

The Muslim Presence in Arakan: Four Important Historical Documents

A submission by Mr Derek Tonkin to the HRC Fact-Finding Mission on Myanmar

This submission is made by Derek Tonkin, who was British Ambassador to Thailand, Vietnam and Laos in the 1980s, and after retirement Chairman of the charity Network Myanmar. From 1973 to 1976 he was one of three Foreign and Commonwealth Office representatives on the UK Cabinet Office Joint Intelligence Committee. A brief CV is attached.

He wishes to draw the attention of the Fact-Finding Mission on Myanmar to four original historical documents which highlight issues concerning the identity of the “Rohingya” community in Rakhine State, often known to the British as “The Arakan”. Each heading contains a hyperlink to a document.

[1. Article in Asiatick Researches Vol. 5 of 1799 on the Languages of the Burma Empire](#)

This article, published in Calcutta in 1799 and in identical format in the London edition of 1801, is important because it is the sole original historical record of any designation similar to “Rohingya” prior to Burmese independence on 4 January 1948. The article contains a vocabulary of 50 words in the language spoken by “Rooinga” in Arakan. The vocabulary was acquired by Dr Francis Buchanan, physician to a diplomatic mission in 1795 to the Court of Ava in Burma which was then sited at Amarapura (near Mandalay).

On Page 237 of the document you will find a reference to three “dialects, spoken in the Burma Empire, but evidently derived from the language of the Hindu nation”. One of these dialects “is that spoken by the Mohamedans, who have been long settled in Arakan, and who call themselves Rooinga, or natives of Arakan”. The only other information in the article about the Mohamedans is that, like the Hindus settled in Arakan, they were called “Kulaw Yakain” or stranger Arakan by the “real natives” by whom is meant the Buddhist Rakhine. The reference to these three Hindustani-related languages occurs in the article only after the completion of a record of the six language groups found in Burma. (The third Hindustani-related language was spoken in Manipur, which Burma was required to relinquish under the Treaty of Yandabo in 1826).

This unique reference reasonably allows us only to observe that “Rooinga” (a designation which is very probably related to present-day “Rohingya”) was the name chosen by Mohamedans in Arakan to describe themselves. Dr Buchanan does not record whether he met one or more persons. We can assume that the meeting(s) took place at the Court of Ava to which many Muslims, Hindus and Buddhists had been forcibly taken after the capture of Arakan by Burma in 1794. There are unfortunately no other contemporary sources with which to compare this designation. It was never used again by Dr Buchanan, though he wrote many essays about his travels along the Bengal border with Arakan. It was never used by any of his colleagues. When the British, who invaded in 1824, took final possession of Arakan in 1826, they found no Muslim inhabitants who described themselves as “Rooinga”. Dr Buchanan’s unique record is the sole acknowledged source in a small number of later (19th Century) lexicons, encyclopaedias and gazetteers which contain references to “Rooinga”: that is, these later references are without exception acknowledged repetitions of Buchanan, not new and independent sources as is sometimes claimed.

My conclusion is that, given the very limited information we have in the article concerning “Rooinga”, which reportedly meant only “natives of Arakan” or Arakaners, it would not be safe to conclude that “Rooinga” at the time had any established or recognised status as an ethnicity, only as a geographic locator, much as one would talk of a “New Zealander” or “New Yorker” without implying any particular ethnicity. The real importance of the article is that it confirms the “long

settled” presence of Muslims in Arakan prior to the British invasion. More than this is pure speculation.

The Bengali word for Arakan is “Rohang” with several variants noted by Dr Buchanan in his 1798 account of a journey in Southeast Bengal - “Francis Buchanan in Southeast Bengal 1798” by Willem van Schendel 1992, Page 31: “Rossawn, Rohhawn, Roang, Reng or Rung for by all these names is Arakan called by the Bengalese”. “Rohingya” is to be found with over a dozen variations in spelling in writings of the 1950s and 1960s. The “Rohingya” variant is possibly of Mujahidin East Pakistani/Bangladeshi origin.

[2. Address by the Jamiat Ul Ulema North Arakan dated 25 October 1948 to Prime Minister U Nu](#)

This is one of several documents produced shortly before and after independence by the Jamiat Ul Ulema (Council of Religious Scholars) of North Arakan, the leading Muslim political association in Arakan. The presentation made to Prime Minister U Nu was designed to reassure the central government of their loyalty, to secure increased parliamentary representation and to advance their claims to be an indigenous community. The key passage is in the fourth paragraph:

“We are dejected to mention that in this country we have been wrongly taken as part of the race generally known as Chittagonians and as foreigners. We humbly submit that we are not. We have a history of our own distinct from that of Chittagonians. We have a culture of our own. Historically we are a race by ourselves. Our religion of Islam was propagated amongst our ancestors by the Arabs since 788 AD in this land of ours.”

This statement is totally at variance with the censuses and records maintained during British rule (1826-1948), which record the slow migration of some 175,000 agricultural labourers into Arakan from the Chittagong region of Bengal, especially during the fifty years between 1875 and 1925. By the 1931 decennial Census, some 57,952 descendants of “Indo-Burman” settlers, mostly the “Rooinga” recorded by Dr Buchanan, were enumerated compared with 217,801 “Indian” settlers or descendants of settlers during British rule. In Arakan these “Indian” settlers were listed as Chittagonians speaking Bengali as their language at home. The “Indo-Burman settlers” on the other hand were so integrated with the local Buddhist community that they mostly spoke the Rakhine dialect of Burmese in their daily business, and an antiquated patois developed since the 15th-16th Centuries amongst themselves. Some Indo-Burman settlers like the Kaman no longer speak any variant of their original dialect, only Rakhine Burmese.

British records include annual “capitation” tax/house registration lists, decennial censuses, annual administration reports, tax settlement reviews, and special official reports. They record in detail Chittagonian arrivals, often on a village by village basis, particularly in the Northern Arakan townships of Maungdaw and Buthidaung. The evidence of some 122 years of British rule in Arakan is however rejected by Rohingya ideologues and supporters whom claim that these colonial records only reveal the ignorance of British officials who failed to understand that those whom they described as migrants from Chittagong were in fact indigenous natives tracing their ancestry directly back to early Arab settlers. The British did however move into Arakan from India and had already amassed considerable experience of Islam and Muslim communities. Furthermore, evidence taken at censuses and tax reviews was collected not by British officials themselves but by local enumerators who included teachers and local officials, as well as - to quote from the 1881 decennial Census - “weavers, tattooists, ear-borers, pagoda slave headmen, coolie gang-bosses, toddy-climbers and silk-worm breeders” who were by definition part of their local communities and are unlikely to have made any serious errors in recording.

The political endeavour to “de-Indianize” Muslim communities in Arakan reflected in this 1948 statement foreshadowed the campaign to secure “taing yin tha”, or national race status under the 1982 Citizenship Law. This campaign required the denial of substantial Chittagonian migration into Arakan under British rule, and hence the rejection of all British documentary records which ran counter to this article of political faith.

This extreme position however has resulted in a battle of narratives, which on the one hand proclaims that Muslim residents of Arakan (until recent flights into Bangladesh) are illegal migrants from Bengal, and on the other hand seeks to convince that they are indigenous natives tracing their ancestry back to times even before the Rakhine Burmese migrated into Arakan from the 10th Century. Attempts to bridge this contradiction in narratives is rarely attempted, even at academic gatherings.

[3. Speech by General Ne Win on 9 October 1982 concerning the new Citizenship Law](#)

The Citizenship Law approved by the Burmese National Assembly on 15 October 1982 was over six years in the making. It was judged at the time by diplomatic missions in Rangoon, Asian as well as Western, as containing discriminatory provisions mostly related to both legal and illegal Indian migration into Burma, especially Arakan. A key passage in General Ne Win’s speech to a Burma Socialist Programme Party gathering on 9 October 1982 immediately prior to the approval of the Law reads:

“We are, in reality, not in a position to drive away all those people who had come at different times for different reasons from different lands. We must have sympathy on those who had been here for such a long time and give them peace of mind. We have therefore designated them *eh-naingngan-tha* (associate citizens) in this law. Why have we given them this name? Because, we were all citizens in the beginning; then these people came as guests [Note: “eh” means guest in Burmese] and eventually could not go back and have decided to go on living here for the rest of their lives. Such being their predicament, we accept them as citizens. We can leniently give them the right to live in this country and to carry on a livelihood in the legitimate way. But we will have to leave them out in matters involving the affairs of the country and the destiny of the State.....”.

This new category of associate citizenship, however, was never meant to be permanent. It would only be granted to individuals who had already made application under the 1948 Citizenship Act to be registered as citizens. According to a diplomatic report from the Australian Embassy in 1982, some 80,000 to 90,000 such applications (probably by heads of family only) were outstanding, pigeon-holed for years by unhelpful officials no doubt with the tacit consent of the central authorities. Such citizenship could also be enjoyed by their children, while grandchildren - the third generation - would be entitled to full citizenship, subject to good conduct.

What that meant was that, if the Citizenship Rules published a year later (in 1983 – no English translation available) had been brought into immediate effect in Arakan, applicants under the 1948 legislation could already become associate citizens, as could their children who had reached the age of 18, while any grandchildren who might soon reach the age of 18 could become full citizens. Associate citizenship would thus ultimately wither away as new generations arrived. The ethnicity of the grandchildren was not an issue. This meant that Muslims in Arakan could see their grandchildren under the Law acquiring full citizenship in the fullness of time. That was both the letter and intent of the Law at the time.

But this did not happen. No action was taken to process outstanding applications which in any case had originally been for full citizenship. Instead, in Arakan alone, no replacement IDs were issued to those Muslims already granted full citizenship under the 1948 Act (Article 6 of the 1982 Law guaranteed that anyone who was already a citizen would keep their citizenship). They and others were issued instead with temporary “White Cards” which were to last some 25 years before being cancelled for political and electoral reasons.

It is in my view not so much the 1982 Law which is at fault as the failure to implement its provisions in Rakhine State in a timely, efficient and responsible manner. Amending the Law to remove discriminatory provisions will not help if there is no political will even to implement the provisions of the existing Law.

[4. Statement by the Presidential Office on 11 July 2012 on the Meeting between President Thein Sein and UNHCR António Guterres](#)

At this meeting held in the capital Nay Pyi Taw on 11 July 2012, President Thein Sein discussed with António Guterres, then UN High Commissioner for Refugees and today UN Secretary-General, a number of issues, including the situation in Rakhine State. A communiqué issued by the Presidential Office on the following day noted:

“The President said that Bengalis came to Myanmar because the British colonialists invited them in prior to 1948, when Myanmar gained independence from Britain, to work in the agricultural sector. Some Bengalis settled here because it was convenient for them to do so, and according to Myanmar law, the third generation of those who arrived before 1948 can be granted Myanmar citizenship.”

What the President was in fact saying was that Chittagonian farm labourers from Bengal who migrated to Rakhine State during British rule did so legally, and that in accordance with Myanmar law their grandchildren are entitled to full citizenship. This indeed reflects precisely what General Ne Win said in October 1982. The President continued:

“He added that, if we look at the situation in Rakhine State, some people are the younger generation of Bengalis who arrived before 1948, but some are illegal immigrants claiming to be Rohingyas and this threatens the stability of the State. The Government has been looking seriously for a solution to this problem. The country will take responsibility for its native people, but it cannot accept illegal immigrant Rohingya in any way.”

The President was referring to the fact that there was no legally permitted migration to Rakhine State after independence, and that anyone who moved without permission to Rakhine State after 4 January 1948 could only have done so illegally. These illegal migrants he referred to as “Rohingya”, clearly reflecting his position that the term originated from across the border in Bangladesh. He asked Mr Guterres to take responsibility for these illegal entrants and offered to set up refugee camps for them while awaiting their resettlement.

The President’s remarks, of which I attach the original version in Burmese from a screen capture of the website communiqué issued on 12 July 2012, received very misleading international publicity. The remarks were generally reported as meaning that the President was proposing to put into camps the entire population of those who called themselves “Rohingya”. Mr Guterres seemingly understood the President’s remarks in this sense, and not surprisingly made it clear that this would not be possible.

I suspect that the main reason for this misunderstanding was that the presidential communiqué was never officially translated into English and that accordingly only generalities about the visit of Mr Guterres appeared in the Myanmar English-language press and international media, in contrast to much fuller reporting in the Burmese-language press. Only Radio Free Asia, translating from its Burmese language programme, correctly reported in an English-language article the President's clear distinction between legal Bengali settlers and illegal Rohingya immigrants, while still giving in its headline the misleading interpretation: "Call to put Rohingya in Refugee Camps" which is true only in relation to illegal post-1948 immigrants from Bengal.

Ever since 2012, many senior officials in Myanmar, including the Commander-in-Chief, Senior General Min Aung Hlaing, have termed as "illegal Bengalis" all those who identify as Rohingya. If by "Rohingya" they use the term in the sense defined by President Thein Sein in 2012 of "illegal Bengali migrants since independence", there would be some merit in their designation. Only Daw Aung San Suu Kyi has avoided any opaqueness or misleading interpretation by referring by choice not to "Rohingya", but to Rakhine Muslims.

The recognition by the former President that all settlers from Bengal up to the time of independence in 1948 are legal migrants could usefully be brought to the attention of Daw Aung San Suu Kyi's administration. She should be encouraged to confirm the former President's policy statement. As it, probably neither she nor the UN Secretary-General himself is to this day aware of what the President actually said and meant. A considerable majority of the Rohingya population merit citizenship even under the 1982 Law because they have descended from a pre-1948 settler. Many however have lost all documentation to prove their ancestry during the recent troubles and their situation cannot be resolved unless the Myanmar authorities are prepared to use the evidence of annual house registration lists which are known to exist, have in the past been well maintained and were first introduced by the British in Arakan as far back as 1829. In principle, the loss or absence of documentation ought to be no obstacle at all to establishing residence, provided there is goodwill on the side of the Myanmar authorities and they are willing to disclose house, school, electoral and other official registration lists.

Finally, I attach an updated version of Chapter 8 of "Citizenship in Myanmar" recently published by ISEAS (Singapore) and Chiang Mai University Press (ISBN 978-981-4786-1). In this chapter I make reference as appropriate to all four historical documents examined in this submission.

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