

Citizenship in Myanmar, contemporary debates and challenges in light of the reform process

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A report by Myanmar Egress

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1 Executive Summary

The purpose of the project was to focus on the concept of citizenship in light of Myanmar's reform process. The shift from Myanmar's military junta to a parliamentary system poses new questions about the concept of citizenship and about how individuals view the state. Whilst identity is certainly a part of citizenship, the focus of this report is on the concepts of rights and responsibilities and aims to shed light on how the process of political participation is perceived in Myanmar. This is particularly important as the country moves towards the 2015 elections.

1.1 Methodology

Data was collected across the whole country between February 2012 and June 2013. A mixed methods questionnaire was administered to respondents from seven states (Mon, Karen, Kaya, Shan, Kachin, Chin and Rakhine States) and four regions (Yangon, Bago, Mandalay, Sagain Region) in urban, rural and semi-urban settings. 2007 (out of around 2050) respondents of Bamar, Kachin, Kaya, Karen, Chin, Shan, Mon and Rakhine ethnic groups returned the questionnaire. There were also small samples of Pa-O, Phalaung, Lisu, In Thar, Naga, Kaman, Pathi, and Maramagyi ethnic representatives.

1.2 Main findings

A government trying to transform a nation is faced with two steep challenges: first to make the people believe in a future that is positive and possible and second to follow that up with coherent action to fulfil that possibility. Countries that have had years of stagnant/little development develop a 'learned helplessness' and it is both amazing and encouraging to find that the Myanmar people surveyed here believe in the transformation of their country. They spoke about the concept of fairness, shared consistent beliefs and believed in a common national future. More specifically the strong underlying encouraging themes were:

- ***A sense of oneness:*** In responding to how they would describe their country to a foreigner, apart from the legal aspect of being a Myanmar national (i.e. holders of ID cards), the most common answer was that Myanmar was the combination of various national races. Understandably this view was stronger amongst ethnic minorities than amongst Bamars.
- ***Commonly held beliefs on citizenship:*** There was a greater similarity than disparity in responses: surveys across more than 2000 participants and the 8 main ethnicities revealed a stark similarity in responses whether negative or positive, where the results could be said

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to be statistically similar rather than different. There were three striking examples. The first was on 'how alienated / abandoned do you feel by the state?' where Kachin, Kayin, mixed race, Shan, Bamar, Kayah, and Rakhine responded similarly. Secondly whilst responding to 'interest in politics' again, the same set of ethnicities had largely similar responses ranging from 55% to 65%, with the exception of Mon State at 28%. The third was whether 'ethnicities were given sufficient rights' and the responses from most nationalities were again within a narrow range. The two anomalies were a) respondents from Mon state that held differing views and b) that Bamars held the same views as that of the minority ethnicities and felt equally connected or alienated as other ethnicities.

- ***Growing sense of patriotism/nationalism:*** One of the most prominent cross-cutting themes was that of patriotism, nationalism, often linked to culture, religion and sometimes to language. The issue of braveness, strength, protecting culture and/or traditions, came up throughout the qualitative answers and were reflected across questions. This was more than simply love for the country and seems to reflect almost a martial tradition, a pride of history, and it was not surprising to find the names of ancient kings mentioned almost as role-models.
- ***Concept of fairness:*** Equal rights for all were a theme that transcended all questionnaires. There were however regional differences on whether the fairness was based on access to resources (Bamars) or a federated concept of ethnic rights and national rights (other ethnic nationalities). A lot of these rights focussed on freedom of culture, religion, speech, access to land, and most importantly access to opportunities.
- ***The right to live in the country.*** Given the decades where Myanmar citizens had no 'rights' in the western sense of the word, it is notable that the right to reside in the country seems to be a reoccurring theme across the citizenship debate. Whilst this issue may be more prominent now due to the issues surrounding the Rohingas' demands to be given this right, it clearly predates the riots and has been reflected not only in the citizenship legislation but also in the anti-Indian and anti-Chinese movements in the past.
- ***Projection into the future:*** Although the questions in the nationwide survey were intended to capture the situation today, the majority of the answers focused on 'what should be' – i.e. a commonly held belief of a harmonious future state of the nation. Rather than be stuck in the helplessness of the past, citizens whilst acknowledging the lack of rights also acknowledged the momentum and direction of change and projected their views in the

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future.

In summary, these insights are extremely useful as they show a greater coherence of beliefs in harmony, concepts of equitable possibilities and the future state of the nation. However the last points on the concepts of fairness and nationalism (and as a result of national transformation) also show the subtle differences that exist and the expectation in each ethnicity that could hamper national progress.

In the subtleties of strongly held beliefs there were two further insightful findings that need to be addressed carefully: a) a growing sense of differing views on what rights are (and what is expected) and b) a growing sense of Buddhism as part of the national identity that serves to discriminate or divide rather than unite.

- *Differing expectation on rights by ethnicity:* Equal rights for all were a theme that transcended all questionnaires. There were however regional differences on whether the fairness was based on access to resources (Bamars) or a federated concept of ethnic rights and national rights (other ethnic groups).
- *A growing sense of Buddhism as part of the national identity* that serves to discriminate/divide rather than unite. Difficult to separate from the patriotic quotes above, the role of Buddhism was another prominent theme. However a very large number of respondents within the Buddhist ethnic groups – i.e. not only Bamar respondents, equate citizenship with religion, or seem to think that in order to be Myanmar one has to also be Buddhist. This religious nationalism if not dealt with carefully could serve to alienate other groups with a different religious identity.

1.3 Recommendations for reform

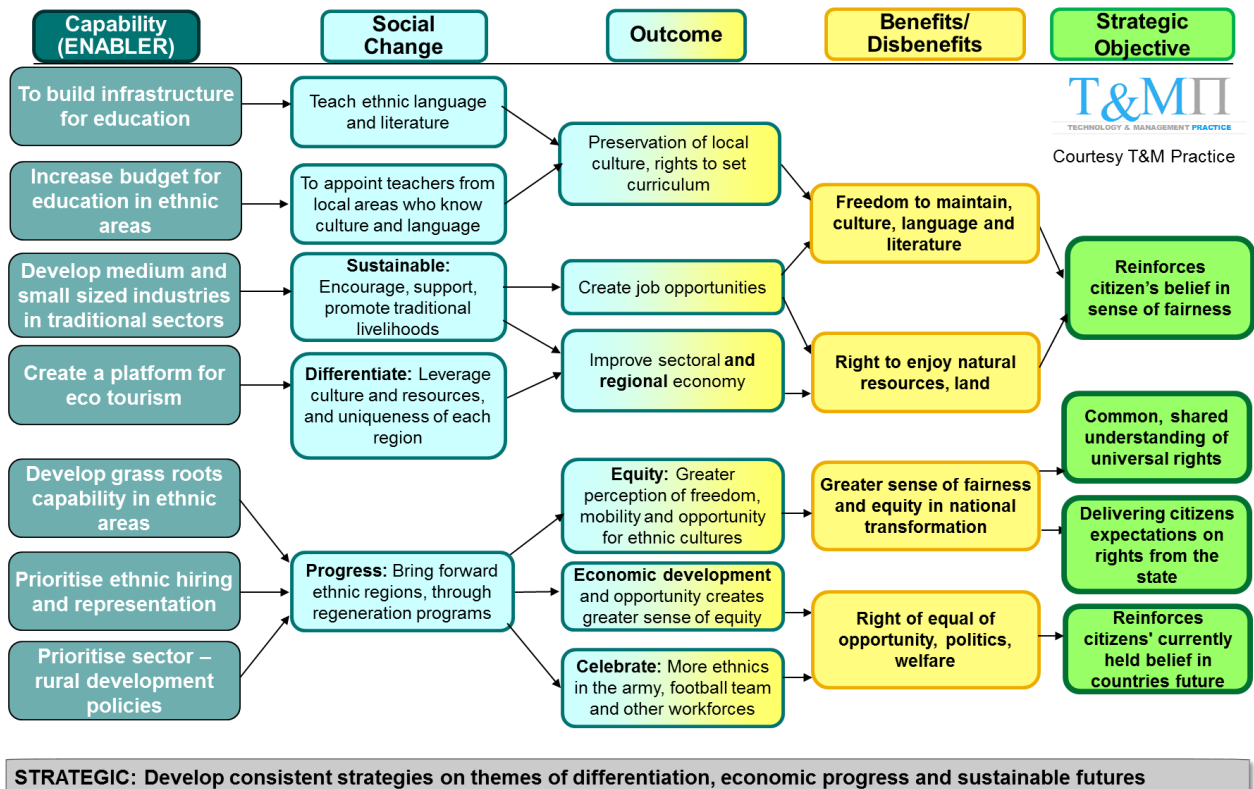
The Myanmar government is faced with two steep challenges: first to make the people believe in a future that is positive and possible and second to follow that up with coherent action to fulfil that possibility.

How to meet the citizen's expectations on rights, equality and fairness

The following benefit map shows how the government can leverage certain initiatives such as economic development, prioritising sectoral development, and ethnic culture based economies.

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Figure: Benefit maps from recommendations aimed to achieve citizens' expectations on rights, equality, and fairness



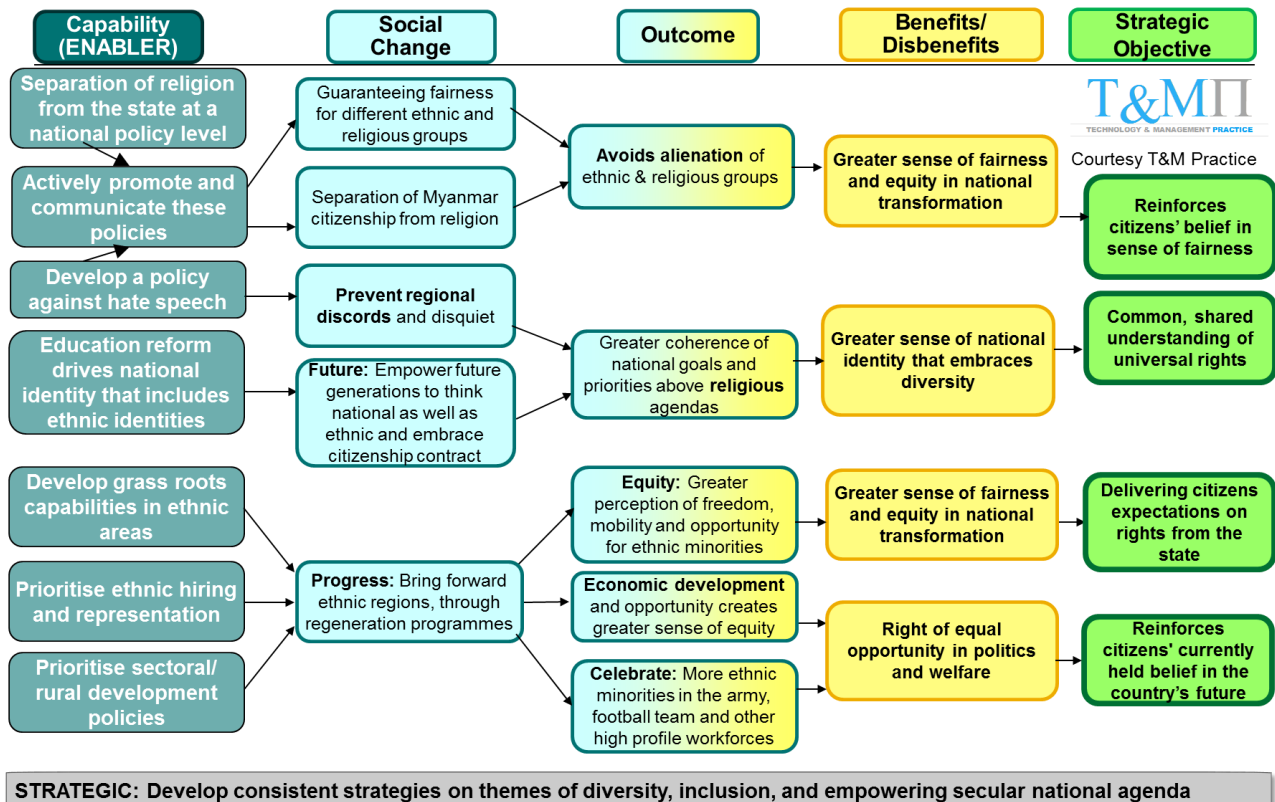
The outcomes that result are preservation of local culture, creation of job opportunities that leverage natural and local resources and a greater sense of equity and fairness. They reinforce the citizens' benefit in fairness, develop a shared and consistent understanding of universal rights and reinforce what was already a positive signal for the national transformation, the prevailing sense and future expectation of a fair and equal society.

How to combat religious nationalism that could divide the nation

The following benefit map shows how the government can leverage certain initiatives such as diversity, inclusion, and empowering a secular national agenda *in addition to* economic development, prioritising sectoral development, and ethnic culture based economies. Given that the two areas are related the benefit maps overlap on the issues of bringing forward the ethnic regions by developing grass roots capabilities, prioritising local hiring and prioritising the development of the rural sector.

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Figure: Benefit maps from recommendations aimed to achieve citizens' expectations on rights, and national objectives on citizenship and national goals



The outcomes that result avoid the alienation of different ethnic and religious groups and achieving greater coherence of national priorities over religious agendas. They reinforce the citizens' belief in fairness, develop a shared and consistent understanding of universal rights and reinforce what was already a positive signal for the national transformation, the prevailing sense and future expectation of a fair and equal society.

The recommendations have been clubbed as

- **Tactical-** need to start now
Economic development and recognising ethnic groups and cultures; increase engagement amongst divided society, increase role for CSOs, community dialogues.
- **On-going incremental development**
Education reform, review official language use in schools in ethnic areas, ethnic areas need to teach their own culture, teaching of democracy and rights and responsibilities, rewriting history textbooks, public debates about national identity; delivering basic needs, making health care and education accessible.
- **Strategic:** medium to long term recommendations
Federalism, resource sharing, power sharing and fiscal arrangements.

2 Objectives of the Project

The purpose of the project was to focus on the concept of citizenship in light of Myanmar's reform process.

The concept of citizenship is directly linked to the nature of the nation state. Whilst there is a debate about whether citizenship can exist under a military dictatorship (Heater 2004; Mitra 2011), the shift from Myanmar's military junta to a parliamentary system still heavily dominated by the military does pose new questions about the concept of citizenship and about how individuals view the state, particularly with regard to rights, responsibilities, and political participation.

Myanmar's multicultural and multi-religious society means that the concept of citizenship is likely to differ between ethnic and religious groups. However to date there has been little research on how the state is perceived and how the Myanmar, of Bamar or minority ethnic extraction, view their relationship with the state. Only two short pieces drawing on 2010 and 2011 data have been published (Lall and Win 2013). There is however a lot of work pertaining to ethnic and religious identities, in particular with regard to the ethnic minorities. (See for example South 2003, 2008 and Thawngmung 2012) A great many Myanmar nationals of ethnic minority extraction have come to view their identity as their ethnicity and in some cases see it as more important than their Myanmar citizenship (Tun Aung Chain 2000; South 2008). Since identity, is a part of citizenship this body of literature is clearly important when it comes to looking at the relationship between individuals and the state. However the issues pertaining to ethnic identity versus an overall Myanmar identity or Myanmar citizenship more broadly have (at the time of writing) not yet been affected by the structural changes that form the backdrop to this research. The focus of this report is, therefore, less on identity but rather on the concepts of rights and responsibilities and aims to shed light on how the process of political participation is perceived in Myanmar. This is particularly important as the country moves towards the 2015 elections.

Methodology

The research builds on a micro project on the concept of citizenship conducted by Lall and Win in 2010 and 2011 before and after the elections (Lall and Win 2013). The current research project was able to revise the data collection instruments in light of the lessons learnt in that first project. The instruments were also adapted to reflect the changing political context in Myanmar. In addition it was possible to collect a much wider and more varied dataset.

Data was collected across the whole country between February 2012 and June 2013. Given that the

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questions and issue pertaining to citizenship tend to be more pronounced for the ethnic minorities, the decision was taken not to collect a representative sample of the population, but rather to make sure that the ethnic voices would be sufficiently represented. Consequently more fieldwork was conducted in ethnic states and areas where there are a majority of ethnic minority citizens, including very remote areas such as the Naga autonomous area in Sagain Region. However given that we also needed a Bamar sample some research was conducted in Bamar majority regions, resulting in approximately a quarter of respondents self identifying as Bamar.

A mixed methods questionnaire was administered to respondents from seven states (Mon, Karen, Kaya, Shan, Kachin, Chin and Rakhine States) and four regions (Yangon, Bago, Mandalay, Sagain Region). 2007 (out of around 2050) respondents of Bamar, Kachin, Kaya, Karen, Chin, Shan, Mon and Rakhine ethnic groups returned the questionnaire. There were also small samples of Pa-O, Phalaung, Lisu, In Thar, Naga, Kaman, Pathi, and Maramagyi ethnic representatives.

Care was taken to cover urban areas (in Yangon Region, Mandalay Region, Sagain Region, Kachin State, Chin State, Karen State and Rakhine State), semi-urban areas (in Bago Region, Kachin State, Shan State and Mon State) as well as rural and very remote areas (in Sagain Region, Chin State, Shan State, Kaya State and Rakhine State). In addition research was also conducted in the IDP camps in Rakhine State after the anti-Muslim riots in 2012. Given the geographical variety, it was possible to access people living in many different circumstances.

The research team decided to focus the research primarily on the educated middle and lower middle classes who were expected to be able to articulate their views with regard to the changing nature of the state. It was felt that at this stage it is too early to collect data from respondents who have had either no or little education and who have not as yet been able to engage with the new political processes beyond the 2010 elections. This was one of the lessons learnt in the 2010 research where data was collected in villages in the Delta and many respondents at the time expressed that they did not really have much of an opinion with regard to the citizenship questions that were being posed. Citizenship to them was simply holding an ID card. The respondents for this research were therefore purposively chosen and identified in a variety of ways.

The pilot that was held in Yangon was conducted randomly through the researchers' networks and at a training institute.

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Respondents from Sagain and Bago Regions as well as Chin, Kachin, Kaya, Shan and a part of Karen State, were identified through mobile trainings that were being conducted in these areas. The respondents all had a chance to opt out of taking part. People attending the mobile trainings had opted into taking the training that generally covered civic education for civil society or political parties or for local authorities. Those undertaking the training were expected to have a bachelors degree if under 25 years of age and if older having completed high school. Some only had passed middle school level – but had become village track officer or political party leaders and as such were allowed to join. In the trainings the facilitators explained the questionnaire and the respondents who opted to take part filled them out themselves.

For the respondents from Mon, Rakhine, part of Karen states as well as Mandalay region the questionnaires were distributed with the permission of the township officer, and the village track officers announced an open meeting which resulted in the respondents self selecting and opting in.

Both during the mobile training and the open meetings, strict ethical guidelines were adhered to. At the start of the research respondents were informed that they were not obliged to respond to the questionnaire, that it was anonymous and voluntary. Blanks were returned in Kaya state, Karen state and Chin state. These have not been counted as a part of the 2007.

The survey was offered in Burmese. Where there were literacy difficulties the surveyors helped fill out the form. In most cases the respondents filled it out themselves. In the case of language difficulties, especially in Kaya, Kachin and Rakhine States the facilitators arranged for translations and helped fill out the forms in Burmese.

The questionnaires were analysed for themes by the research team and cross tabulated. The data was also translated so as to allow the lead researcher who does not read Burmese to be able to help with the analysis.

A brief note on the changing context of fieldwork research in Myanmar. Until just a couple of years ago it would have been impossible to survey such a large number of people across the country, including in conflict affected areas, asking them about rights, political participation and what they thought of the state. The fact that such research is possible today is in itself proof that the rights of the research and academic community are now being respected by the authorities.

3 Background

3.1 Citizenship in Myanmar - the changing context

In Myanmar, citizenship as 'status' existed throughout the time of military rule, as people carried ID cards and could apply for passports. They were, in effect, recognised as citizens by the state. Myanmar nationals resident abroad could secure continued recognition by the state by paying a certain percentage of tax on their foreign income. However, rights - including political participation and access to a 'political life' were largely non-existent for most of the years since Ne Win's coup in 1962.

The issue of national identity in Myanmar is complex because the country is a multi-ethnic state. Many ethnic Bamar do not see a difference between the word 'Myanmar' and the word 'Bamar' (or 'Burmese'). In contrast, a great many Myanmar nationals of ethnic minority extraction have come to view their identity as their ethnicity (Tun Aung Chain 2000; South 2008). The focus of this report is, however not on how national identity is defined but rather on the concepts of rights, responsibilities and political participation.

Societies which have been ruled by the military generally have little or no political literacy. The problem in Myanmar today is that there has been so much active avoidance of politics over decades that today political literacy is very low - even in urban centres and amongst the middle classes. People were very aware of politics but they saw it as dangerous (Kyaw Yin Hlaing 2007). The crushing of the 1988 uprising created a state of fear which meant that ordinary citizens preferred to avoid political processes. Consequently there has been little experience with harnessing a multiparty political system for the citizens' advantage. Parts of Myanmar society - such as the Sangha (monkhood) and other religious leaders have been constitutionally excluded from political participation as they are not allowed to vote or stand for elections.¹ Given that most of the non formal education is provided in monastic schools and that religious leaders of all faiths are seen as pillars of society, it further distances society from political processes. Formal state education has not imparted much with regard to the elements of citizenship, focusing on duties and nationalism (Lall and Win 2013). Yet despite a lack of education and preparation the population was propelled into a political process starting with the referendum of the 2008 constitution and the subsequent 2010 elections.

¹ This has been the case since the first constitution.

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Traditionally most civil society organisations (CSOs) and NGOs have been involved primarily in development work, staying well clear of politics. However in light of the 2010 elections a small number of CSOs, some of that have an ethnic focus to their work, started to become actively involved in advocacy and political awareness building as well as basic citizens education. These CSOs based in the urban centres started to offer courses in voter education, on the content of the constitution and other election and political related fields so as to try and prepare the wider population for some form of political participation. These were the first steps towards making parts of the population more conscious of rights, responsibilities and political processes. Individuals were to be empowered to use the limited system which they were being offered. The understanding of these institutions was that the system could only be made to benefit society if individuals were politically literate, felt agency and developed an interest in politics.

Today, just over three years after the elections, the context in which citizenship exists has changed yet again. As a part of the national reconciliation process the NLD joined parliament through the 2012 bi-elections. Membership of a political party is no longer seen as dangerous, parliamentary debates deal with issues of rights (land grabbing, the right for peaceful demonstrations, the right to free speech and press freedom etc.) as well as citizens' responsibilities. There is active debate around changing the constitution and all eyes are on the elections in 2015.

3.2 The legal context in Myanmar

The Union Citizenship (Election) Act 1948 and the Union Citizenship Act

Myanmar became independent from British colonial rule in 1948 and that year, the first Myanmar citizenship law was passed. The content of this law was based on the country's long history of conflict and diverse ethnic backgrounds. At that time, nationalism bonded the diverse ethnic groups of Myanmar together and a lot of nationalistic ideas were translated into the law.

The two Citizenship Acts were based on sections 10, 11 and 12 of the 1947 Constitution of the Union of Burma. According to the Constitution 1947 the right of citizenship in Burma was defined in the following way:

1. Any person whose parents belong or belonged to any of the indigenous races of Burma, or
2. Any person, born in any of the territories included within the Union, at least one of whose grandparents belong or belonged to any of the indigenous races of Burma, or
3. Any person born in any of the territories included within the Union, of parents both of whom are or if they had been alive at the commencement of this Constitution would have

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been, citizen of Burma, or

4. Any person born in any of the territories at the time of birth was included within the British colonial dominions and who has resided in any of the territories included within Burma for a period of not less than eight years in the ten years preceding the date of commencement of this constitution or immediately preceding the 1st of January 1942 and who intends to reside permanently there in and who signifies his election of citizenship of the Union in the manner and within the time prescribed by law, shall be a citizen of Burma.

(adapted and reproduced from Tun Tun Aung, 2007 p.270-271)

During the 1970s the 1948 Citizenship Act was reviewed for six and a half years and in 1982 the new citizenship law was enacted.

According to General Ne Win who introduced the law at the president's house on the 8th of October 1982, the law was written so as to protect Myanmar (then still called Burma) from foreign subjugation. Ne Win emphasised the fact that Burma had been annexed as of 1924. 'During this period between 1824 and the time when we regained independence in January 1948, foreigners, or aliens, entered our country un-hindered under various pretexts. [...] We, the natives or Burmese nationals, were unable to shape our own destiny.' (Ne Win, 1982) He distinguished between true nationals, and guests and those born of mixed unions and explains the difference between citizens, guests who have registered for citizenship (eh-naing-ngan-tha - i.e. associate citizens) and guests who have not registered for citizenship within the legal time frame (naing-ngan-tha-pyu-khwint-ya-thu - i.e. naturalised citizens). In his speech Ne Win emphasizes that since the grandchildren of these associate and naturalised citizens will become full citizens in the future, there would only be full citizens within two generations.

'There are three types of citizens at present as said earlier. There will be only one type in our country at some time in the future; that is there will be only citizens. [...] When the grandchild is given citizenship, he will, just like any other citizen, become a full citizen.'

(Ne Win 1982)

Unfortunately Ne Win's vision has yet to be realised. The law and its current application is explained below.

The 1982 Citizenship Law

The 1982 Citizenship Law which is still in effect contains special provisions for ethnic groups who came into the country after the beginning of the first Anglo-Burmese War. It also states that the

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Council of State can determine whether an ethnic group is national or not.

Under the 1982 Citizenship Law there are two types of citizenship: (1) Native Citizenship² and (2) Legal Citizenship³.

- (1) Native Citizens: Nationals such as Kachin, Kayah, Kayin, Chin, Bamar, Mon, Rakhine, Shan & other ethnic groups who have been settled in the territory of Myanmar since 1823 and their descendants. No one can revoke their citizenship without a strong reason. A "Certificate of citizenship" is issued to them.
- (2) Legal Citizen: Citizens who are not nationals but qualify to become a Myanmar citizen according to the legal framework. The 3rd generation of residents who arrived before 1948 will be issued "Certificate of Citizenship" automatically even though they are not 'nationals'.

Within the legal citizenship category there are of two sub-types:

- (2.1) Associate Citizens⁴: People who became Myanmar citizen according to the 1948 citizenship law. A "Certificate of Associate Citizenship" is issued for this category.
- (2.2) Naturalized Citizens⁵: People who had been residing in Myanmar before independence (4th Jan, 1948) and their descendents who have strong supporting evidence and documents that they were eligible for citizenship under the 1948 citizenship law. A "Certificate of Naturalized Citizenship" is issued for this category.

(According to the 1982 Citizenship Act, only a person whose parents have had their naturalisation of citizenship or a certificate of citizenship or a certificate of guest citizenship can be a citizen. So, apart from these criteria, no one can be a citizen. The 3rd generation of residents who do not have these qualifications cannot be a citizen either.)

Union minister U Khin Yi mentioned that 'Apart from the recognised ethnic groups of Myanmar (i.e. the 135 ethnic groups of Myanmar), there are Indians, Nepalese, Pakistanis, Bengalis and Chinese residing in Myanmar. They have been issued with Citizenship Cards, Associate Citizenship Cards, Naturalized Citizenship Cards and Temporary Citizenship White Cards according to the existing law' in one of the press release by Ministry of Immigration.

² This term is not legally used in the Act but this word is translated from Myanmar context for easy understanding.

³ This term is not legally used in the Act but this word is translated from Myanmar context for easy understanding.

⁴ 1982 Citizenship Law, Naturalized Citizen: Persons who have entered and resided in the State anterior to 4th January, 1948, and their off springs born Within the State may, if they have not yet applied under the union Citizenship Act, 1948, apply for naturalized citizenship to the Central Body, furnishing conclusive evidence.

⁵ 1982 Citizenship Law, Naturalized Citizen: Persons who have entered and resided in the State anterior to 4th January, 1948, and their off springs born Within the State may, if they have not yet applied under the union Citizenship Act, 1948, apply for naturalized citizenship to the Central Body, furnishing conclusive evidence.

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There do not seem to be any definite definitions or criteria for people who are issued “Temporary Citizenship White Cards.”⁶ These white temporary citizenship cards raised the issue of Bengalis (or Rohingyas)⁷ becoming Myanmar native citizens. The Ministry of Immigration has argued that they have the same right to apply for legal citizenship as other eligible foreigners. Their evidence and documents will be checked according to the 1982 Citizenship Law. The final check and approval will be from the central body⁸.

National Registration Cards

Citizens of Myanmar hold National Registration Cards as identity cards. There are three types of National Registration Cards (NRC) issued by Ministry of Immigration and Population. The native citizens and the third generations of legal citizens are issued pink cards. The associate citizens hold the green cards whereas the naturalized citizens hold blue cards. Each card records name, sex, religion, race, father’s name and the NRC number of the citizen. According to 2008 constitution, only the native citizens can become the president of the Union of Myanmar.

Discourse on Citizenship in the 2008 Constitution

The 2008 Constitution came into being after a highly controversial referendum in 2007. The new constitution put in place the mechanism through which the structural change, including the 2010 elections could take place. Citizenship in the 2008 Constitution is described in Chapter VIII entitled Citizen, Fundamental Rights and Duties of the Citizens, Articles 345-390. The Union offers citizenship to all those who are born of parents who both hold Myanmar citizenship, or those who

⁶ White cards seem to have been issued in Rakhine state as the 2010 elections approached so that the people could vote. This has created great controversy as those who were issued with white cards expected to be ‘upgraded’ later, and the authorities have not done much about the legal limbo that the white card holders are in.

⁷ The name Rohingya is not recognised by the Myanmar government.

⁸ 1982 Citizenship Law,

65. Any person may apply to the Central Body when it is necessary for a decision as to his citizenship, associate citizenship or naturalized citizenship.

66. The Central Body shall (a) permit the applicant the submission of application with supporting evidence; (b) decide in accordance with law; (c) inform its decision to the applicant.

67. The Council of Ministers shall form the Central Body as follows: (a) Minister Chairman Ministry of Home Affairs (b) Minister Member Ministry of Defence (c) Minister Member Ministry of Foreign Affairs

68. The Central Body has the authority:

(a) to decide if a person is a citizen, or an associate citizen or a naturalized citizen;
 (b) to decide upon an application for associate citizenship or naturalized citizenship;
 (c) to terminate citizenship or associate citizenship or naturalized citizenship;
 (d) to revoke citizenship or associate citizenship or naturalized citizenship;
 (e) to decide upon an application regarding failure as to registration or affirmation.

69. The Central Body shall give the right of defence to a person against whom action is taken

70. (a) A person dissatisfied with the decision of the Central Body may appeal to the Council of Ministers in accordance with the procedure laid down. (b). The decisions of the council of ministers is final.

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on the day the Constitution came into effect already held Myanmar citizenship. It then goes on to list rights such as equal treatment before the law, equal opportunities in public employment, occupation, trade etc. and the non discrimination against women including mothers. The constitution also promises non discrimination on the basis of race, religion or sex in appointing or assigning civil service personnel – however with the caveat, that in those cases where the job is suitable for a man only, only a man should be appointed. Other rights such as freedom of expression and the rights to settle anywhere in the Union are granted but only if not contrary to the laws enacted for Union security. Every citizen is in addition granted the right to education. ‘Every citizen [...] shall be given basic education which the Union prescribes by law as compulsory.’ (Article 366 b, 213) The rights offered by the constitution in Chapter VIII can be suspended in times of invasion, insurrection and emergency.

The list of duties is much shorter and includes amongst other the duty to abide by the constitution, safeguard the territorial integrity of the Union, undergo military training, enhance unity and peace amongst the national races, help bring about a modern and developed nation and pay tax.

With regard to political participation Article 369 in Chapter VIII A guarantees the right to elect and be elected to the Parliaments. Part B allows a representative to be recalled by the relevant electorate according to the laws. More details can be found in Chapter IX entitled Election and Chapter X entitled Political Parties. Political Parties are according to Article 406 are allowed in accord with the law to organise freely and compete in the election. ‘Organisations and associations’ can be founded (Article 354c) and people have the right to get elected (Article 369).

In principle the Constitution does enshrine rights and duties and most importantly the right to political participation figures quite prominently in the text – even though the environment for such participation remains restricted by other laws governing Union and National Security. However coming from an environment where neither rights nor duties were clear, and political participation in the form of opposition generally engendered length prison sentences, this seems at present to be a step in the right direction.

The question which remains is how this constitution and the citizenship it enshrines are understood by individuals in Myanmar.

3.3 The President on rights and responsibilities

One of the new features of this government is the president’s communication with the people. The president has started to give monthly speeches that are broadcast on the radio and TV and then

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published in the press. In them he announces his policies, explains the priorities of the government and engages with current issues. Citizenship issues have also been mentioned, albeit focusing a lot on the religious conflict in Rakhine, a few examples are detailed below.

On the 8th of January 2013 the president in his monthly speech mentioned that freedom of religion is one of the citizens' rights. This was reiterated on the 29th of March in his speech on the Meik Hti La conflict where he said 'Freedom of religion is one of the citizens' rights'.

On the 7th of May 2013 in his speech on the Rakhine report he said: 'Every citizen has the right to freedom of religion and freedom of speech. [...] We will be making short term and long term plans for those who have the right to be citizens. [...] Our government will cover the basic rights for Muslim people who have lived here for long, long time. We will not neglect the feelings and demands of the Rakhine ethnic[people].'

Aside from the issues pertaining to Rakhine state, there have been very few other instances where citizenship has been mentioned in terms of rights or even political participation. However, it has not been totally absent either and is likely to increase as the elections in 2015 approach. On the 14th of August 2013, on the day that the union level deputy ministers took their oath the president said: 'In the next 30 months we have left, our government needs to actively get electricity, water, transportation, job opportunity for the people. [...] Our government made the law for assembly and association according to the constitution for the people to be all inclusive.'

The last set of quotes especially shows the increasing awareness that the executive branch has with regard to peoples' rights.

3.4 The press

The press has also played a role in the debates around citizenship since 2010. One of the ways in which awareness about political participation was raised for the 2010 elections was through the press. There was even a public debate between newspapers which advocated participation in the elections and those who in some way or another questioned their legitimacy and were behind the 'no vote' campaign. According to U Pe Myint's⁹ paper at the 2011 Burma Update conference, certain newspapers such as Voice advocated participation, whilst others, including his own questioned the process of change. The press has also had some limited discussion on citizenship and the concepts of rights and duties, but mostly the press focused on the elections and not the

⁹ Editor in Chief, The People's Age, Yangon.

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broader concept of citizenship. Whilst journalists had in the past avoided politics for fear of repercussion, the 2010 elections changed the public discourse from fear to responsibility. Politics was not only legal again - the state media depicted the elections and citizen involvement as a national duty:

‘The success of elections is concerned with the image of the State as well as every citizen. So, the State, the people and the armed forces are to prevent those attempting to disrupt the elections.’ (PM Thein Sein as quoted in New Light of Myanmar -29th September, 2010)

After decades of having to actively avoid politics, citizens were urged to support and protect the political process and to engage with the state. These elections were in effect not ‘optional’ and a boycott (as advocated by the opposition) would be an affront to the same powers who suppressed any form of political participation previously. In practice the new constitution, the elections and the discourse in the press led to a revival of political participation across urban society.

The press on rights and responsibilities

To this date rights and responsibilities do not often make it into the press. However a few recent instances are reproduced below:

- U T Khun Myat, Pyithu Hluttaw representative proposed a draft law that fully protects ethnics' rights to 6th Pyithu Hluttaw Meeting (first weekly, 15.11.2013, Vol3, number 105).
- On October 30, the Chin youth press conference said ‘After meeting Chin youth from across the nation, the challenges, difficulties and problems that Chin ethnics face will be presented to the Federal Government by the State Government. David Mann Bway Mann, a Chin youth, said there are three parts and these are 11 announcement that are problems, wants and responsibilities.’ (Noon, 3.11.2013)
- ‘In getting the National Census, we will get the name of ethnics as ethnics' traditional name instead of Myanmar name (U, Daw, Mg, Ma)’ said by U Myint Kyine, Directorate, Department of Population. (Flower News, 19.11.2013, Vo 9, number 45)
- Thura U Shwe Mann, Chairman, Pyi Daung Su Hluttaw, said 'Hluttaw will make the law, that protects ethnics' rights and every ethnic can get the protection of this law' to the public at Ho Pan and Louk Kai Townships. (Kyay Mhone Sep-6-2013)
- Thura U Shwe Mann also said 'Hluttaws cannot accept enforcing unlawful actions on citizens' rights, democratic rights and human rights' to the Youth Observation Group from

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Mon State at the Hluttaw Building. (Kyay Mhone April-7-2013)

The Rohingya issue

The issue of citizenship was also discussed in detail in the press when the disturbances in Rakhine state took place. The issue of who was a Myanmar citizen and if Rohingas could be recognised as such was widely debated across the press.

Thura U Aung Ko, Chiarman of the Judiciary and Regulatory Committee, said, 'Rakhine are ethnics, Bengali are guest citizens. Therefore, it is necessary that hosts should be lenient to guests and guests should not insult hosts.'¹⁰

In Rakhine, there are over one million Bengali Muslims and about 500,000 of them have been issued a temporary ID (White cards).¹¹ According to current data, there are 1.33 million Bengali Muslims in Myanmar and 1.08 million are in Rakhine State. Immigration Minister U Khin Yee said if they matched with criteria of the 1982 Citizenship Act they would be issued a card.¹²

U Aung Kyi Nyunt from the NLD said, '... precaution should be taken more seriously than before to prevent illegal entrant of Bengalis and instead of solving after that has happened, it needs to be alerted to prevent unnecessary problems.'¹³ Dr. Aye Maung, a representative of the Hluttaw, said, '... not all Bengalis are terrorists. There are many of them who are innocent. Some people manipulate this. And make the problem as the world's problem. As local people, we want it to be calmed.'¹⁴

In a meeting with American delegates led by Deputy Foreign Minister Mr. Joseph Yun, Shwe Saydi Sayadaw said, 'it needs to considered into two parts: Bengalis - those who are citizens and those who are not. Those who are citizens should be placed where there is land and house, and those who are not citizens should be placed in refugee camps and the government, international UN agencies and UNHCR should collaborate together. Therefore, it should be separated into two parts to resolve the problem.'¹⁵ U San Kyaw Hla from RNDP said, 'they want to be regarded as

¹⁰ The Voice, Vol. 8, No. 43, Monday, October 29 – November 4, 2012, Pg. 4

¹¹ The Voice, Vol. 8, No. 30, July 16 – 22, 2012. Pg. 3

¹² Daily Eleven, Jun. 30, 2013. Pg. 17

¹³ The Messenger, Vol. 3, No. 23, 27 Oct. 2012. Pg. 9

¹⁴ The Messenger, Vol. 3, No. 23, 27 Oct. 2012. Pg. 9

¹⁵ Narinjara, September 10, 2012

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Rohinga ethnics and it will never be possible to be regarded as such in Rakhine State.¹⁶

President Thein Sein also mentioned that four major religions including Islam were protected in the Constitution and the discrimination against religion and ethnicity would not be accepted in Myanmar.¹⁷

In the Rakhine Commission Report 55% of Bengali respondents said the main reason for the crisis was because the government did not give rights to those who were citizens and controlled them unfairly. The Commission and Rakhine groups suggested implementing the 1982 Citizenship Act effectively in order to solve the problems. U Tin Htoo Aung, Chairman of the Rakhine National Network said, 'with the existing 1982 law, it is necessary to clarify those who have the right to citizenship and those who are not citizens. It is most suitable to implement according to that law.'¹⁸

U Bo Min Phyu said, 'The Constitution rules every law. I tried to find White Cards in the constitution. I haven't seen it. These White Cards are not contained in the 1982 citizenship law either. Therefore, claiming for a White Card is a lawless claim.'¹⁹

In the press conference made by the 88 generation students after their trip to Rakhine State, Ko Ko Gyi said, '... in our country, there are Chinese nationals who are Myanmar citizens. Kaman nationals with Myanmar citizenship. Therefore, Bengalis want to express themselves as Bengali nationals. There is right to become a Myanmar citizen if their father, grandfather lived here. If they decide to live throughout their generations, Bengalis should try for Myanmar citizenship. If they live in accord with Myanmar society, Bengalis have the right to become Myanmar citizens.'²⁰

3.5 Ethnic issues, citizenship and the peace process

There have been a lot of discussions and negotiations between the Union Peace Making Work Committee and various non-state armed groups since August 2011. Part of the discussion is the issue of internally displaced persons (IDPs) and the ethnic people who have lived abroad for many years. In these discussions the issuing of citizenship is always a demand from the non-state armed groups. In some cases, the Minister and the Ministry of Immigration & Population has agreed to issue citizenship cards for those who want to resettle back in the country. For example, in Kayin,

¹⁶ Narinjara, September 10, 2012

¹⁷ Mon Tehh Nay, Vol 1. No. 35, 25 Aug. 2013, Pg. 3

¹⁸ 7 Day News Journal, Vol. 12, No. 14, June 12, 2013. Pg. 8

¹⁹ Weekly Eleven, Vol. 8, No. 51, 30 Sep. 2013. Supplement

²⁰ The Flower News, Vol. 8, No. 31, Aug. 14-20, 2012. Pg. 21

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Kayah and Mon states, there is a government project called a 'one stop service for issuing citizenship'. That project facilitates the negotiation process and is due to help those who want to get their paperwork done without having to go to the offices in Yangon. Another related issue is the calling back of ethnic people from abroad who have been regarded as exiles for many years. It is felt that they would be in a particularly good position to support the reform process because of their foreign education and experience. The government is now offering to give them back their citizenship for the sake of 'Brain Gain' and capacity building. Apart from those two issues, citizenship has not been a priority issue for most of the peace talks to date.

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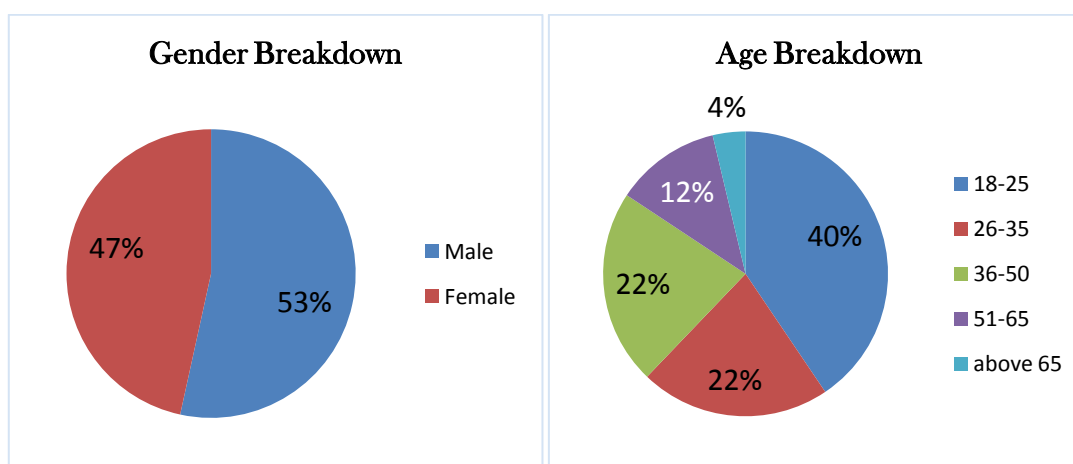
4 The respondents and their backgrounds

4.1 The areas where research was conducted

Research was undertaken in seven states (Mon, Karen, Kaya, Shan, Kachin, Chin and Rakhine States) and four regions (Yangon, Bago, Mandalay, Sagain Region). Care was taken to cover urban areas (Yangon Region, Mandalay region, Sagain Region, Kachin State, Chin State, Karen State and Rakhine State), semi-urban areas (Bago, Kachin State, Shan State and Mon State) as well as rural and very remote areas (Sagain Region, Chin State, Shan State, Kaya State and Rakhine State). In addition research was also conducted in the IDP camps in Rakhine State after the anti-Muslim riots. Given the geographical variety, it was possible to access people living in many different circumstances.

4.2 Demographic data

Total Number 2007 respondents



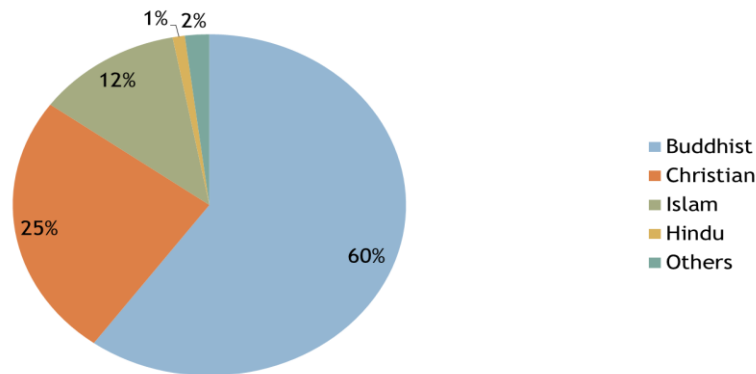
There were a slightly larger number of male respondents, and age wise the focus of the research was on the younger population. Given that Myanmar is a young nation²¹ the research team felt that it was important to prioritise the views of those under 25 as they will be taking the country forward. Given that a large number of respondents were also taking part in training, this also shows that it is mostly those under the age of 25 who are interested in taking part in training courses.

²¹ According to the CIA Factbook (<https://www.cia.gov/library/publications/the-world-factbook/geos/bm.html>)

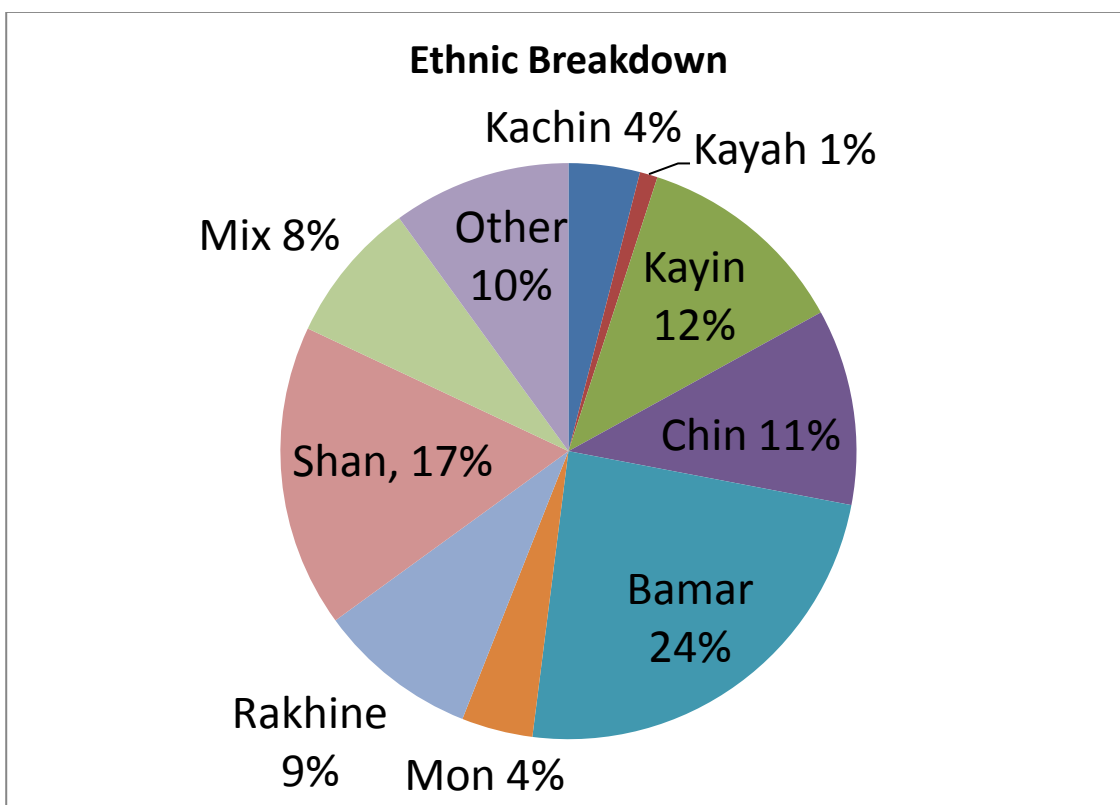
0-14 years: 26.7% (male 7,514,233/female 7,227,893), **15-24 years:** 18.6% (male 5,183,653/female 5,060,385), **25-54 years:** 42.8% (male 11,724,297/female 11,879,420), **55-64 years:** 6.7% (male 1,754,397/female 1,963,051), **65 years and over:** 5.2% (male 1,244,758/female 1,615,243) (2013 est.) The median age is **total:** 27.6 years; **male:** 27 years; **female:** 28.2 years (2013 est.)

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Religious Breakdown

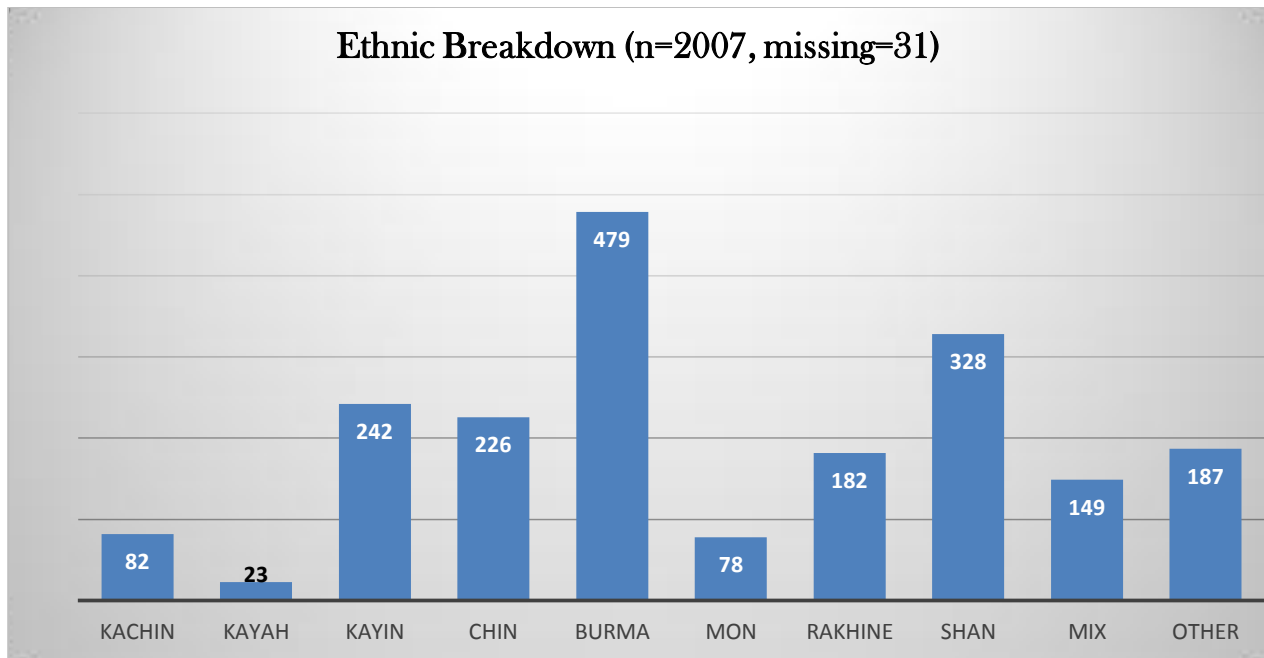


60% of the respondents self-identified as Buddhist and 25% as Christian. Given that all the regions and a number of the states where research was conducted have a majority Buddhist population, this is not a surprising outcome. However, care was taken to increase the Muslim sample after the Rakhine troubles so as to hear the views of the Muslim population, not only in Rakhine state but across the country on issues pertaining to citizenship. Usually the percentage of Christians across Myanmar is estimated at 5% and Muslims at 4%. However, the research was not aiming at being a representative sample of the Myanmar population, but rather at bringing out minority and majority views on issues of citizenship.

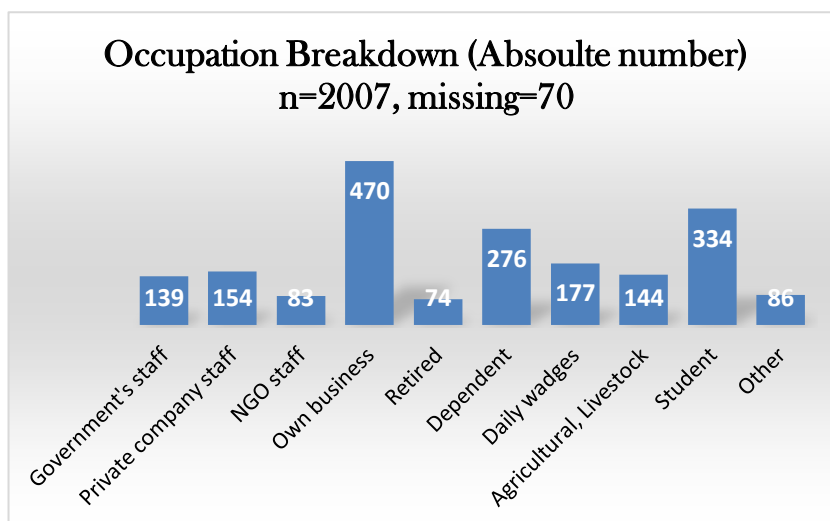


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The ethnic breakdown of the sample deliberately included a majority of ethnic groups. As explained above, the sample was not chosen so as to be representative of the majority Bamar population, but wanted to include substantial numbers of all the major ethnic groups so as to be able to have reasonable numbers of each group and be able to represent their views.

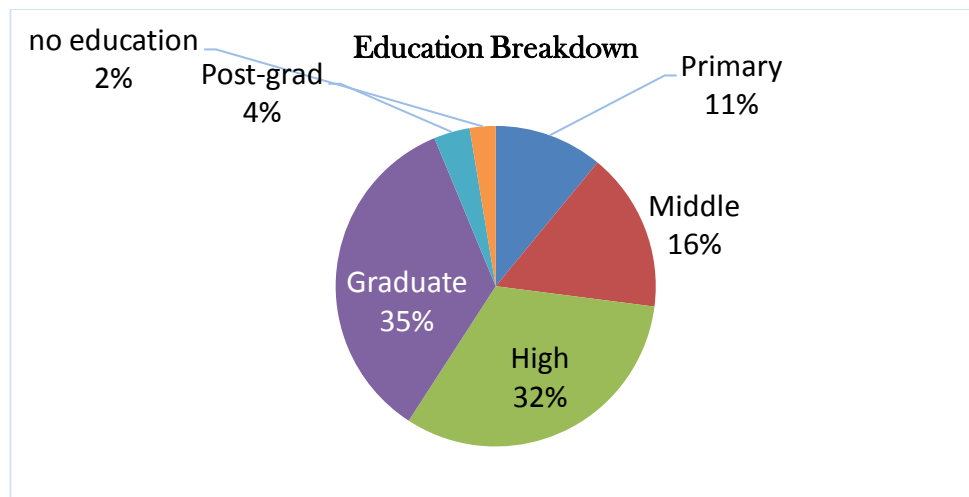


The other category (187) includes the samples of Pa-O, Phalaung, Lisu, In Thar, Naga, Kaman, Pathi, and Maramagyi .

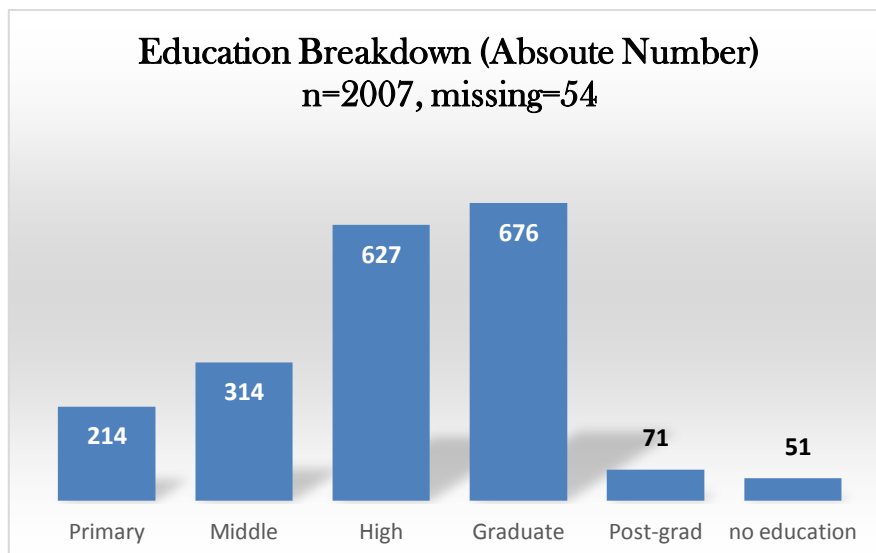


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The occupational breakdown shows that a majority of respondents would be categorised as middle class or lower middle class. The largest category have their own business (470), the second largest category were those who are employed (376) and the third largest category were students (334). Together this is more than half of the sample. Manual labour (daily wages and agricultural labour represent only 321, around 15% of the sample. 70 people declined to give their employment details.



The education breakdown again points to a largely middle class and lower middle class sample with 35% of the respondents being graduates and 32 having completed secondary school. The selection of this type of sample was in part deliberate, as it was felt that in order to understand the concept of citizenship the respondents needed to have had a certain level of education.



What is interesting about the numbers of the sample is that very few had postgraduate qualifications. In part this can be explained that post graduate education is only really open to the urban populations of Yangon and Mandalay, and that most of the regions we conducted our research in would not have had universities offering postgraduate courses.

5 The questions and the answers

This section gives a summary of the answers that were given to each of the 8 qualitative and 5 quantitative questions asked. Crosscutting themes will be analysed in section 6.

5.1 Describing the country - how would you describe the meaning of Myanmar to a foreigner?

Aside from mentioning the legal aspect of being a Myanmar national, such as ID cards and the law (just under 30% of the answers), the most common answer was that Myanmar was the combination of various national races. This was a particular prominent answer amongst the ethnic minorities. However answers given by Bamar respondents included descriptions of patriotism and braveness.²² This was notably absent across the ethnic samples. Culture (20%) and Buddhism (9%) were again descriptions that were more prominent across the Buddhist ethnicities, including Bamar, Mon, Shan and Rakhine.²³ Very few respondents described Myanmar in geographical terms (4%), although some did mention China, Thailand and India as neighbours.

- The unity of all ethnic races is called Myanmar. (Bamar, Buddhist KC-01145)
- Different religions among many of the national races compound as a oneness between each other. All of the national races born in Myanmar land that unite many national people is called Myanmar. (Chin, Christian CIN-1429)
- Myanmar means Kachin, Kaya, Kayin, Chin, Mon, Burma, Rakhine & Shan. There is a difference between Myanmar & Burma. Myanmar represents all national people. Burma represent only Burma race. (Karen, Christian BG 1237)
- Myanmars are national united races. Myanmar must be Buddhist. (Rakhine, Buddhist RAK-1649)
- Myanmar which is composed of 135 national ethnic races is called Myanmar. (Shan, Buddhist, Sagaing 0084)
- Myanmar means Bamar. (Burma, Buddhist, YGN 0324)

5.2 What is a Myanmar citizen? How do you explain Myanmar citizenship?

Many answers focused on the National Registration/ID Card, some mentioned the citizenship law (35%). Another set of answers explained citizenship in terms of being born in Myanmar, parents or ancestors being Myanmar citizens. What was most striking was that the answers from the Rakhine

²² This is discussed in detail in section 6

²³ This is discussed in detail in section 6

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sample tended to refer to grandparents, rather than parents. Buddhism was also mentioned as an element of citizenship, though less often than being of Myanmar 'blood' or part of the 135 national races. The only real discussion about 'rights' with regard to citizenship was that of the right to live in the country. This was often explicitly mentioned, but in other cases could be inferred from the answers. A few answers spoke about duties and responsibilities notably that of preserving the culture and language and some even the duty to abide by the law. Some answers mentioned the difference between ethnic citizens vs. Bamar citizens.

- Anybody who has the right to go and reside without prejudice, and has national registration card. (Bamar, Buddhist MON-0778)
- A man, who was born in Myanmar and received a National Registration Card, is called a citizen of Myanmar. Who has not right to publish freely. (Kachin, Christian KC-1199)
- Myanmar citizens are Buddhist. (Mon, Buddhist MON-0651)
- I can't explain because I don't understand the law of 1982. Although I reside in a long line in Myanmar, I'm not a citizen of Myanmar. We should prepare the law of 1982. My country is weaker compared with other country because of the constitution. (Other, Muslim RAK-1811)

5.3 Difference between current situation and what has been described above.

This question intended to capture the difference between the reality on the ground and the citizenship described in the previous question. Many answered 'I don't know' to this, however across the board there seemed to be a realisation that there was discrimination between the majority Bamar population and those of minority ethnic origin and that not everyone had the same rights or even the same status. Certain answers focused on 'what should be' – i.e. focusing on non-discrimination in society and saying that rights should be given to all equally. Whilst the lack of rights was a constant theme, changes in the system were also acknowledged.

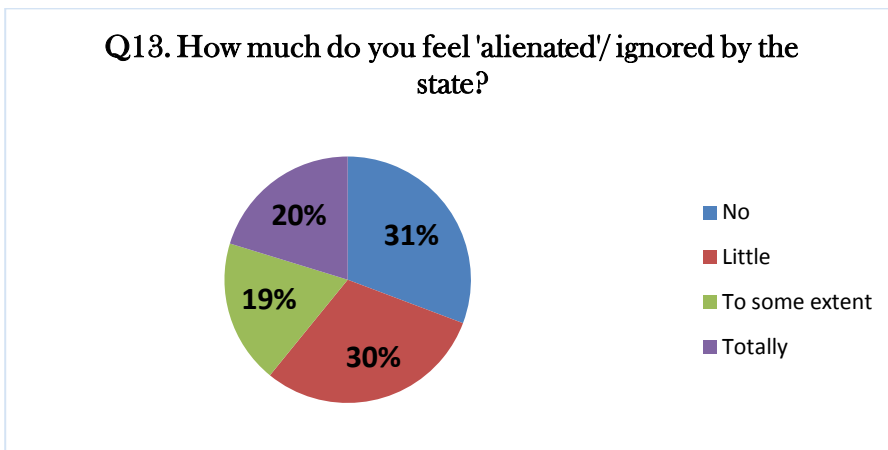
- Different because there is no freedom of speech previously. But there is freedom of speech now. (Shan, Buddhist, KYH-0540)

When looking at the answers to this question it is also helpful to look at the quantitative answers about alienation. Given that Myanmar was ruled by the military for so many years and that citizenship in terms of rights and political participation were non-existent, the research tried to establish how much individuals felt alienated or ignored by the state.

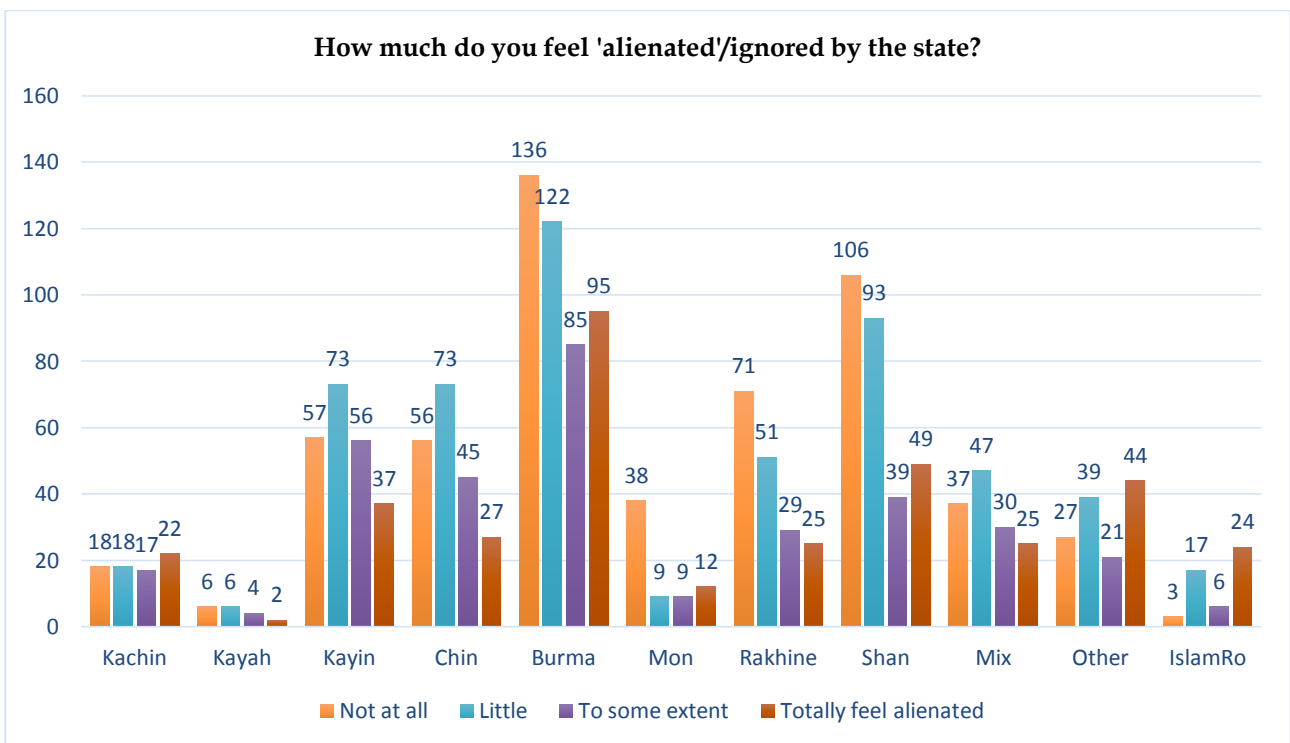
- That is absolutely different. Rights are different since religions and races are not the same. Since conviction and thinking are not same, it is difficult to negotiate. It will be never close. Example: A Shan will be never a Myanmar. (Kachin, Christian, KC-0784)
- Rights of citizen are not equal at present. Transport and communication of big cities (Nay

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Pyi Taw, Yangon) are different from states. Kayin, Rakhine and Kachin states are late in development. (Bamar, Buddhist, KYN-0827)

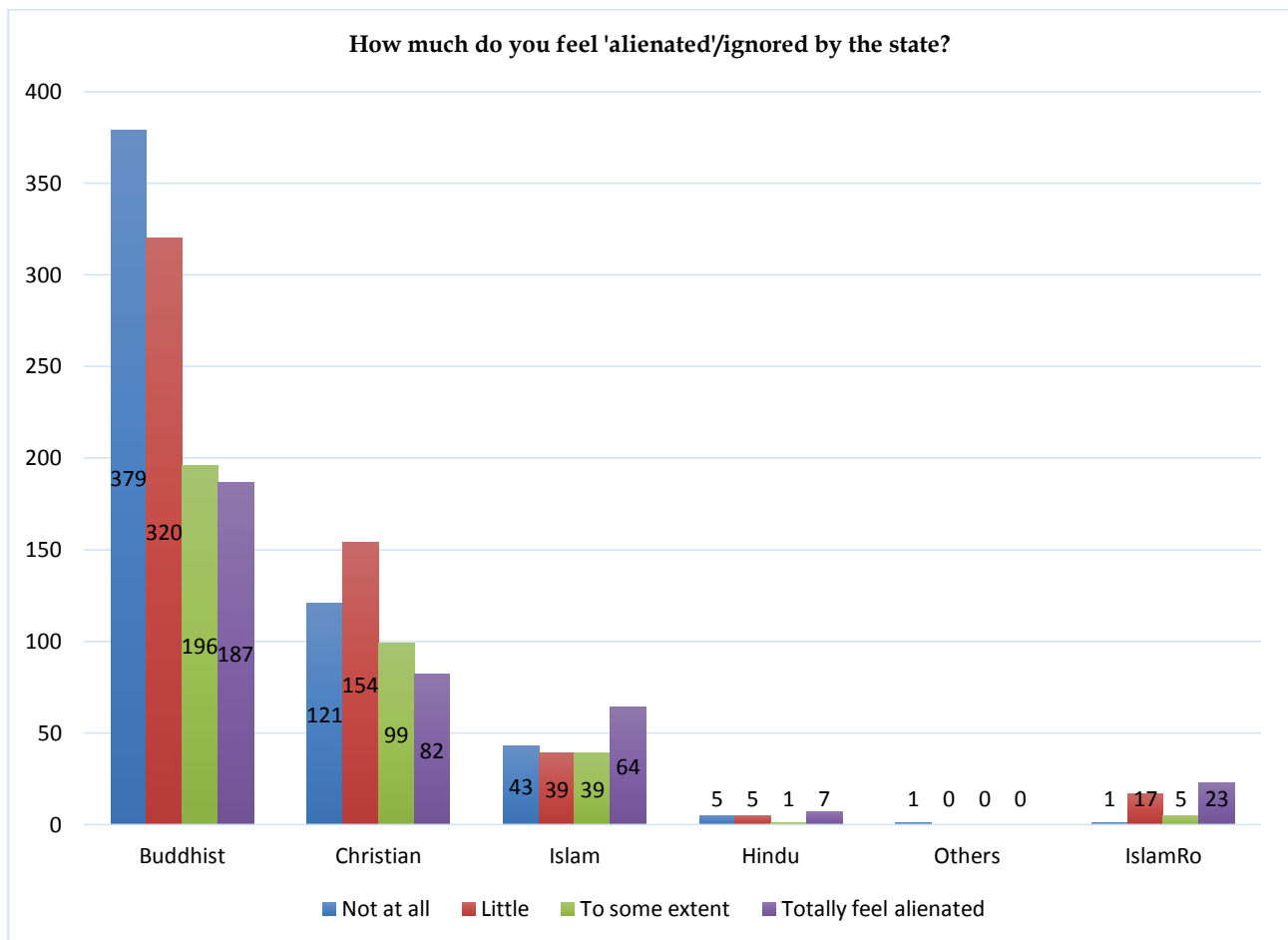


More than 60% of the respondents feel alienated or ignored to some extent. 20% feel totally ignored.



The graph above give the breakdown by ethnicity and it shows that in all groups there are some who feel ignored and others who do not. It is interesting to note that even in the Bamar community there are proportionately high levels of alienation.

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In percentage terms of their sample group the Muslims felt most alienated, whilst proportionately Buddhists felt least alienated. This was also reflected in the qualitative responses of the Muslim respondents, even outside of Rakhine state.

- After the 1988 uprising and the coup, the new military regime limits the rights in the hands of Buddhist citizens. If one is not a Buddhist, he or she cannot get higher positions in public service or military and their ability or the quality to perform is not considered. (Bamar, Muslim, MDY-1888)
- The military regime after 1988, citizens from religions other than Buddhism cannot join the police service after finishing the matriculation exam. Though I was an outstanding sportsman, I was not selected for the sports team. Also in schools, I was discriminated for my religion. Because of my religion and belief, they define my race or ethnicity as Parkistan-Indian which I had never been to. (Bamar, Muslim, MDY-1874)
- There is a project where Government issue national registration card in state schools. They only provide that service to Buddhist students, so we were left out. (Bamar, Muslim, YGN-1939)

However a handful of Muslim respondents did not agree with this:

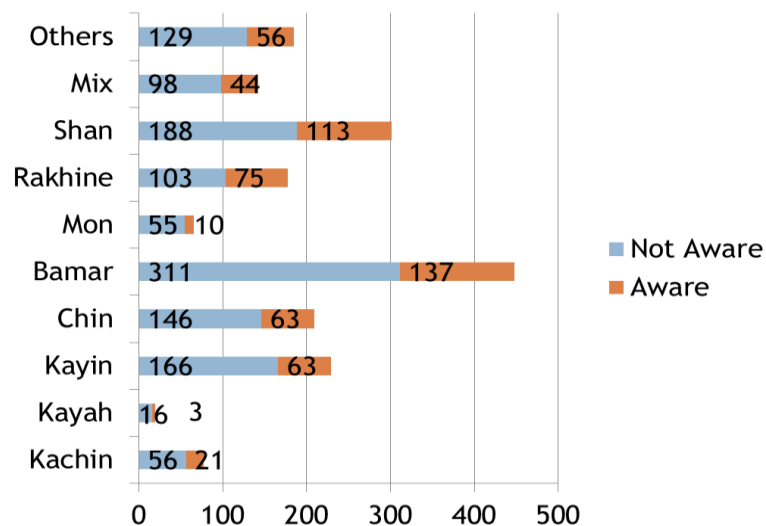
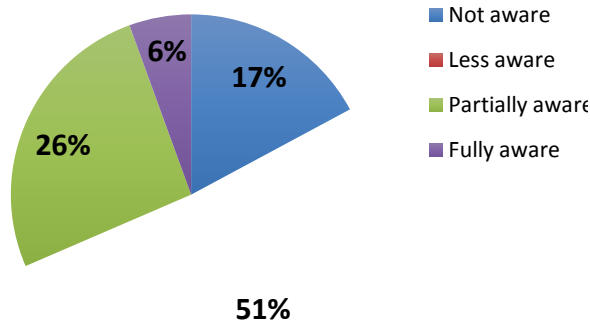
- I am a Bamar ethnic whose religion is Islam and I don't have any problem. (Bamar, Islam, MDY-1866)

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- I don't think non-Buddhist get less rights than Buddhist (Bamar, Islam, MDY-1899)

5.4 Citizens' rights and responsibilities

Q9. How aware are you of your rights and duties towards the state?



Overall there is low awareness of rights and responsibilities at 68%.

When asked about citizens' rights and responsibilities the answers varied widely. However the right to live and belong to the country was an ever-present theme across all ethnic groups.²⁴ Many felt that all should be given equal rights and equal chances, others mentioned economic and education opportunities as rights. Again many answers did not describe the situation as they saw it, but as it should be. Those who focused on the reality generally said they felt not many rights were given. Only a few discussed the right of freedom, democracy and voting. A number of respondents also said they did not know.

With regard to duties or responsibilities a large number of answers said that it was the citizens' responsibility to live in peace with each other and that they had a duty to protect the union, with some mentioning patriotism. Some described duties in terms of protecting culture. Only a few discussed taxes and political participation as duties.

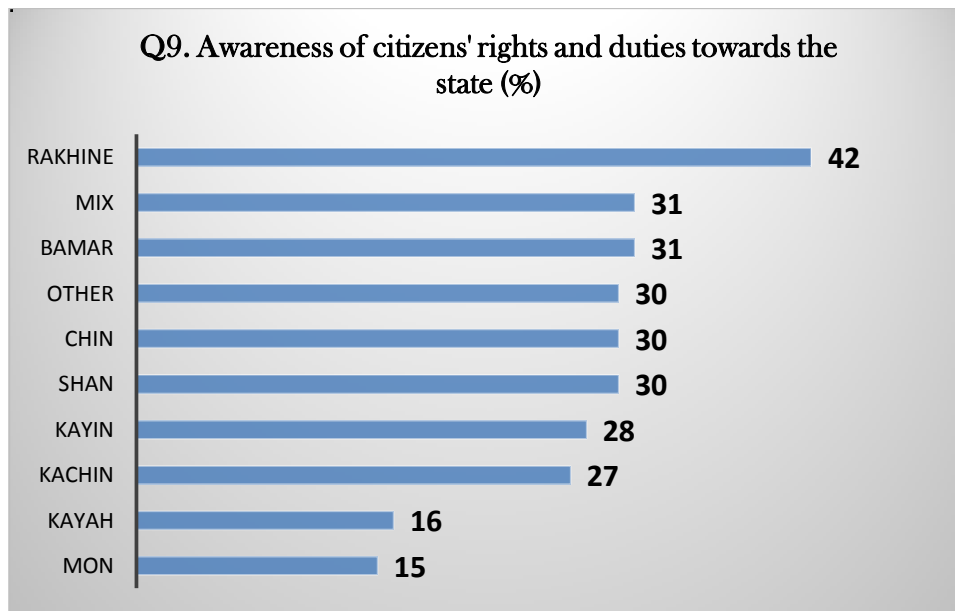
- Freedom of speech, health insurance, business opportunity and living peacefully. (Bamar, Buddhist YGN-0348)
- We preserve our race, religion and literature so they do not disappear. (Bamar, Buddhist KYN-0808)
- A citizen has duties for law and order, peace and tranquillity and development. (Bamar, Buddhist KYN-0813)
- Duties of a citizen are to love their country, to appreciate their literature and culture, and to

²⁴ This will be discussed in detail in section 6.

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participate in the process of development of their country. (Mix, Buddhist KYN-0807)

- I don't get citizen's rights fully because I am an ethnic person. The duty of a citizen is to maintain the environment. (Kachin, Christian KC-1169)
- Right: Right of living in our region. Duty: I have the duty of Buddha, Dharma, Sangha. (Rakhine, Buddhist RAK-1780)



Across all ethnicities there was a low awareness of rights and duties. Those in Rakhine state self identified as most aware compared to other groups.

5.5 Citizens involvement in politics

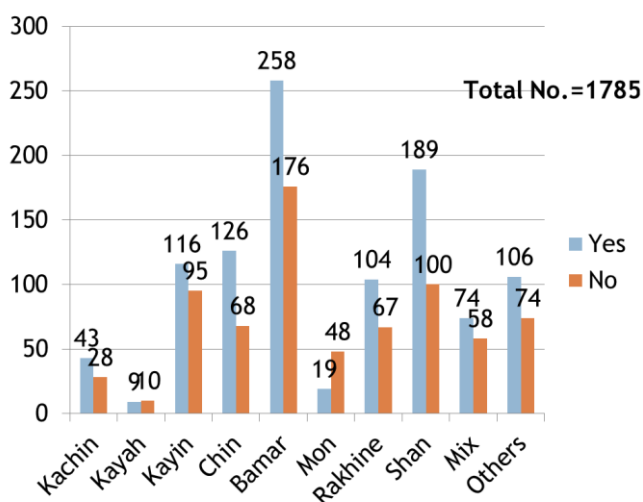
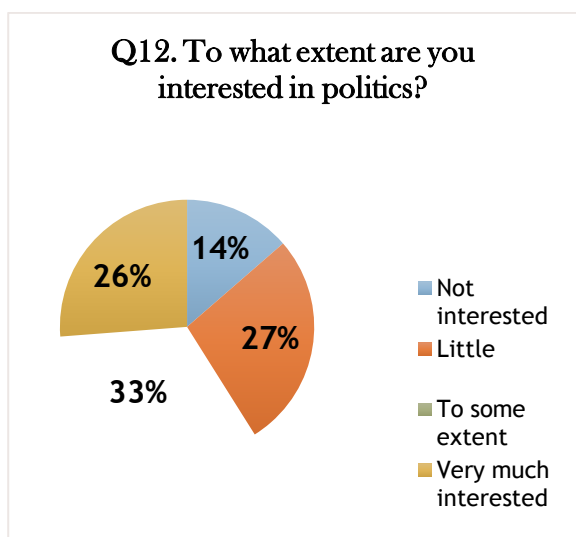
Prior to the election period there were two popular political mind-sets on Myanmar's streets. One was 'Sit aside, say negative things but don't get involved.' (Bay Htine, Bu Pyaw, Bar Hma Ma Lote) This phrase reflects a lot of 'passive politicians' who just focused on the negative and looked for who to blame, but did not try finding any possible solutions to the problems they talked about. The other approach was 'Don't get involved and entangled with politics so that you won't get fired.' (Ma Hlote, Ma Shote, Ma Pyote)²⁵ Prior to elections, when people were asked about their political awareness, they would say, 'yes, that's why I don't get involved in politics'. Although it was controversial and has been decried by some as a sham election, such an attitude is no longer the norm. Talking about politics is no longer a taboo thing and it is even cool and popular to have knowledge about political parties and their campaign. According to a pre-election survey

²⁵ Although this phrase often associated with civil servants in the Ne Win era, it was used by a number of respondents to show their pre-election attitude to political participation.

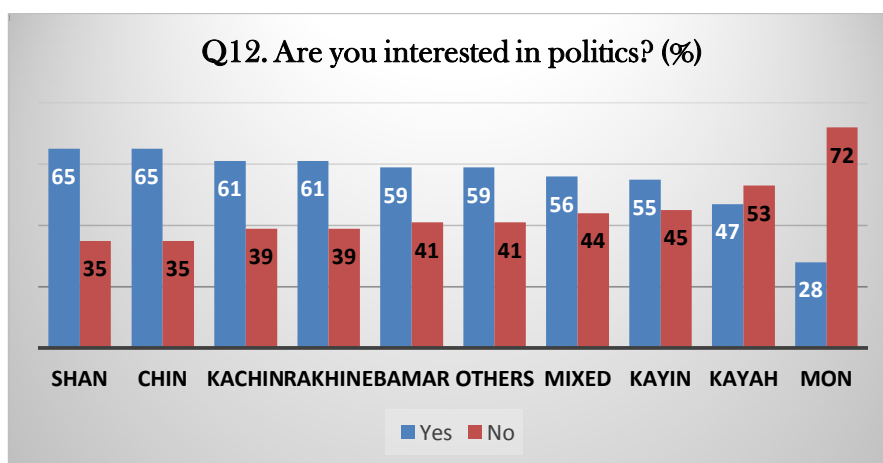
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conducted by the Friedrich Naumann Stiftung in Bangkok (2010), 87.4% of those surveyed stated they would vote and 10.9% that they would not vote.²⁶

In this survey most of those asked what they thought about citizens being active in politics responded that they thought it was good and would help the country progress. This question however had a lot of blank answers and a few respondents seemed to worry that political participation was either not safe, not effective or not good.



The increased interest in politics at 59% was a positive surprise as well.



Across all ethnic groups there was a similar level of interest in politics – with the exception of the

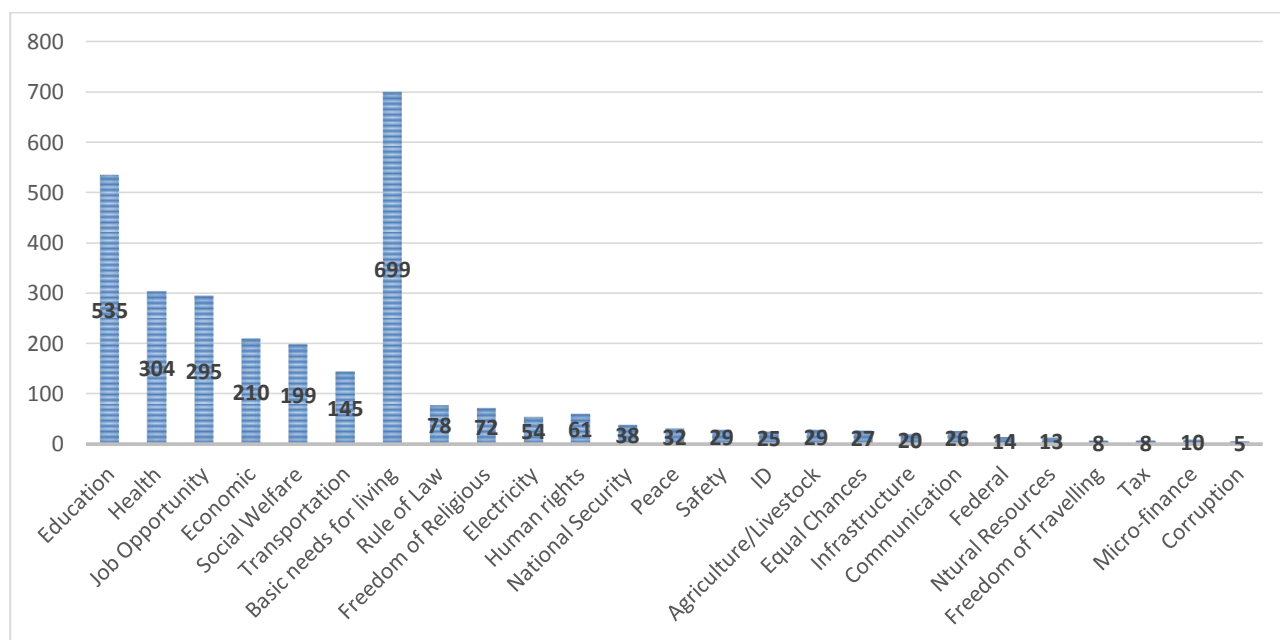
²⁶ 25% were 18-24ys of age and 41% 25-39 ys of age, the rest were older; 41% were from Yangon, 38% from rural areas, 11% from other cities and 10% from ethnic states.

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respondents from Mon state.

- All citizen should understand politics. If so, the country will change. (Bamar, Bhuddist YGN_0358)
- People political participation is very good because it needs the good leaders for the future. (Karen, Christian BG 1239)
- People political participation is very good. We must protect & uphold our country & people otherwise nobody does. It is our responsibility. Head of union & states can't do everything for the development of the country. Although they have capacities. Nobody is perfect. People make check & balance. So, people should participate in politics. (Chin, Buddhist CIN-1388)
- I think that people should participate in politics. The participation of people is very important to precribe the policy of state with progressing & changing our country. It is very important for the development of our country. (Shan, Buddhist SHAN-1474)
- I'm not interested in this and don't know. I am interested in my family's basic needs for living. (Rakhine, Buddhist RAK-1776)

5.6 What should the state provide?



The issue most mentioned by the respondents was basic needs for living followed by education, and then (but in much fewer numbers) by health. On the economic front economic opportunities, job opportunities and guaranteed salaries as well as decent living standards were mentioned

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numerous times.

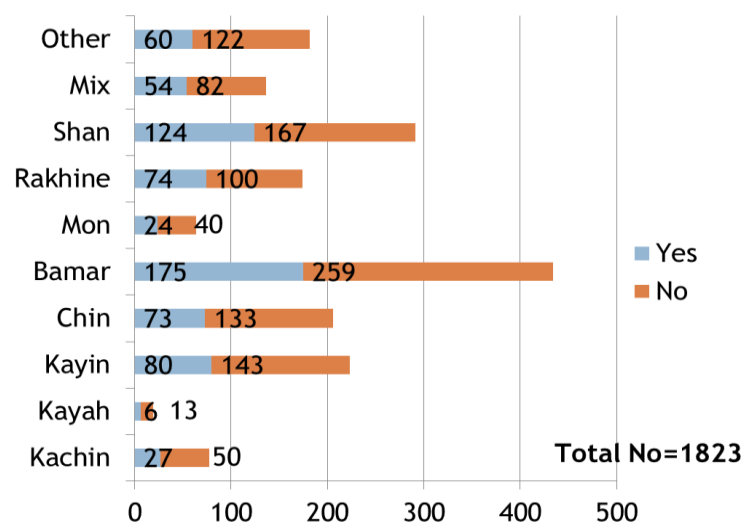
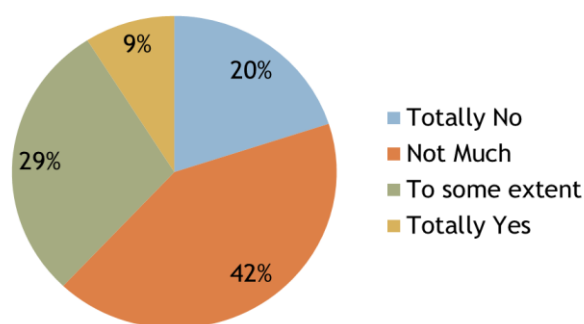
Some respondents said the state should focus on the poor. This seemed to be a response more prominently held by the Christian respondents.

- ‘The state shall support the needy. Some poor people are facing difficulties for their living. For them the state should be supportive. Some people are not able to study, for them the state shall support their school fees.’ (Kayin, Christian, BG 1262)
- ‘The state is making peace process. But they have to solve the difficulties of the people which are education, health, transportation and communication without discrimination to other national races and to give equal right.’ (Kayin, Christian, BG 1278)
- ‘Supporting what we need, should provide for our health, economy, good connection of phone and internet, education sector, reasonably priced SIM card like a foreign country, enough salary for government staff, good services with transportation by state holder.’ (Kayin, Christian, BG 1294)
- ‘In my opinion, what the Union must support is education. It is no use of education system that we have learnt over twenty years ago. It makes our potential dead. So it is very important to build a developed and modern nation. I believe that if the Union supports education, our country will develop soon.’ (Kayin, Christian, BG 1357)

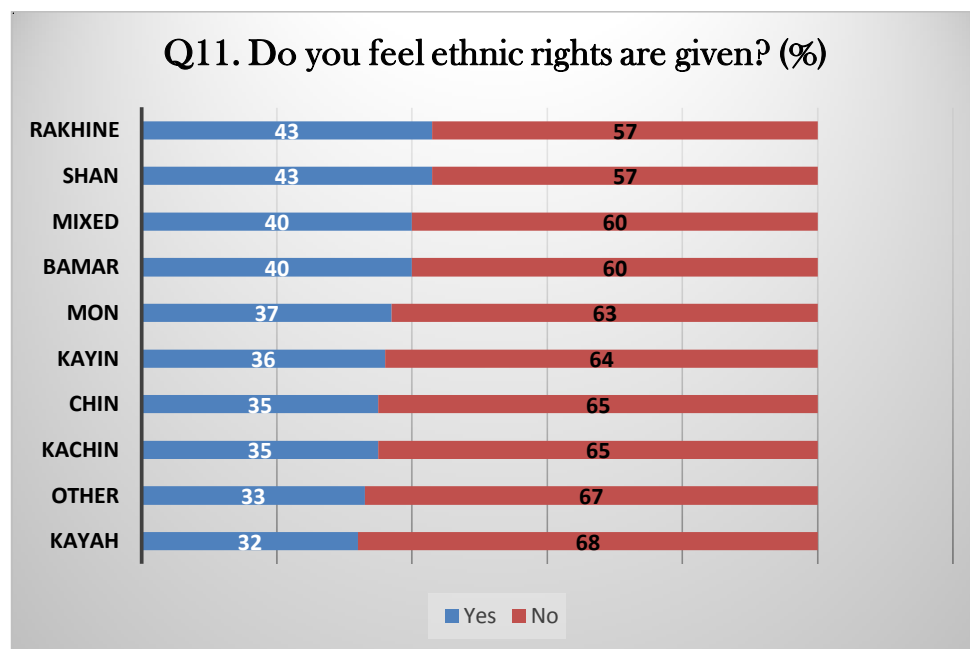
A few respondents however said that they expected nothing.

5.7 Ethnic rights

Q11. Do you feel ethnic rights are given?



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Across all ethnic groups, less than 50% feel ethnic rights are given. Of the Bamar population, 60% felt that ethnic rights were not given.

Answers to the qualitative question asking what ethnic rights were tended to focus on what should be rather than the actual situation. Many spoke of equality, freedom of speech and thinking. Others focused more on ethnic groups being allowed to maintain their own culture, languages and literatures. Peace, self administration and freedom of religion were another dominant theme. One last set of responses focused on what the state should provide for all ethnic groups – education, health and jobs.

- Ethnic right is school, clinics, private schools, electrics & transportation. Union should give authority so that we can do for the development of our region. (Chin, Christian CIN-1389)
- All people are human. To get equal chances. (Mixed, Buddhist KYH-0473)
- Freedom of speech, discussion and thinking. (Bamar, Buddhist KYH-0467)
- Freely to belief in any religion, freely to travel and to have equal right. (Mon, Buddhist MON0598)
- I am a Chin race. We should get self-administration, the right to enact curriculum by own language; the right to organize CSOs, the right to enjoy natural resources form our region. (Chin, Christian CIN-1402)
- We want to live with peaceful and freedom in our Rakhine region of Myanmar country. We don't want to worry about Rohingya. We live in our mother land but we never comfortable and freedom to live with together. Should get strong citizen law. (Rakhine, Buddhist RAK - 1682)

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5.8 How can we achieve national reconciliation?

Across the sample of respondents most voices advocated reconciliation and peace and believed it was possible. Most thought that honest discussion amongst ethnic groups would lead to a solution. A large number also believe that stopping the discrimination, prejudice and violence as well as greater fairness with regard to natural resources and developing the less developed parts of the country by improving access to electricity and transport would improve relations. Citizens' rights was mentioned a number of times as was freedom of religion. Some believed that it was the state's responsibility to bring about peace, and that the leaders needed to meet to discuss. Others spoke of the duty for unity and political participation.

- All ethnics should be united and discuss honestly. (Bamar, Buddhist YGN-0297)
- To succeed in national unity love is important. To be able to forgive. To leave behind the differences and working together in what we are alike. To be optimistic. (Chin, Christian CIN 0980)
- 1. Same vision 2. Same objective 3. Same mind 4. To cooperate depending upon objective. National people must have family mind with each other. Don't discriminate. (Kayin, Christian KYN-0843)
- To stop the civil war among the national armed groups. To develop the least developed States and Divisions that need to be supported. (Mixed, Hindu MON 0597)

Very few responses reflected the position that different ethnic groups or religious groups cannot live together. However there were still a few, mainly in Rakhine state.

- Right- I don't live with Muslims. I cannot receive Muslims in this country. (Rakhine, Buddhist, RAK 1637)
- It is impossible to coexist Rakhine & Rohingya, so must have specific laws. Otherwise the problem will go on. Union must give security for people of Maungtau because they feel anxious. And support education, with enough teacher for schools. [...] I want to live separately with kalar. I don't want chance to live together. All things, we do are only because of their actions. I cannot murder like them. (Rakhine, Buddhist, RAK 1753)
- We don't want to live with Bengalis. They should not be allowed down town of Sittwe. It can be dangerous in future. (Rakhine, Buddhist, RAK-1758)
- The right of the race, should not have Rohingya and Muslim. (Rakhine, Hindu, RAK-1782)

(The issues pertaining to extreme nationalism are discussed in the next section.)

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Overall the respondents reflected the changing context of citizenship in Myanmar, with increased interest in politics, demands for greater rights and equality for all. The next section will deal with some crosscutting themes that were reflected across the questions.

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6 Themes – what was said about...

This section describes prominent themes that emerged from the questionnaires and that cut across questions. It includes the direct quotes of a large number of the respondents, reflecting their views and their concerns.

6.1 Equal rights for all

Equal rights for all was a theme that transcended all questionnaires. There were however regional differences as detailed below:

The version of equal rights of the *Christian Kayin from Bago Region* is to get freedom of religion, freedom of speech and access to land. The *Christian Kayin* people from other regions mentioned equal rights in politics, economic opportunities, social welfare and administration.

The version for *Christian Chins from Chin State* is to not be discriminated against by the state.

The *Buddhist Shan people from Shan state* want the right to have ethnics' rights for the benefit of their state and their own benefit.

The version of *Bamar Buddhists* is to get gender rights, equal rights for all ethnics, equal rights in business, equal social rights for all citizens and equal rights with regard to resources. The version of *Buddhist mixed people* is to get equal rights to all resources.

In *Rakhine*, they want education, health, economic development and social rights.

The *Bamar Muslims from Mandalay Region* want job opportunities without discrimination, freedom of religion, equal chances for education, health, business and identity cards.

Equal rights for *Bamar Muslims from Yangon Region* is to get access to social welfare, health facilities, economic opportunities, identity cards, and equal rights as citizens.

Bamar Christian mentioned equal rights and participation in social, economic, politic and religious affairs.

- 'Ethnic races have the right to use the resources of our State 2.freedom of religion 3.right to preserve our traditional 4.the right to teaching and learning of our language 5.right to preserve our Buddhism.' (Rakhine, Buddhist, RAK 1657)
- 'All ethnic want equal rights. But everybody knows Bamar get more chances. We lost health, education, development rights.'(Rakhine, Buddhist, RAK 1796)
- 'To get the equality of right, to enact ethnic's literature, custom as a curriculum, to get the equality of right Christian & Buddhist.' (Chin, Christian, CIN 1408)
- '(1) religious freedom (2) freedom of learning of language & religious literature (3) peacefully living (4) freedom of health, economics, social & politics.' (Kayin, Christian, MDY 1924)
- 'We need equity in Hluttaw and ethnic group should get autonomy. In Parliament meeting,

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there must be equality between state, region and self-determination area.’ (Chin, Christian, CIN 1025)

- ‘According to constitution, to get equal rights, don’t discriminate with regard to religion, culture, gender, living standard, state help and protect Christian, Islam, Hindu, Buddhist and other religions. A citizen can live everywhere in the country. Right to access public servants. Right to do media, to have equal chances, freedom of religious, freedom of marriage and getting baby, education, right to get protection of law.’ (Mon, Islam, YGN 1971)

Overall most ethnic minority respondent want resource sharing, preservation of their cultural heritage including teaching their ethnic literature and language, religious freedom, equal chances, business opportunities, transportation, human and citizens’ right, not to be discriminated against, and the right to become public servants. People from some Rakhine areas want freedom of religion, getting an identity card and freedom to travel.

In demanding equal rights, ethnic minority respondents want the same rights as Bamar and self-determination. However there are Bamar respondents who felt that ethnic minorities received more rights than them, especially with regard to business. Some Bamar also mentioned that there are many influences of the Chinese and ‘Kalar’ (people of Indian origin, also used for South Asian Muslims in Myanmar) as there are many mosques and both Chinese and Indians are very prominently represented in the business world.

With regard to ethnic rights, some Buddhists and Muslims from Yangon Region as well as some Muslims from Rakhine State and Mandalay Region think they are not ethnics. This is explored below.

6.2 Are Bamar an ethnic group?

The issue of if Bamar are a separate ethnic group had not specifically been raised by the questionnaire, but a few answers did point to the fact that some Buddhist Bamars did see themselves as different from the ethnic minorities. Given that this pertains more to identity rather than citizenship, the theme was not explored any further. It is however interesting that it came up.

- I cannot say because I am Buddhist. (Bamar, Buddhist, YGN 0443)
- I'm Bamar. (Bamar, Buddhist, YGN 1106 and YGN 1114)
- I'm not an ethnic person. (Bamar, Buddhist, YGN 1107 and YGN 1110)

6.3 Patriotism/ nationalism

One of the most prominent cross-cutting themes was that of patriotism, nationalism, often linked to culture, religion and sometimes to language. The issue of braveness, strength, protecting culture and /or traditions, came up throughout the qualitative answers and were reflected across questions.

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- ‘Myanmar is so brave and has a desire to develop more.’ (Bamar, Buddhist, YGN 0299)
- ‘Myanmar is Buddhist and patriotic.’ (Bamar, Buddhist, YGN 0352)
- ‘Brave and smart.’ (Kayin & Bamar, Buddhist, YGN 0318)
- ‘The generation who are quick, brave and strong.’ (Bamar, Buddhist, YGN 0341)
- ‘I will explain to the foreigner - Myanmar means to maintain culture and traditions from foreign culture.’ (Bamar, Buddhist, YGN 0357)
- ‘All of the Myanmar citizens need to be patriotic spirit. Myanmar citizens must love our culture, country, nation.’ (Bamar, Buddhist, Mon 0703)
- ‘Real Myanmar citizens were very simple, honour and brave that would be their mindset according to the condition.’ (Kayin, Christian, BG 1304)
- ‘Myanmar means a person who is strong in patriotism and loves his own tradition.’ (Kayin, Christian, BG 1351)
- ‘Myan mean “easy to be successful in difficult situations”. Mar means “to get patriotism from everything”. Myanmar people are patriotic and polite with courage and patriotic, brave, honest, empathy, innocent and patriotic. (PaO, Buddhist, Shan 1486)

The quotes above represent more than simply love for the country and seem to reflect almost a martial tradition, a pride of history, and it was not surprising to find the names of ancient kings mentioned almost as role-models.

- ‘Myanmar country means King Anawyahtar, Kyansisthar, Bayinnoung, Alawngpayar, Banduula have managed our kingdom. We try to keep our traditions and culture all over the world. ... (Chin, Christian, Shan 1461)

In some cases some anti-foreign views were also expressed

- Some foreigners moved and resided in some regions of Myanmar. Then, they condensed their population and tried to hold national registration card. If that matter disturb the food, clothing and shelter of our citizens, we must take action against them. (Bamar, Buddhist, KYN-0800 question 3)

As well as glowing national pride, politeness was also often emphasized.

- ‘Polite and smart.’ (Kachin, Buddhist, YGN-0318)
- ‘Myanmar people are patriotic and polite with courage and patriotism, brave, honest, empathy, innocence and patriotic. All of the Myanmar people follow Buddha’s role and are doing well....’ (Rakhine, Buddhist, Rak 1690)

The interesting thing was that these answers were not limited to Bamar respondents, but also had a number of ethnic representatives who were Buddhist. These kind of statements were remarkably absent from the Kaya, Chin and Kachin samples.

6.4 The role of Buddhism

Difficult to separate from the patriotic quotes above, the role of Buddhism was another prominent theme. The questionnaires had deliberately not asked about religion, so as not prompt respondents. However a very large number of respondents within the Buddhist ethnic groups –

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i.e. not only Bamar respondents, equate citizenship with religion, or seem to think that in order to be Myanmar one has to also be Buddhist.

- 'Myanmar is Buddhist' (Bamar, Buddhist, YGN 0347)
- 'Myanmar are Buddhist and have unity.' (Bamar, Buddhist, YGN 0398)
- 'I think Myanmar is better than every countries because there is Buddhism and peace.' (Bamar, religion not given, YGN 0422)
- 'Believing in Buddhist religion, take care of nationality, helping other and having good will.' (Bamar, Buddhist, Mon 0603)
- 'Myanmar - believing in Buddhist religion and devout in religion.' (Mix, Islam, Mon 0606)
- 'I am Buddhist, so I am Myanmar' (Bamar, Buddhist, Mon 0675)
- 'Myanmar peoples respect the Buddha and the dharma.' (Mon, Buddhist, Mon 0690)
- 'Myanmar people are very religious and live under Buddha's admonish' (Mon, Buddhist, KYN 0888)
- 'Myanmar citizen means a person who is a religious Buddhist.' (Bamar, Buddhist, KYN 0918)
- 'Myanmar is living with Buddha's philosophy.' (Race-Missing, religion not given, Sagain 0035)

Below was one of the very few quotes that spoke about other religions still being able to be a part of national unity. The freedom of religion mentioned in the President's speech quoted earlier, does not seem to be part of the national consciousness of these respondents.

- 'Almost all of Myanmar people's religious are Buddhist and must believe in Buddha's dharma. Myanmar people are polite, kind and hospitality with courage and patriotism, honest, empathy, innocent. Different religions amongst many of the nation races compound as a oneness between each other.' (Chin, Buddhist, CIN 1429)

The responses in Rakhine state were generally even fiercer than those from other Buddhist communities, reflecting the recent riots and communal tensions between Muslims and Buddhists.

- [Myanmar is] 'The person who is Buddhist.' (Rohinga, Muslim, RAK 1591)
- 'Myanmar and Rakhine are not same. Rakhine always keep their promise but Myanmar are not faithful. Some Myanmar married Muslims but Rakhine don't.' (Rakhine, Buddhist, RAK 1637)
- 'Rakhine people who is Buddhist are Myanmar.' (Rakhine, Buddhist, RAK 1780)
- 'The people who is Buddhist, having own culture, not killing another one and polite, are Myanmar.' (Rakhine, Buddhist, RAK 1783)

Both the quotes about patriotism and the role of Buddhism stand in sharp contrast to the earlier depicted demand for equal rights across all ethnic groups. It points to the fact that there is a rise of religious nationalism that could find its way into politics through the debates about citizenship.

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The next subsection looks in more detail at the quotes which emphasised the ‘right to live in Myanmar’.

6.5 The right to live in the country

Whilst the last three sections are related, this one was by far the most interesting cross cutting theme. Given the decades where Myanmar citizens had no ‘rights’ in the western sense of the word, it is notable that the right to reside in the country seems to be a reoccurring theme across the citizenship debate. Whilst this issue may be more prominent now due to the issues surrounding the Rohingas demands to be given this right, it clearly predates the riots and has been reflected not only in the citizenship legislation but also in the anti-Indian and anti-Chinese movements (1967) in the past. The Ne Win speech quoted in the background section of this report is reflective of how precious the right to live in Myanmar is perceived. Colonial history is partly to blame, but today there is a consciousness across the country that Myanmar is sandwiched between very overpopulated neighbours, India, Bangladesh and China. So linked to patriotism, religion and pride of the country, we now have to add ethnic descent or bloodlines as a part of the debates on citizenship.

- ‘A man resides in Myanmar but we can’t say that man is a Myanmar.’ (Rakhine, Buddhist, RAK 1660)

This issue was mentioned across different questions, yet came up mostly in question 4 when asked what the respondents understood about citizens’ rights and responsibilities. It is an issue which transcended ethnicity and was represented across all groups and in all states.

- ‘The *right to belong to my country* and the duty is to have patriotism and responsible for the duty given by the country.’²⁷ (Bamar, Buddhist, YGN 0296)
- ‘Right should be given only if they are dutiful citizens for the country.’ (Bamar, Buddhist, YGN 0442)
- ‘The citizens must be free to reside, freedom of religious and serve the function for the union occasionally.’ (Mixed, Muslim, MON 0616)
- ‘Right: want to live peacefully and freedom to reside. Duty: must attack aggressors.’ (Mon Buddhist, MON 0637)
- ‘Citizens have the right to go and reside in Myanmar freely.’ (Bamar, Buddhist, MON 0778)
- ‘A Citizen has the right to reside in Myanmar and to do own job. A citizen must obey the law of Myanmar.’ (Kayin, Buddhist, KYN 0842)
- ‘Right: we have the right to go and reside in any place in Myanmar. Duty: we must obey the order of the government.’ (Rakhine, Buddhist, RAK 1779)

²⁷ Italics added

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- Right: Right of living in our region. Duty: I have the duty of Buddha, Dharma, Sangha.’
(Rakhine, Buddhist, RAK 1780)

7 Research Findings and Recommendations

7.1 Main findings

A government trying to transform a nation is faced with two steep challenges: first to make the people believe in a future that is positive and possible and second to follow that up with coherent action to fulfil that possibility. Countries that have had years of stagnant/little development develop a 'learned helplessness' and it is both amazing and encouraging to find that the Myanmar people believe in the transformation of their country and spoke about the concept of fairness, shared consistent beliefs and believed in a common national future. More specifically the strong underlying encouraging themes were:

- ***A sense of oneness:*** In responding to how they would describe their country to a foreigner, apart from the legal aspect of being a Myanmar national (i.e. holders of ID cards), the most common answer was that Myanmar was the combination of various national races. Understandably this view was stronger amongst ethnic races than amongst Bamaras.
- ***Commonly held beliefs on citizenship:*** There was a greater similarity than disparity in responses: surveys across more than 2000 participants and the 8 main ethnicities revealed a stark similarity in responses whether negative or positive, where the results could be said to be statistically similar rather than different. There were three striking examples. The first was on 'how alienated /ignored do you feel by the state?' where Kachin, Kayin, mixed race, Shan, Bamar, Kayah, and Rakhine responded similarly. Secondly whilst responding to 'interest in politics' again, the same set of ethnicities had largely similar responses ranging from 55% to 65%, with the exception of Mon state at 28%. The third was whether 'ethnicities were given sufficient rights' and the responses from most nationalities were again within a narrow range. The two anomalies were a) respondents from Mon state that held differing views and b) that Bamaras held the same views as that of the minority ethnicities and felt equally connected or alienated as other ethnicities.
- ***Growing sense of patriotism/nationalism:*** One of the most prominent cross-cutting themes was that of patriotism, nationalism, often linked to culture, religion and sometimes to language. The issue of braveness, strength, protecting culture and/or traditions, came up throughout the qualitative answers and were reflected across questions. This was more than simply love for the country and seems to reflect almost a martial tradition, a pride of history, and it was not surprising to find the names of ancient kings mentioned almost as

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role-models.

- **Concept of fairness:** Equal rights for all were a theme that transcended all questionnaires. There were however regional differences on whether the fairness was based on access to resources (Bamars) or a federated concept of ethnic rights and national rights (other ethnic nationalities). A lot of these rights focussed on freedom of culture, religion, speech, access to land, and most importantly access to opportunities.
- **The right to live in the country.** Given the decades where Myanmar citizens had no 'rights' in the western sense of the word, it is notable that the right to reside in the country seems to be a reoccurring theme across the citizenship debate. Whilst this issue may be more prominent now due to the issues surrounding the Rohingas demands to be given this right, it clearly predates the riots and has been reflected not only in the citizenship legislation but also in the anti-Indian and anti-Chinese movements in the past.
- **Projection into the future:** Although the questions in the nationwide survey were intended to capture the situation today, the majority of the answers focused on 'what should be' – i.e. commonly held belief of a harmonious future state of the nation. Rather than be stuck in the helplessness of the past, citizens whilst acknowledging the lack of rights also acknowledged the momentum and direction of change and projected their views in the future.

In summary, these insights are extremely useful as they show a greater coherence of beliefs in harmony, concepts of equitable possibilities and the future state of the nation. However the last points on the concepts of fairness and nationalism (and as a result of national transformation) also show the subtle differences that exist and the expectation in each ethnicity that could hamper national progress.

In the subtleties of strongly held beliefs there were two further insightful findings that need to be addressed carefully: a) a growing sense of differing views on what rights are (and what is expected) and b) a growing sense of Buddhism as part of the national identity that serves to discriminate or divide rather than unite.

- **Differing expectation on rights by ethnicity:** Equal rights for all were a theme that transcended all questionnaires. There were however regional differences on whether the fairness was based on access to resources (Bamars) or a federated concept of ethnic rights and national rights (other ethnic groups).

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- *A growing sense of Buddhism as part of the national identity* that serves to discriminate/divide rather than unite. Difficult to separate from the patriotic quotes above, the role of Buddhism was another prominent theme. However a very large number of respondents within the Buddhist ethnic groups – i.e. not only Bamar respondents, equate citizenship with religion, or seem to think that in order to be Myanmar one has to also be Buddhist. This religious nationalism if not dealt with carefully could serve to alienate other groups with a different religious identity.

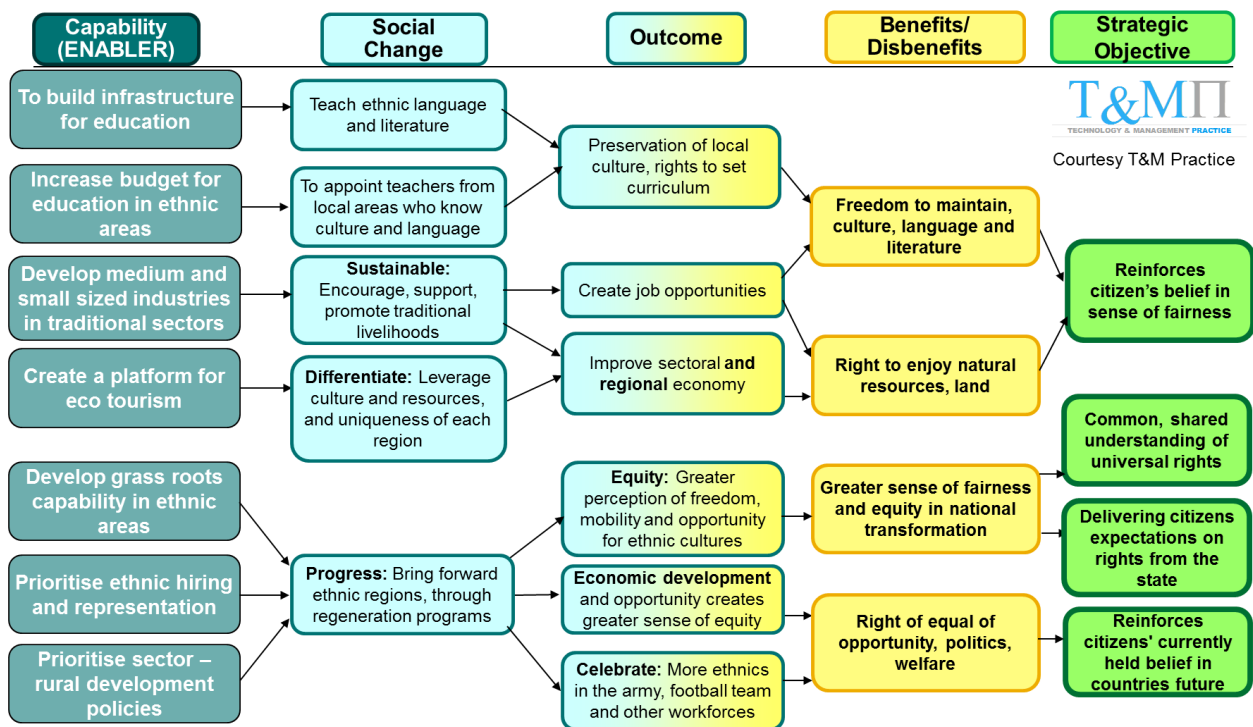
7.2 Recommendations for reform

The Myanmar government is faced with two steep challenges: first to make the people believe in a future that is positive and possible and second to follow that up with coherent action to fulfil that possibility.

How to meet the citizen's expectations on rights, equality and fairness

The following benefit map shows how the government can leverage certain initiatives such as economic development, prioritising sectoral development, and ethnic culture based economies.

Figure: Benefit maps from recommendations aimed to achieve citizens' expectations on rights, equality, and fairness



T&MII
TECHNOLOGY & MANAGEMENT PRACTICE
Courtesy T&M Practice

STRATEGIC: Develop consistent strategies on themes of differentiation, economic progress and sustainable futures

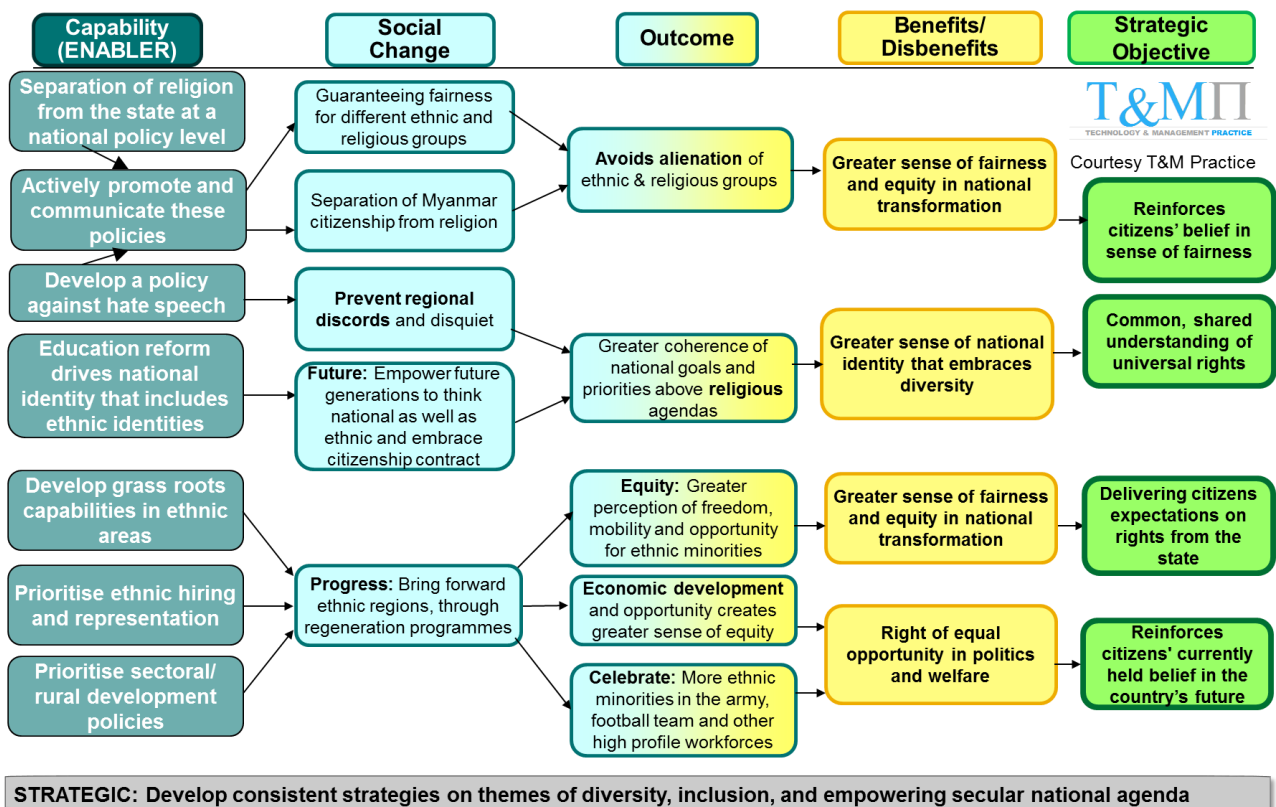
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The outcomes that result are preservation of local culture, creation of job opportunities that leverage natural and local resources and a greater sense of equity and fairness. They reinforce the citizens' benefit in fairness, develop a shared and consistent understanding of universal rights and reinforce what was already a positive signal for the national transformation, the prevailing sense and future expectation of a fair and equal society.

How to combat religious nationalism that could divide the nation

The following benefit map shows how the government can leverage certain initiatives such as diversity, inclusion, and empowering a secular national agenda *in addition to* economic development, prioritising sectoral development, and ethnic culture based economies. Given that the two areas are related the benefit maps overlap on the issues of bringing forward the ethnic regions by developing grass roots capabilities, prioritising local hiring and prioritising the development of the rural sector.

Figure: Benefit maps from recommendations aimed to achieve citizens' expectations on rights, and national objectives on citizenship and national goals



The outcomes that result avoid the alienation of different ethnic and religious groups and achieving greater coherence of national priorities over religious agendas. They reinforce the citizens' belief in fairness, develop a shared and consistent understanding of universal rights and

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reinforce what was already a positive signal for the national transformation, the prevailing sense and future expectation of a fair and equal society.

The recommendations have been clubbed as

- ***Tactical-*** need to start now
Economic development and recognising ethnic groups and cultures; increase engagement amongst divided society, increase role for CSOs, community dialogues.
- ***On-going incremental development***
Education reform, review official language use in schools in ethnic areas, ethnic areas need to teach their own culture, teaching of democracy and rights and responsibilities, rewriting history textbooks, public debates about national identity; delivering basic needs, making health care and education accessible.
- ***Strategic:*** medium to long term recommendations
Federalism, resource sharing, power sharing and fiscal arrangements.

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