Law. Even if the people’s freedom is limited by many laws adopted since Burma’s independence, the most flagrant one is the Citizenship Law of 1982 through which the government denies to recognize the Rohingya as one of the 135 official minority groups in the country and thus refusing them their right of citizenship, and along with this, many of their other basic rights. Not considered as citizens in their own homeland, the Rohingya are also not entitled to the same civil rights and liberties as members of other groups are as mentioned above. Considered as “The right to have rights” (DeGooyer et al. 2018), the right to a nationality is refused to Rohingya, therefore rendering them stateless. The ongoing citizenship status problem of the Rohingya can undoubtedly be linked to the

1982 Citizenship Law, since the 1948 Union Citizenship Act support that: “any person descended from ancestors who for two generations at least have all made any of the territories included within the Union their permanent home and whose parents and himself were born in any of such territories shall be deemed to be a citizen of the Union” (OHCHR 2018, 112-113). Therefore, Rohingya were included despite the origins of their ancestors. Plus, referral “to the Rohingya as an indigenous group of Myanmar” (OHCHR 2018, 112-113) from Prime Minister U Nu were reported. Even after the 1974 Constitution under General Ne Win’s regime, the citizenship of the Rohingya acquired between 1948 to 1962 was preserved. Comparatively, more than 200,000 Rohingya, who fled to Bangladesh during the Tatmadaw’s “Operation Dragon King” in 1978, returned as Myanmar’s government agreed with Bangladesh “to repatriate the lawful residents of Burma who are now sheltered in the camps in Bangladesh” (OHCHR 2018, 112-113). Later, General Ne Win began a review of the citizenship laws and supported a *three classes of citizens system*. As a result, the 1982 Citizenship Law was adopted and *ethnified* the concept of citizenship. Even if the law does not fully exclude the Rohingya from citizenship, its discriminatory and arbitrary implementation and application does (OHCHR 2018, 112-113).

Secondly, Myanmar authorities refuse to use the name *Rohingya* since they argue that “there are no Rohingya in Myanmar” (OHCHR 2018, 110), only Bengalis which are considered as illegal immigrants from Bangladesh who came to Myanmar during British occupation. Thus, they are not considered as one of the national races and as a result, they do not have legal status or identity since they are denied birth

certificates (OHCHR 2018, 110). According to the Convention on the Rights of the Child:

Access to registration must not be undermined by discrimination of any kind, including on the basis of the child's or the child's parents' race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status. All children should have access to birth registration in the country where they are born, including non-nationals and stateless children (HRC 2014, 4).

Unfortunately, this right is refused to Rohingya's children in northern Rakhine State since the 90s without an official reason explaining or supporting this decision of change of policy. The only document that Rohingya parents can get for their children is a certificate of proof of birth in order to register the new-born to the household list, which is a control list with the name of every person living in one house. If not declared or added to the household list, parents face imprisonment, not to forget to mention the large amount of money that they need to pay as bribes to the authorities in order to register the child and to not go to prison. In addition, there is another discriminative practice put in place by the authorities concerning the registration of Rohingya children; the "black-listed children form" or "illegitimate children form" (OHCHR 2018, 112). So, children born from parents who have not receive an official marriage permission (Rohingya also need to apply for marriage permissions), parents who missed the updating exercise of the household list, adopted children and children

born despite the local order of a limit of two children per Rohingya families, are “black-listed” (OHCHR 2018, 112).

Regarding the political access needs of the Rohingya, they are quasi inexistent since its negative evolution is visible from 1990 to 2015. During the 1990 parliamentary elections, Rohingya were allowed to participate by voting and standing as candidates and being elected as members of Parliament. Then, in 2010, Rohingya, who were holding white cards, were still allowed to participate regardless of their lack of citizenship. Whereas in 2015, political leaders and members of parties were required to be *full* or *naturalized* citizens. In addition, President Thein Sein decided that white cards would expire in March 2015, which officialised the non-eligibility of Rohingya to participate in elections. Thus, the “lack of legal status and identity is the cornerstone of the oppressive system targeting the Rohingya. It is the consequence of the discriminatory and arbitrary use of laws to target an ethnic group and deprive its members of the legal status they once possessed” (OHCHR 2018, 118). Therefore, Myanmar authorities’ violation of international law, and even domestic laws, is clearly displayed in the discrimination based on race, ethnicity and religion towards the Rohingya, which then have an impact on all the other human rights they should naturally be benefiting from. Myanmar’s denial of legal status to Rohingya have worsened since 2015 and excluded this community from participating in the government (OHCHR 2018, 118). Hence, the birth of armed groups such Arakan Rohingya Salvation Army (ARSA), can be considered as a result of the exclusion of

Rohingya from the superstructure of society as Azar (1990) described in his definition of material needs.

Finally, the security needs of the Rohingya are also not respected and guaranteed. The Independent Fact-Finding Mission on Myanmar found that security forces were making discriminatory arrests since they were systematically targeting Rohingya during “night raids on villages, in houses or shops, at checkpoints or during house searches or household list verifications” (OHCHR 2018, 376). Evidence also shows that these arrests were “random, not based on evidence or a warrant” (OHCHR 2018, 144) and generally targeting male villagers. To demonstrate, a study conducted in northern Rakhine State in 2015 permitted to find out that nearly 330 arrests were made monthly. In addition, security forces were requiring the payment of bribes for everything; to release someone they have arrested, even without any valid reason, to let them pass at a security checkpoints, to give them travel certificate or other types of documents, to just let them pass and for many other reasons. The latter had and still continues to have an important economic impact on the Rohingya community and is also one of the main reasons people decided to flee Myanmar. Not to mention that Rohingya are also facing oppression under many other forms perpetuated by Myanmar authorities, such as “forced labor, confiscation of property, extortion and sexual and gender-based violence” (OHCHR 2018, 143-147). All things considered, Myanmar’s government fails to fulfill its obligation, as a state, to respect, protect and guarantee the rights of the Rohingya community (OHCHR 2018, 135).

State provision. Thirdly, Azar (1990) cited that: “Most states which experience protracted social conflict tend to be characterised by incompetent, parochial, fragile, and authoritarian governments that fail to satisfy basic human needs” (10-11). While the state’s primary role is to govern and protect its citizens by providing collective goods in a neutral way, states in protracted social conflicts tend to be monopolised hegemonically by one group or a coalition of groups that do not take into account the needs of other groups, as mentioned earlier. States are not fair and impartial anymore and do not “promote communal harmony and social stability” (Azar 1990, 10-11). Thus, the state is used as a tool by a hegemony group to maximise their own interests at the expense of others.

In the light to see the monopolisation of Myanmar’s government by the Burmese Buddhist community the Bamar, which is considered as the major group of the country by constituting an estimated of 60 to 70 per cent of the total population, it is necessary to start looking from the country’s independence (OHCHR 2018, 25). The period of the country’s independence is important since the capture of the state by one communal group, the Bamar, happened at that moment. As a matter of fact, General Aung San, the nationalist leader who has led the country to its independence from the British, was from the Bamar community. Having conquered Burma, British leaders wanted to avoid empowering the ethnic Bamar, who were also constituting the majority of the population at that period, and thus gave the important colonial positions to ethnic minorities. By keeping the ethnic Bamar out of key positions in the colony, the British were limiting possible insurgencies coming from their side since

they had no access to weapons or any other related materials while the minorities' possible will to oppose the British was not a menace since they were benefiting from a better treatment (Weiss 2017). Indeed, this refers to the British famous *divide and rule* used to prevent and inhibit their colonies' oppositions, as mentioned and analysed in the beginning of this analytical part in the communal content factor. By doing so, communities that were refused access to government or military positions were cultivating deep feeling of resentment against the other communities that were benefiting of such advantages. This deep-rooted resentment that the Buddhist Burmese (Bamar) had against the ethnic minorities is still visible today.

As mentioned, the country's path towards independence has been built by General Aung San and his comrades, establishing together the first army of Burma; the Burma Independence Army which is the ancestor of the Tatmadaw (Paddock 2018). By the same token, General Aung San gained the trust of some of the non-Burman communities such as the Shan, Karen, Karenni, Kachin and Chin that, as a result, signed the famous Panglong Agreement in 1947 with the Burmans in their course for independence from the British. Therefore, the result at the independence was a union of three states; Burma Proper, Karenni State and Shan States with the Burmans' word of autonomy for the non-Burmans (Wansai 2004). Thus, when independence occurred in 1948, the newborn parliamentary democratic government was ruled and constituted mainly by the major communal group. Although, minorities were moderately present, notably in the parliament and were able to participate in the political process by becoming candidates and leaders of political parties. However,

the last Prime Minister of the Union of Burma before the military coup of 1962, U Nu, was criticized by the other ethnic groups due to his “persistent promotion of Buddhism as the state religion” (OHCHR 2018, 21-22) and criticized by the military for his tolerance of separatism. This caused the break out of many insurgencies from ethnic armed organisations and thus, gave the military a reason to legitimise their coup in 1962 (OHCHR 2018, 21-22).

Correspondingly, “the Tatmadaw has used the alleged “ethnic” threat to national sovereignty and territorial integrity as the excuse for its control of the country ever since” (OHCHR 2018, 22). In addition, the Union Constitution was declared abolished by the Tatmadaw and by doing so, “the only existing legal bond” between the Burmese and the other ethnic communities was adjourned (Wansai 2004). Taking the country over while being at the head of the *Union Revolutionary Council* formed only with members of the armed forces, General Ne Win wanted to transform Burma into a “self-sustaining socialist state” (OHCHR 2018, 22) by “nationalising the economy, forming a single-party state with the Socialist Programme Party as the sole political party, and banning independent newspapers” (BBC News 2018). The arrests of political opponents, use of military force to suppress demonstrations and restriction of political and union activities became weapons of the military government. However, extensive human rights violations committed by the military forces added to the military government’s prevailing corruption and economic mismanagement, increased the existing resentment towards Ne Win’s regime. This resentment finally resulted in diffuse anti-regime protests principally led by students in 1988 and

demanding the end of the one-party rule system. In order to restrain and cover up the demonstrations throughout the country, the military used coercive force, and this resulted in the death of thousands of people. This generated the famous 8888 Uprising with further protests across the country and again, thousands of people getting killed and injured by riot forces. Under those circumstances, General Ne Win had no choice but resign from his position of leader of the Burma Socialist Programme Party (BSPP) and together with, from his position of Prime Minister on July 1988 since the BSPP was the “Tatmadaw’s vehicle for governing” (OHCHR 2018, 22). Then, the Tatmadaw took again the power by establishing the State Law and Order Restoration Council (SLORC) with General Saw Maung at the head on September 1988 (Steinberg 1997).

In addition to the construction of the government by only the Buddhist Burmese majority, the lost of political rights of non-Burmans will permit to see the monopolisation of the state by one communal group that does not take into account some basic needs of the other communal groups. Albeit, some of the non-Burmans, more specifically the Muslims minorities such as the Rohingya and others of Indian or Chinese descendant, lost truly their political rights in 1982 with the adoption of the 1982 Citizenship Law. Formerly, the citizenship frame was relatively broad since anyone whose ancestors of two generations has lived in the territories of the Union of Burma or anyone older than 18 years old that has lived in the country for a minimum of five consecutive years would be allowed citizenship. Therefore, most of the Rohingya living in Rakhine State were included and even got a National Registration

Card (NRC) after the government inquired the registration of all citizens. Despite not supposed to be citizenship certificates, NRCs were used as such. Then, it is the 1982 Citizenship Law that rendered the concept of citizenship completely *ethnic* by implementing three distinct classes of citizens (see Chapter 1.2). Even though this citizenship framework is intent to be discriminatory, the Rohingya are not legally fully excluded from citizenship, but they are because of the arbitrary and discriminatory implementation of the law. The enforcement of the law started after the arrival of the SLORC in power in 1988 with the replacement of NRCs by Citizenship Scrutiny Cards (CSCs). In reality, Rohingya were refused CSCs and were given instead Temporary Registration Cards (TRCs or white cards) that became the only identification document for more or less 700,000 Rohingya for the next 20 years (OHCHR 2018, 113-115). Not to mention, holders of white cards lost their rights to vote after hundreds of Buddhists took the streets to protest the adoption of a law that was supposed to allow them to vote. Protesters showed their opposition to what seemed to them as an integration of non-citizens into the country by taking the streets (BBC News 2015). Then, the government of 2015 also suspended the program of the white cards and forced Rohingya to exchange their white cards for the new Identity Card for National Verification (ICNVs) instead and register only as “Bengali” and not as Rohingya (OHCHR 2018, 116).

Equally important as the political rights of ethnic minorities, the economic situation of the country and the corruption related to it also shows the domination of the government by one group over the rest of the population. Having the highest

poverty rate in the region of Southeast Asia, poverty is two times worse in Burma's rural areas where ethnic minority groups are mostly residing. Not only there is an inequality between Burmans and non-Burmans, but there is also an inequality between the "members of the military elite and their civilian cronies" (Bertelsmann Stiftung 2018, 17-18). The latter is a direct result of decades of military rule and together with, as the visiting scholar Kevin Woods from the East-West Center in Honolulu describes, the Tatmadaw's approach of *cease-fire capitalism*. In other words, the Tatmadaw declare cease-fires, instead of convening of peace agreements, in order to justify its presence in the ethnic minorities' territories and retain strong control. By doing so, it controls territories with vast resources such as jade mines, teak forests, rubies, gold, copper, timber and many others. In perpetual fighting with ethnic minorities since the country's independence, the Tatmadaw has been the reason of millions of displaced civilians while benefiting of billions of dollars in profit from the natural resources of these territories. As an illustration, a London-based anticorruption organization, Global Witness, found out in their report of 2015 that the Tatmadaw, "its cronies and major drug lords controlled tens of billions of dollars from the jade trade in war-torn northern Kachin State" (Paddock 2018). To demonstrate the Tatmadaw's arbitrarily appropriation of civilians' land, the Independent International Fact-Finding Mission on Rakhine State established by the Human Rights Council found that the Tatmadaw forcibly evict villagers in Rakhine, Kachin and Shan States without any warning or consultation and take their lands for many reasons such as the construction of infrastructure, food production and narcotics trading (OHCHR 2018, 31; 105).

All things considered, it is possible to clearly see that the government fails to satisfy basic human needs like political rights such as the right to a nationality and the right to vote. In addition, it fails to satisfy its primary role which is to govern and protect its citizens by providing collective goods in an impartial way since even if the country is generally poor, the states and regions at the periphery of the country where non-Burman minority groups live are even poorer than the center where the majority of the Buddhist Burmans reside. Plus, the state itself attacks and harms its citizens since few years ago when the country was totally ruled by a military junta, the Tatmadaw, which was and still is present in many lands where ethnic minorities are prevalent and therefore, mistreated by the military in many ways; forceful appropriation of civilians' lands, forced labour, forced eviction, confiscation of food and livestock, sexual and gender-based violence, torture-ill treatments, killings, and many others (OHCHR 2018, 2-3). The non-impartiality of the state was clearly visible after the violent communal riots of 2012 between Muslim and Buddhist communities in Rakhine State, since the State decided to displace Muslims and place them in camps in order to separate them from the Buddhist community. However, this aggravated the already existing bad conditions for the Muslims and also for the Buddhist communities since the State reduced the previously low investments due to the clashes (CDNH 2015, 28-31). Thus, communal harmony and social stability was not promoted, on the contrary, was worsened by the military government. As U Win Htein, an old adviser to Daw Aung San Suu Kyi who was in the army for 18 years and

then imprisoned 20 years for opposing the regime, said: “The army doesn’t want peace” (Paddock 2018).

International linkages. Finally, “international linkages” is the last precondition identified by Azar (1990) as: “Formation of domestic social and political institutions and their impact on the role of the state are greatly influenced by the patterns of linkage with the international systems” (11). Then, he develops two models of international linkages; “economic dependency within the international economic system” which limit the state’s autonomy and affect the economic development of the state and therefore, affect the state’s ability to satisfy its population’s security needs; and “political and military client relationships with strong states” which also affects state’s autonomy and independence (Azar 1990, 11). The latter also influence or force the state to pursue policies that can be opposing its population’s needs. Therefore, to see Burma’s economic, political and military relationship with other states within the international system, and to see how its foreign relations and policies may have affected its autonomy and domestic policies, it is necessary to start looking from its independence since the position that the leaders of that period took towards the international community determined the country’s position ever since. Then, Burma’s relationship with China, India and other members of the Association of Southeast Asian Nations (ASEAN) such as Thailand and Japan on the one hand, and with the United States and the United Nations on the other will be analysed.

Since its independence occurred in 1948 during the period of the Cold War, Burma’s newly formed government, conscious that affirming its position was

important in modelling its foreign policy, decided to not choose any of the great powers' side and remain unaligned (Pettman 1973, 1). As Johnstone (1963), an American professor of international relations who also taught in Burma's Rangoon university argued, Burma has pursued "an unwavering policy of non-alignment on neutralism in world affairs" and this impartial policy "called for friendship with all and aid from any" (Trager 1964, 195-6). He also supported that U Nu and Ne Win were favouring the communist bloc despite their neutralist line since the West did not seem to have interest in investing or aiding their country (Pettman 1973, 1). Possessing reserves of energy resources, a youthful population, an emerging consumer class, and having a direct access to the Bay of Bengal and Indian Ocean, Burma was considered important and essential in the eyes of many countries, especially for the members of the ASEAN (Kundu 2018).

In the first place, Burma's oldest and major relationship was with one of Asia's biggest power and its direct neighbor; China. China supported Burma when the United States and European countries were criticizing the military's authoritarian rule and imposing economic sanctions and therefore, forcing Burma into a political isolation. As a result, China took advantage of this isolation. Regardless, Burma also wanted to benefit from Chinese investment and aid since it does not carry "any preconditions about human rights or democratic principles" (Kundu 2018) compared to the US and Western countries. In addition, China has many times prevented UN resolution against Burma to pass at the Security Council by advancing a "policy of noninterference in the domestic affairs of other countries" (Kundu 2018). However, China's positions

and actions may be considered as contradictory since China is intervening by giving monetary incentives to ethnic armed groups in order to push them to participate in government-backed peace conferences. Correspondingly, Burma was organising its third Union Peace Conference (UPC) for the Ethnic Armed Organisations (EAOs) in this year of 2018. There are 21 EAOs in Burma and 7 of them form the Northern Alliance (NA), which is a result of the Tatmadaw's increasing pressure since 2016. None of the NA members have signed the Nationwide Ceasefire Agreement of 2015 with the government and neither attended a UPC since the government was excluding them. However, with Chinese help and diplomacy, all NA members have attended the government UPC for the first time. Although China does not take the side of the Tatmadaw nor the EAOs, it still wants to have and maintain good relations with both to protect its commercial interests. All it wants is a stable border with Burma that "will benefit Chinese trade and the movement of goods and resources" such as oil and gas, and since the Tatmadaw and EAOs have been fighting at the Chinese border and attacking commercial interests like casinos in northern Shan and Kachin States, China try to persuade both side for peace and facilitate dialogues between them (Inkey 2018). China's desire to maintain its border region with Burma stable may be seen as a positive element for the Rohingya crisis in northern Rakhine State since China has a plan to build an economic corridor through Rakhine State, the China-Myanmar Economic Corridor, which implementation committee had a meeting led by Aung San Suu Kyi on December 6th (Thiha 2018). As U Thaug Tun, Union Minister for the Office of the Union Government and National Security Advisor from Burma, have

said: “If Rakhine is prosperous, nobody is going to squabble about what religion you belong to”, by what he means that developing infrastructures and creating jobs will help bringing some economic stability to Rakhine State and therefore, more investment and development are essential to bring back peace into the region (International Institute for Strategic Studies 2018, 18).

In addition, the bilateral relationship between Burma and China is widely accepted and seen as an asymmetrical one in which China has a visible advantage. Since 1988, China has invested more than 14 billion of dollars and was the main source of foreign direct investment (FDI) for Burma for the past three decades (Maini and Sachdeva 2017). As a matter of fact, international isolation and sanctions in the 90s due to its awful treatment of political opposition and population, Burma had no other option but to turn to China for investment and development. Plus, China was also facing international condemnation for similar reasons; violent suppression of democracy movements, and remained ideologically communist in its system’s structural characteristics, like Burma. Burma’s elite has always been aware of this imbalance of power and in order to protect their country’s domestic interests and autonomy, they view favorably an engagement with three of their other neighbors; India, Japan and Thailand (Ganesan 2018, 2-5).

Regarding Burma’s relationship with another Asian giant which is India, it just developed and expanded more recently with the democratisation of Burma which started in 2010 (Singh, 2012, p. 26). Burma’s ties with India have been really cold since the 1962 military coup (Haacke 2006, 33) because of India supporting the

democratic movements opposing the military regime after the 1962 takeover. Burma's approach to India is seen by many as a result of a policy of *bandwagoning* with China, considering that Burma had no other choice than interacting with China to counter Western sanctions and then, to engage with India as a response to its overreliance on China (Ramya 2018). Comparatively, India was and still is trying to avoid a possible Chinese encirclement since its closest neighbor, Pakistan and Bangladesh, were already pro-Chinese regimes and also counter China's desire to establish a presence in the Bay of Bengal and Andaman Sea. Plus, India's "Look East Policy", which comports economic and strategic interests (Haacke 2006, 34) such as the construction of the Indian-Myanmar-Thailand Trilateral Highway (Chen and Marston 2018) is another reason of India's interest in Burma. Therefore, India's cooperation with Burma is beneficial for both countries. Although, it is mainly a security and defense cooperation since both governments have engaged in "several training exercises and drills" (Ramya 2018) to counter challenges occurring from drug trafficking and ethnic insurgencies including mutual borders patrolling, India's supplying arms equipment and sending warships to Burmese ports. Not to mention the Tatmadaw's first bilateral training in India that occurred in 2017 when Tatmadaw's soldiers got trained by Indian Army officers for UN peacekeeping duties (Ramya 2018). Albeit, India and Burma are also collaborating in other areas than security and defense, such as "border area development, transportation, connectivity, agriculture, trade and investment, promotion of friendly exchanges and human resource development" (Singh 2012, 26). In addition, similar to China, India's consciousness that local terrorism in Burma can

affect its investment in Rakhine State motivates it to solve the Rohingya crisis. India is participating in a Memorandum of Understanding (MoU) with Burmese government to improve the socioeconomic conditions of Rakhine State by providing loans destined to develop and improve infrastructures projects. By doing so, India seeks to help the resettlement of the Rohingya minority back in Rakhine State and provide them with social welfare (Ramya 2018).

Then Burma's relations with ASEAN members such as Thailand, Singapore and Japan will be shortly summarised; international association which Burma's joined in 1997 despite American and European opposition. The military government at that period appreciated that some ASEAN members were supporting of the policy of non-interference and non-intervention. Albeit, relations with Thailand were not positive in the early 2000s, since Burmese government was accusing Thailand of interfering in its domestic affairs by allowing a buffer zone at the border which permitted insurgents to escape the Tatmadaw. Plus, the Thai government handling of a hostage situation in Burma's embassy in Bangkok pushed Burma to close border checkpoints to Thai traders and revoke fishing permits as a counterattack. In addition, situation worsened in the beginning of 2001 with border clashes between the Tatmadaw and Shan insurgents that spilled into Thai borders and made the Thai army launch an attack against the Tatmadaw. However, after the Thai new elections in June 2001, Burma and Thailand relations slowly get back to normal. But after 2003, other ASEAN members started to not support the policy of non-interference anymore, mainly due to American and European pressure, which made Burma evade the association (Haacke

2006, 42-9). Nevertheless, Burma's relationship with some members of ASEAN is today better than ever since the country's liberalisation in 2010 by Thein Sein, the first elected President of Burma (Ganesan 2018, 5). For instance, Singapore's investments are superior to Chinese's investments for the period of 2017-2018 and more Singapore firms are supposed to collaborate regarding "urban and housing solutions; utilities; transport and logistics; manufacturing; oil and gas; and professional services" (Maini and Sachdeva, 2017). Plus, the politically neutral position of Singapore regarding geopolitical dynamics of ASEAN does not threaten Burmese locals, comparing to Chinese investments. Similarly, Japanese investment through the Japan International Cooperation Agency can be seen in capacity building in the agriculture and information technology areas and the establishment of the Information and Communication Technology Training Institute which is providing practical training to Burmese students. Therefore, Japanese approach is not only related to economic expansion by only focusing on trade and investment, but to create "robust institutions that can facilitate economic growth" (Maini and Sachdeva 2017).

Finally, Burma's relation with the United States and some Western members of the United Nations have historically always been negative since the country's military coup in 1962, and worse with the government violent repression of civilians strikes and imprisonment of all political opponents, especially the multiple house arrests of the National League for Democracy (NLD) leader, Aung San Suu Kyi. Although the end of the military regime in 2010, the liberalisation of the country's politics and economy and the liberation of political prisoners have helped to lift some

of the sanctions, other human rights violation and violence committed by the Tatmadaw following the events of 2012 and 2017 related to ethnic insurgencies have pushed the US and other countries to impose strict sanctions on Burma and the Tatmadaw's officials once again. For instance, the US has passed the Burmese Freedom and Democracy Act in 2003 which was constituting harsher sanctions on Burma in order to influence Burmese government actions in relations to its problem with ethnic armed organisations (EAOs). However, a policy shift of the US towards Burma that occurred in 2009 showed the US emphasis on geostrategic importance versus domestic politics. Similarly, Burmese by-elections in 2012 convince the US to lift the sanctions and restore normal diplomatic relations with Burma since the latter was important for the US due to its ASEAN membership and in order to reduce Chinese growing presence in the region (Kundu 2018). Nevertheless, the US and other members of the UN, such as France, Belgium and England have recently reformulated condemnation of the Burmese military actions and the government's inaction and therefore, put in place new economic sanctions (Chen and Marston 2018). Albeit, China and India consider these sanctions as ineffective as isolating Burma politically and more importantly, economically, will only worsened the situation for the Rohingya and other civilians in Rakhine State (Ramya 2018). Additionally, some also qualify the UN's actions as "futile effort" since it does not incite Burma to engage on the Rohingya crisis. In fact, France and England have tried to put forward a Security Council resolution but in vain since China and Russia vetoed it. Instead, a presidential statement was adopted by all members of the UN Security Council, including China

and Russia, since a presidential statement cannot be enforced comparatively to the resolution that got previously rejected (Yap 2017).

Despite all the economic and political sanctions imposed by the US and the UN members, Burma is far from changing its approach and stance towards the Rohingya crisis. Due to China, India and ASEAN members' economic support and cooperation, the Burmese government does not feel the need to change its domestic politics in this internal problem and as a result, Burmese government only got closer with its Asian neighbor. In like manner, Burma's relationship with China has become closer again since the Tatmadaw response to the attacks of ARSA in August 2017 that led to the flight of more than 620,000 Rohingya civilians to Bangladesh. International community has again condemned the military's actions and the government inaction and thus imposed sanctions again. It can be seen that Burmese elites are moving closer to China to counter international criticisms and sanctions (Ganesan 2018, 6). As shown above, it is possible to understand that China and India support that the economic development of northern Rakhine State is the solution to the Rohingya crisis due to their economic and geostrategic interests while the United States and other Western countries take more activist stances by condemning the military's actions and the government's inaction and therefore, imposing sanctions in order to try to punish and isolate Burma in the international scene (Chen and Marston 2018).

Process dynamics

Communal actions and strategies. Hence, the first determinant is “communal actions and strategies” which include the formation of identity groups and the way they organise and mobilise themselves. This determinant is considered as the element which causes the escalation of violence in conflicts. As Azar (1990) wrote: “When organizational and communication systems break down within an environment of mutual distrust between groups, protracted social conflict can begin to escalate” (12). When one identity group starts recognising its victimization and oppression collectively, it can start organising its protests’ means which will in turn be repressed or completely suppressed by the government. This will only contribute to the increasing tension between parties and the victimised side will only be more motivated to organise its opposition which can also transform into a non-pacifist opposition such as guerrilla or secessionist movements. Normally, the victim communal group tends to get external military and economic assistance since the power balance in the country is not in its favor and this confuses external and internal factors since another nation-state may try to interfere in a conflict by supporting one side. In order to do so, a reminder of the Rohingya’s origins; the development and meaning of the self-identifying term *Rohingya*; and the appearance of Rohingya militant groups such as the Rohingya Solidarity Organisation and the Arakan Rohingya Salvation Army (ARSA) will be analysed.

As mentioned previously, the Rohingya is an ethnic Muslim minority group living in northern Rakhine State. There is an estimated of 3,5 million Rohingya living

around the world and before the events of August 2017, 1 million of them were living in Rakhine State and therefore constituting one third of the region population. Although their origins and roots can be traced as far as the 15th century, Rohingya are not considered as one of the 135 official ethnic groups of the country, instead the Burmese government and Buddhist civilians consider them as illegal immigrants from Bangladesh that have migrated under the British colonial rule (Albert and Chatzky 2018).

On the one hand, the term *Rohingya* is rejected by the Burmese government and even in Rakhine State by the major group of Buddhist ethnic Rakhine. It is seen as an invented identity by *Bengalis* to get Burmese citizenship and many other rights that were taken away by the 1982 Citizenship Law. Accepting the term will also imply accepting the historical narrative of the Rohingya concerning their presence and their right to a certain autonomy in those territories, which is unwanted by the ethnic Rakhine since they are themselves a struggling ethnic minority within Burma and they fear that the Rohingya problem will render their own demands of autonomy more complicated. Correspondingly, “the etymology and date of origin of the term ‘Rohingya’ are highly contested” (International Crisis Group 2014, 17; 22) since there are no records of it from the pre-colonial and colonial era. In contrast, it can be considered as having spread in the 50s since it was used in speeches by some Burman officials and leaders such as Prime Minister U Nu and President Shwe Thaik. In the same way, it was also “used in encyclopaedias, journals and school text books until the late 1970s”, and a student association of Rohingya students was also registered by

the authorities in Rangoon University (International Crisis Group 2014, 17; 22). On the international level, it spread widely in the 90s following human rights abuses committed by the Tatmadaw against the Rohingya, and again after the events of 2012 (Leider 2018, 1).

On the other hand, Dr. Leider (2018) stated that Muslim students and leaders started to use the term *Rohingya* in the 50s to affirm the “distinct ethnoreligious identity for the region’s Muslim community” (2) from the Buddhist majority. He links the term *Rohingya* with the demonstration of the “ongoing process of identity formation that has unified Muslim communities in the North Arakan region with a similar cultural profile, but diverse historical background” (Leider 2018, 2). As a matter of fact, many Muslims living in the South of Rakhine that shared a similar ethno-linguistic background as the Rohingya were not identifying themselves as such because of the fact that they were economically more integrated into Rakhine society than those living in the north. In order to not disrupt their integration, they had tendencies to underline their differences with the Rohingya which was perceived as an “activist political identity” (International Crisis Group 2014, 22). However, the state’s discrimination and political exclusion of Muslims during the military authoritarian regimes (Leider 2018, 1) coupled with the violence targeting all Muslims after the events of 2012, even those who were well integrated, started the process where almost all Muslims in Rakhine State (except the Kaman) unified and identified themselves with the political identity of Rohingya. Indeed, the outbreak of violence and worsening of discrimination against Muslims in Rakhine State can be considered

as a game changer, since it made them realise that the only thing they have left is their Rohingya identity and defending it will maybe bring them back their basic rights (International Crisis Group 2014, 22-23).

In addition to their claims of citizenship, Rohingya are also aiming the “creation of an autonomous Muslim zone” (Leider 2014, 244) or of some local political autonomy, which were their major aim even before the country’s independence. Regarding the development of the Rohingya movement through the creation and development of organisations; the Rohingya Independent Force was created in 1963 but united with the Rohingya Independent Army in 1969 before becoming the Rohingya Patriotic Front in 1974 (Leider 2014, 244-5). Then comes the foundation of the Rohingya Solidarity Organisation (RSO) in Bangladesh by Dr. Mohammad Yunus and despite that its primary role was to represent refugees’ interests, it became a militant movement fighting for “the creation of an autonomous Arakan state uniting the Rohingyas of Burma and Bangladesh” (Selth 2003, 18). This organisation and many other that followed did not posed a real threat to Burmese security forces since they had gone “through divisions and internal disputes” and “never got much recognition or support from Muslim states or the Organisation of the Islamic Conference” (Leider 2014, 247).

Therefore, the most important political goal of the Rohingya became the recognition of their claims to citizenship since 1982 as Selth (2003, 14-15) wrote, Rohingya “simply want freedom of worship, guarantees against religious persecution and the same political and economic rights for Muslims as other communities in

Burma” (Leider 2014, 247). However, the violence of 2012 following the alleged rape and murder of a Buddhist woman by three Muslim men in Rakhine State, promoted a nationwide anti-Muslim Buddhist nationalism which made even non-Rohingya Muslims suffer (Pedersen 2018, 18-19). Although suffering Rohingya civilians that fled to Bangladesh only wishes to return to their homeland and get back their rights to a citizenship, the other rights attached to it and to not be oppressed and excluded by the government anymore (Pedersen 2018, 19), few others decided to follow the old claims of an independent Muslim state in northern Rakhine, and thus joined the Arakan Rohingya Salvation Army (ARSA) formed by Attaullah Abou Ammar Jununi alias Atta Ullah which is a Rohingya born in Pakistan who grow up in Saudi Arabia (Vaulerin 2017). Before, ARSA was calling itself *Harakah al-Yaqeen* or *Faith Movement* and changed its name to ARSA in order to dissociate itself from the jihadist courant. ARSA is formed by less than 100 militants claiming to act on the behalf of the Rohingya in Burma and promised to not target any civilians since its enemy is the Tatmadaw. However, Rohingya civilians themselves have said that many villages chiefs have been killed by the insurgents because of their alleged collaboration with Burmese authorities (MacGregor 2017). Also, interviews conducted by Amnesty International (2018) have shown that ARSA insurgents were also committing human rights abuses against Hindus and other ethnic communities. It is therefore what Azar (1990) identifies as a non-pacifist opposition which organised itself as response to the government violent oppression which drove Rohingya to flee to Bangladesh. The Burmese government declared it as a terrorist organisation with leaders that have

trained abroad. However, a group spokesman shared a video online in which he counters this by declaring that ARSA does not have any links with jihadist groups and that its only and primary goal is to fight for the recognition of the Rohingya as an official ethnic group (BBC News 2018).

On the other hand, even if it cannot be proved officially, it is possible to say that ARSA does not get financial help from any Islamist terrorist groups or countries since the group is described in official government reports as poorly armed with handmade weapons such as handmade bombs, knives and machetes (Vaulerin 2017). As a matter of fact, in an interview for the French journal *Libération*, Dr. Leider rejected to describe ARSA as a jihadist group and supported that it was coming from a nationalist courant rather than a jihadist one. He argues that since Rohingya's Islam is the Sufi branch of the Sunni's courant, he does not think that jihadist groups like ISIS and Al-Qaida would support ARSA since Sufis are generally not liked by Sunnis (Vaulerin 2017). However, according to an International Crisis Group report of 2016 and Burmese government itself, ARSA financial funding seems to come from some wealthy Rohingya individuals of Saudi Arabia rather than larger networks (MacGregor 2017). With its attacks on government security outposts in October 2016 and then in August 2017, ARSA leaders have managed to get the attention of the international community on the cause of Rohingya and their persecution. However, these actions had extreme consequences for the Rohingya community in Rakhine State since the country's military launched a violent counterattack not only against the members of ARSA, but against all Muslims, including innocent civilians. The mass

exodus of Rohingya to Bangladesh that followed did surely attract the international community's attention but did not change the government and military's denial of committing crimes (Pedersen 2018, 19).

In short, during Burma's early years of independence of parliamentary system, many "moderate Rohingya leaders participated in national politics and were able to represent their community in parliament" (Smith 1995). But then, the military coup of 1962 which transformed the parliamentary government into an authoritarian one took away this fundamental right of representation and participation in the superstructure of society. Rohingya started to be treated as illegal immigrants from Bangladesh and endured the heavy militarisation of their homeland accompanied by major human right violations (Pedersen 2018, 17). On the one hand, the formation of a Rohingya identity can be traced to the Japanese invasion of Burma in 1942 and its alliance with the Burma Independence Army (BIA), in addition to their attacks and killings of Muslim civilians in Rakhine State (Leider 2018, 7-8). On the other hand, Rohingya's mobilisation was not really violent and radical, until more recently with the appearance of the Arakan Rohingya Salvation Army (ARSA) after 2012. All things considered, the fact that Rohingya did not have a strong non-violent leadership to represent and defend them against the persecution and oppression of the Tatmadaw and the government (Neelakantan 2018) may be the reason of the development of an armed group like ARSA which also caused the violent response and counterattack of the Tatmadaw also targeting civilians.

State actions and strategies. On the other hand, the second determinant is “state actions and strategies” in which the ruling elites chose the policy of coercive repression instead of accommodation since the *winner-take-all* norm is still ongoing in many multicommunal societies. Thus, the state’s choices of actions and strategies concerning the way to handle situation leads to the protraction of the conflict. States are not prone to make concessions and accommodations since they think that it may be seen as a sign of defeat and generally respond with its military forces. Plus, this violent strategy usually invites the other side to respond in an equally military and violent way. States also try to “contain a conflict situation within a national boundary” (Azar 1990, 14) in the attempt to cut external supports to the communal groups and if this containment’s strategy does not work, the ruling side also tries to get external support (Azar 1990, 14). Thus, it is necessary to look at two events, the one of 2012 and the one of 2017, in order to see the beginning of a more coercive force used by the military as the government’s strategy. After all, the Government’s and military’s denial of committing human rights abuses is also important to analyse as it can be seen as an attempt to avoid any external interference or support which also plays an important role in preventing the resolution of the conflict.

In the first place, the first strategy used by the Burmese government to deal with the Rohingya and their demands of autonomy was to isolate them by politically and economically excluding them. Although the 1982 Citizenship Law is the reason of the statelessness of the Rohingya, it is not its adoption that rendered them stateless but its “deliberate breach and selective application” (Leider 2018, 14) by Burmese

security forces after 1989. As mentioned previously, by gradually changing the citizenship regime to finally give Rohingya civilians only Temporary Registration Cards (TRCs), alias white cards that officially certify Rohingya's status as non-full citizens. From the 70s to 2015, the Rohingya passed from National Registration Cards (NRCs) to TRCs, which then got cancelled on February of 2015. This brief chronology shows the gradual exclusion of the Rohingya from citizenship (Leider 2018, 14). Important to realise that without the right to a citizenship, Rohingya were stripped of many of their other rights too, including "restrictions on marriage, family planning, employment, education, religious choice, and freedom of movement" (Eleanor and Chatzky 2018).

Then, according to Burmese news agencies, a 27 years old Buddhist woman got raped and killed by three Muslim men on 28 May 2012. The murder of a woman seems undoubtedly true, but the rape allegation and the ethnic origin of the accused are doubtful. In addition, during the following days and weeks, the rape allegation started to be used as a tool to incite anti-Muslim violence like the mob of 300 people that stopped a bus carrying Muslims and killed 10 men. The spread of this hate affected not only Rohingya, but also the Kaman community in more than 12 townships. Thus, from 2012 to 2013, Burmese security forces, sometimes accompanied by Buddhist civilians, are accused of committing serious human rights abuses towards Rohingya and Kaman civilians such as "burning of houses, looting of shops, extrajudicial and indiscriminate killings, including of women, children and elderly people" (OHCHR 2018, 147). The Independent International Fact-Finding

Mission on Myanmar found that there were “killings of ethnic Rakhine by Rohingya and killings of Rohingya by ethnic Rakhine” (OHCHR 2018, 150), in addition to the killings by security forces. Thus, instead of calming the situation, the authorities replied by also using violence against the minority communal group (OHCHR 2018, 150).

Additionally, the second important event is a result from the systematic oppression of the Rohingya after 2012 and the government’s actions and omissions to remedy to the situation. On August 25th of 2017, the Arakan Rohingya Salvation Army (ARSA) started many coordinated attacks on more than 30 military bases and security forces posts across Rakhine State which ended with the death of 12 security personals. As a result, the government’s response was immediate, brutal and grossly disproportionate. Pretexting “to eliminate the terrorist threat posed by ARSA” (OHCHR 2018, 177), the military government launched operations, called *clearance operations*, which targeted and terrorised mainly Rohingya civilians and which destroyed up to 40 per cent of all Rohingya villages in the region and caused the exodus of more than 720,000 Rohingya civilians fleeing to Bangladesh in only one month. The Mission has found that the Tatmadaw’s operations seems to be planned and designed a lot prior to those events and a statement of the Commander-in-Chief, Senior-General Min Aung Hlaing also supports this idea: “The Bengali problem was a long-standing one which has become an unfinished job despite the efforts of the previous governments to solve it. The government in office is taking great care in solving the problem” (OHCHR 2018, 177-8).

Ultimately, the denial of the Burmese government maybe represents one of the biggest challenge to resolve the situation. As a matter of fact, Burma's de facto leader Aung San Suu Kyi has denied the allegation of ethnic cleansing occurring in northern Rakhine State. This behavior of a Nobel Peace Prize laureate and the government's denying access to Yanghee Lee, the United Nations special rapporteur on human rights, outraged the international community (Albert and Chatzky 2018). In addition, Aung San Suu Kyi accused the United Nations to increase resentment between Buddhists and Muslims in Rakhine State by qualifying the military operations as ethnic cleansing (McPherson 2017).

In short, Burmese government seems to not make any concessions to resolve the Rohingya in order to not show any weaknesses. Burma is in a democratic transition since the elections of 2016, passing from an authoritarian military rule to the first civilian-led government. However, the Tatmadaw is still controlling important factions such as the police forces and other security forces. Thus, the civilian-led government seems to fear to lose its place since the military junta have pretexted twice, when taking power, the internal instabilities and especially the ethnic insurgencies. Therefore, making any concessions to the Rohingya would show a certain weakness to the Tatmadaw and anti-Muslim nationalists and already challenge the new government legitimacy. Not to forget to mention that the military does not respond to the civilian-led government, and it is almost not presumable that the government had something to say about the operations launched by the Tatmadaw after the ARSA attacks in 2017.

Built-in mechanisms of conflict. Finally, the third determinant is about “built-in mechanisms of conflict” which consists of the conflict’s history that both sides have and the nature of interaction between them. Azar (1990) claims that: “The perceptions and motivations behind the behavior of the state and communal actors are conditioned by the experiences, fears and belief system of each communal group” (15). Parties tend to have prejudices about each other and this generates an intergroup animosity (Allport 1954). Therefore, Azar (1990) considers it important to analyse the perceptions of both sides in conflicts and “cognitive processes generated through experience of conflictual interactions” (Mitchell 1981). Therefore, the rise of a Muslim Nationalist Movement before Burma’s independence, and the development of an anti-Muslim Buddhist nationalism will be analysed through the actions of groups such as the 969 movement and the Association for Protection of Race and Religion (MaBaTha) in order to see the prejudices and misconceptions that each group have towards each other.

The rise of a Muslim Nationalism that occurred before Burma’s independence can be considered as the first political awakening of the Rohingya in northern Rakhine State. According to Dr. Jacques Leider (2018), historian specialist on Burma, this political awakening took place during the Second World War, in 1942 with the Japanese invasion of Burma. The arrival of Japanese troops provoked the “exodus of more than 400,000 Indians fleeing from Burma to India, many of them crossing Arakan to reach Bengal” (7-8). Plus, the Japanese were aided by the troops of the Burma Independence Army (BIA) which was created with the goal to get rid of the

British colonial rule and create an independent Burmese nation. However, the BIA and Rakhine Buddhists attacked many predominantly Muslim villages and townships in central and south Rakhine State, forcing more than 20,000 Muslims to flee to the north. This, and the promise of an independence and political autonomy, pushed Muslim locals to support the British during their war against the Japanese troops aided by the BIA. After Burmese independence in 1948, Rohingya made an ethnic claim requesting to be recognised as an indigenous native population of the country which got denied by both British and Burmese authorities. Later, requests for an “autonomous Muslim zone” also got rejected by the Burmese government seeing the Rohingya as “being separatists at heart” and not “devoted to the Union”, despite the fact that the group which made the requests assured that they were law-abiding devoted citizens and also did not ask for separation (Leider 2018, 7-8). As mentioned previously, the term Rohingya started to spread in the 50s as a way for the Muslim communities in Rakhine State to differentiate themselves from the Buddhist ethnic Rakhine (Leider 2018, 2).

Regarding the anti-Muslim nationalism that developed in the Buddhist communities in Rakhine state and within the government, it is possible to observe it through the actions of nationalist groups such as the 969 movement and the MaBaTha. On the one hand, the negative role played by Buddhist monks can be seen in their support and organisation of anti-Muslim campaigns, as they use religious differences to justify the exclusion of some groups in their nationalist speeches (Walton 2013). The common claim made by Buddhists is that Muslims are going to take over the

country, economically and religiously by “destroying the Buddhist race and religion” (Walton and Hayward 2014, 14). On the other hand, MaBaTha was established in June 2013 with the particular leadership of U Wirathu, a monk from Mandalay who spent 9 years in prison for having incited anti-Muslim riots in 2003 (Marshall 2012). Since the 969 movement was not really organised and active, U Wirathu formed the MaBaTha with other monks in order to follow more political strategies. This organisation was successful in fulfilling its goals, since protests led by this organisation’s monks succeed in reuniting a high number of people and this permit them to have an important influence on the government’s decisions and actions concerning ethnic issues in particular. For instance, by mobilising an important number of people for protests led by them in 2015, they succeeded in having the government revoke the voting rights of Rohingya. In their speeches, they also urge people to boycott Muslim owned business and to oppose interfaith marriages (Walton and Hayward 2014, 14-16).

All things considered, there was a widespread belief that non-Burmans were untrustworthy and were sources of problems and divisions (Wade 2017, 55). This belief was especially popular during Ne Win’s regime as his attitude towards the Rohingya was based on it when he first excluded them from Burmese citizenship in 1974 by not including them into the country’s list of official ethnic groups (Ibrahim 2016, 50). Then, in 2012, due to untrusty news, Muslim communities whom majority of them were already politically and economically isolated and excluded by the government’s policies, started to become targets of human rights abuses perpetuated

by the Tatmadaw and sometimes, civilians from other ethnic groups. For instance, the unfounded news concerning the alleged rape of a Buddhist woman by Muslim men (as mentioned previously) came to feed the already existing prejudices and misconceptions that the Buddhist Burmese had towards the Rohingya and created an atmosphere of fear where the Buddhist Burmese started to believe that the Rohingya were a menace to their religion and their family, and that they had to defend themselves by forcing the Rohingya to leave the country and to return where they supposedly belong; Bangladesh.

CONCLUSION

In the long run, the difficult situation of the Rohingya has only lately captured the international community's attention since the incidents of extreme violence that followed the events of 2012, and more importantly of 2017. Well-known and well-documented situation in the human rights field, the Rohingya-targeted violence have been a permanent feature of the Burmese State since the 70s, but only the recent persecution shows the state's systematic and organised attempt to purge its territory from the Rohingya by delegitimizing their physical presence (Howe 2018, 245-6). As a matter of fact, Rohingya's civil rights started to deteriorate under Ne Win's military regime (1962-1988), as the first step of the Rohingya's exclusion from Burmese citizenship occurred in 1974 with the government labelling them as foreign citizens to separate them from native Burmans (Ibrahim 2016, 50).

Altogether, in this thesis, Azar's theoretical framework of PSC was applied to the Rohingya conflict in Burma/Myanmar in order to determine whether this conflict can truly be classified as such. Even if many scholars described the Rohingya conflict as a prolonged, contracted one, no attempt has been made to test whether or not this case study compare to the PSC framework. Thus, this thesis sought to fill this gap by using the clear and measurable analytical framework of Azar's theory of PSC with the Rohingya conflict. This permitted to analyse the conflict's external and internal

factors and actors together and to see the relation between them, which then in turn permitted to identify the causes of the conflict's protraction.

Thus, it appears that the Rohingya conflict can be classified as a PSC. Azar's theory of PSC appears to be a valid and conclusive description of the conflict in Burma/Myanmar since all of the variables, Genesis factors and Process Dynamics factors, are accurately reflected in the development and progression of this case. In essence, "the analytic framework of protracted social conflict offers a useful structure with which to highlight areas that might benefit from more multi-dimensional conflict resolution approaches as well as an informative outline which can be used to illustrate a given conflict's development" (Leventis and Tsokkalides 2007, 49). Therefore, the results obtained for this thesis provide an insight on the alarming and critical situation of the Rohingya and other Muslim minorities, not just in Rakhine State, but in the country as a whole.

In the final analysis, Burma is a former British colony which was ruled with the famous colonial divide and rule policy. This policy of administration caused the exacerbation and deepening of the already existing divisions among the country's various communal groups and thus fed the historical pattern of rivalry and contest between them. Then, during the country's path towards independence, the Buddhist group the Bamar captured the state. The Bamar always constituted the country's largest ethnic group but was isolated and kept out of key positions by the British during colonial rule in order to prevent any risk of insurgencies. Thus, the state became a tool used by a majority group using it to maximise its own interests without taking

into account the needs of the minority groups. Monopolised by a hegemonic group, the Burmese government became incompetent, parochial and authoritarian which fails to satisfy its primary role to govern and protect its citizens since it does not provide collective goods and satisfy basic human needs impartially. As a result, the deprivation of human needs is salient in the Rohingya case since freedom of identity and movement; and rights to food, to healthcare, to education, to a citizenship, to a nationality, to birth registration; and political access needs and security needs are not respected and guaranteed by the Burmese government anymore. In addition, Burma's relationship within the international system have affected its autonomy and domestic policies but have not changed its approach towards its Rohingya crisis. Despite the economic and political sanctions imposed by the US and UN members, the Burmese government and military do not feel the consequences and pressures grandly due to China's and India's support motivated by economic and geostrategic interests.

Based on the research results, the unification and identification process of all Muslims in Rakhine state with the political identity of Rohingya started because of the discrimination and political exclusion all Muslims faced during the military authoritarian regimes and strengthened later with the targeted violence after the events of 2012. While the most important political goal of the Rohingya became the recognition of their claims to citizenship since 1982 and the rights attached to it without being oppressed and excluded anymore, some decided to follow the old claims of an independent Muslim state in northern Rakhine, and thus joined the Arakan Rohingya Salvation Army which attracted the international community's attention on

the Rohingya persecution by launching attacks on government security outposts. Considered as the element causing the escalation of the violence in conflict, the radicalisation of this small fraction of Rohingya caused the state's violent response, especially after ARSA's attacks of security outposts in 2017. In effect, the state responded violently with all its military forces by targeting all Muslims, including innocent civilians instead of just targeting ARSA camps. Thus, the evolution of the government's strategy from political and economic exclusion to the direct use of violence was influenced by ARSA's strategy, and this choice of a more coercive strategy is the reason causing the protraction of the conflict. The Burmese state does not want to make any concessions or accommodations since it may be seen as a sign of weakness or defeat. Additionally, the government and military deny the course of human rights abuses in the country as an attempt to avoid any external interference or support and this containment of the conflict within the country's boundaries prevent an eventual resolution of the conflict. Finally, both sides, Muslims and Buddhists, have prejudices and misconceptions for each other due to experiences and fears that originate from even before Burma's colonial era. Rohingya's were and are still perceived by the state as separatists, traitors and as threats to Buddhism, the country's official religion, and therefore are not recognized as one of the country's official ethnic group and have become victim of targeted violence committed by the authorities which force them to leave their homeland. On the other hand, the state and Buddhist groups are perceived as oppressors by the Rohingya and other Muslim communities and this is the main reason behind the radicalisation of some Muslims which joined

ARSA or other separatist groups to take arms and attack government security and military outposts.

Based on the results, the economic development of Rakhine State may seem to be the solution to the problem between Muslims and Buddhists since it will improve living conditions for all the communities in the region. However, the political and economic relations that the Burmese State has within the international system with neighbouring countries, such as China and India, may render the situation worse for the local Muslim population. The economic development of Rakhine State by Indian and Chinese investments may become another source of the conflict between the Rohingya and the Burmese State since the Muslim groups may still be excluded from the benefits of this development. Chinese and Indian interests are purely economic and thus does not provide assurance that the government may comply to anything concerning an eventual resolution of the Rohingya crisis. Plus, the *protractedness* of the conflict, which causes the increasing of political and economic sanctions imposed by the United States and some European countries towards Burma/Myanmar, also causes the increasing of *relationship of dependency and cliency* of the Burmese State with these giant neighbours to counter its own exclusion from the international community.

Definitely, it is essential to solve the problem of misconceptions and prejudices that each side have about each other, in order to reduce the tensions and intergroup animosity in the conflict. Better interactions between Muslim ethnic groups and Buddhist ethnic groups would necessarily permit to decrease the fears, suspicions

and wrong beliefs between these groups. Albeit, this would not be possible without the government's leadership and this seems difficult since the Burmese government and military (Tatmadaw) also participate in the perpetuation of systematic oppression and persecution of the Rohingya and other Muslim minorities and do not recognize any of the accusations of human rights abuses they face. According to the Independent International Fact-Finding Mission on Myanmar, the fact that the security forces' response to ARSA's attacks of August 2017 was immediate, within hours, it indicates a certain level of planning, preparation and forethought (OHCHR 2018, 362). Indeed, the Tatmadaw, other security forces, non-state armed groups and individuals are accused of genocide, crimes against humanity and war crimes, since:

The Tatmadaw and other security forces (often in concert with civilians) intentionally and unlawfully killed Rohingya men, women and children throughout the period under review, that is, since 2011, but particularly since 25 August 2017. These deaths were a direct or indirect result of the severe and systemic oppressive measures imposed on the Rohingya and the "clearance operations" in 2016 and 2017 in which they culminated. During these operations, killings occurred with horrifying intensity. The security forces entered village after village, opening fire on villagers and burning their houses. Villagers were killed both indiscriminately and in a targeted manner. They were locked in or thrown into burning houses, and lined up and executed. Accompanying ethnic Rakhine slit the throats of those too injured, young or old to escape (OHCHR 2018, 352-3).

Thus, the first step for an eventual resolution of the conflict would be that the Burmese state and the Tatmadaw recognize their crimes and get judge by the International Criminal Court (ICC), which is the only international legal apparatus with the authority to deal with grave crimes under international law. In order to investigate and prosecute, the ICC needs its jurisdiction to be triggered. Since Burma/Myanmar is not a member of the Rome Statute and will most probably refuse

any intervention since it does not accept any of the accusations it faces from the UN, the Security Council's referral of the Rohingya case to the ICC immediately is essential. At the same time, without the ICC's jurisdiction, the creation of an ad hoc international criminal court for Myanmar by the Security Council is grandly encouraged, as the Independent International Fact-Finding Mission on Myanmar recommend in its report (OHCHR 2018, 415). This thesis shows that these are the two solutions left since Myanmar does not show any desire of cooperation. Based on the research results, it is possible to say that the lack of action and condemnation of the international community regarding the situation in Burma/Myanmar since 2012 may be the reason behind the degradation of the situation of the Rohingya today. Thus, the international community has the responsibility to intervene and stop the "gross human rights violations and abuses" (OHCHR 2018, 391) occurring in Myanmar since 2012 in order to also prevent new cases like the ones of Yugoslavia and Rwanda to repeat itself.

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