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Rethinking Islam-State Relations: The Perspective from Myanmar

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Chapter 1: Rethinking Islam-State Relations: The Perspective from Myanmar

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This edited volume explores the relation between Islam, law and the state in Myanmar from both an empirical and comparative perspective. It provides an informed and scholarly response to contemporary issues facing the Muslim communities of Myanmar by furthering knowledge of the dynamics and the interaction between state institutions, government policies and the Muslim communities of Myanmar. This volume fills a gap because not only is there a dearth of detailed, informed and contemporary scholarship in this area, but because recent events demonstrate a profound lack of understanding about Muslims and Islam in Myanmar. For example, since Muslims have been the target of widespread violence, beginning in Rakhine State in 2012 but spreading to most major towns across Myanmar, a profound gap between local discourse and international rhetoric has surfaced. This is most evident in comments directed at Daw Aung San Suu Kyi, member of parliament and leader of the National League for Democracy (NLD), and her response to the situation. From the side of the Myanmar government, there have been repeated attempts to discredit her because of

her alleged links to and sympathy for Muslims in Myanmar. On the other hand, the international community has expressed profound disappointment and at times outrage concerning Daw Suu's perceived failure to speak out in support of Muslims, and on behalf of the Rohingya in particular. I give this example not as a reflection on Aung San Suu Kyi or the policies of the NLD, but as an example that illustrates both the gap in perceptions about Muslims on all sides, as well as a misunderstanding of the Muslim community in Myanmar.

In order to beginning to address the lacuna in rigorous scholarship on Muslims in Myanmar, this volume is broadly oriented around a series of questions about how Muslims interact with, or distance themselves from, the state. For example, how do Muslims understand their own identity and their position in relation to the state? How can we conceptualise or theorise the relation between Muslim communities and the state in Myanmar? What function and position do religious institutions have in Muslim communities in Myanmar, and to what extent does government recognition affect their status and freedoms? What role and influence do Muslims have in terms of the current process of reform and transition in Myanmar?

Further, this volume explores the way the state has regulated and responded to the Muslim community, that is, the scope and implications of state policies on Muslims. This relates to a wide-range of issues such as marriage, divorce or inheritance; Islamic education; places of worship; or the role of religious leaders, as well as broader social issues such as the impact of the growth in communications technology, and state regulation and provision of education. To what extent has the state regulated the practice and expression of Islam, and how has this varied during different political and military regimes in Myanmar? How has the state legitimised its policies and measures, and how has it sought to enforce and seek compliance with these regulations and laws? To what extent is the approach of the state similar or different to the way in which the state regulates other religious groups, or the way

in which other countries in the region deal with minority Muslim communities? These are questions that need to be addressed by an agenda for sustained, long-term research.

This chapter first provides a local perspective through a brief reflection on the lives of Burmese Muslims who settled as refugees in Australia. I then consider Burmese Muslims in the broader context of Myanmar's 'Muslim mosaic', that is, its diverse Muslim communities. In order to appreciate the Muslims of Myanmar today, I suggest that we need to move away from rigid ethnic-based assumptions and reframe our understanding along a continuum of relations with the state in terms of those who identify first or equally as 'Burmese' at one end, and those who identify primarily as 'Muslim' at the other. I then identify critical themes in the literature: the history of the Muslim community; Muslim political engagement; Muslims in times of crisis; and the practise of Islam. I conclude with a reflection on the chapters that follow. In order to expand, reconsider and reconceptualise Muslims and their relation with the state in Myanmar, I suggest we first need to displace Buddhism from its privileged position as a 'non-violent' religion, and, second, to reposition Muslims in Myanmar as an important crossroads for Islam between South Asia and Southeast Asia.

Local Perspectives on Burmese Muslims

One reason that the Muslim communities of Myanmar now need to be understood by both the West and by developing countries in Asia is due to the large scale migration that has taken place. There has been significant irregular migration of Muslims to parts of South Asia – including Bangladesh, Pakistan, India, and even as far as the Middle East such as Saudi Arabia – and Southeast Asia, including Malaysia, Thailand and Indonesia. Some have made their way as asylum seekers, or as recognised refugees through the United Nations High Commission for Refugees (UNHCR), to Western countries, including the United States and Australia. For example, over the past decade, large numbers of refugees living in camps

along the Thai-Burma border have been resettled in third countries. In 2004, the Australian government significantly increased the number of refugees that it accepted through its Humanitarian Resettlement Program who were from Myanmar and living in the refugee camps on the border of Thailand and Myanmar. From 2004 to 2007, Myanmar has featured in the top ten countries from which people were granted offshore protection visas to Australia. Since 2007, Myanmar has consistently featured amongst the top two nationalities within the offshore Humanitarian Program (the other country consistently in the top two being Iraq) (DIAC 2013). While these refugees from Myanmar are scattered across Australia, many have settled in Melbourne. A significant percentage of Burmese refugees who settled in Southeast Melbourne are Burmese Muslims.[1] The area in which they settled was already home to a handful of Anglo-Burman families, who fled Burma in the 1960s and 1970s; 8888 generation activists and their families who came to Australia for further study in the 1990s; and, since 2013, Rohingya asylum seekers who were usually detained at one of Australia's off-shore processing centres until their claims for asylum were found to be legitimate

There are not yet official numbers of Burmese Muslims in Australia, although there are an estimated 1,000 Burmese Muslims (not including Rohingya) in Melbourne alone. The stories of these Burmese Muslims have gone largely unnoticed and unrepresented, yet their lives illustrate broader themes and patterns experienced by Muslims from Myanmar. The

[1] This research builds on my previous experience since 2007 working with various non-government organisations that supported the settlement of the Burmese refugee community in Southeast Melbourne. It is also informed by field trips to the refugee camps on the border of Thailand and Myanmar, where approximately 10 percent of the refugee population are Burmese Muslim (TBBC 2010). It is also based on field research and interviews with a range of Muslim religious leaders, community leaders, lawyers and youth in Shan State, Mandalay, Naypyidaw and Yangon, Myanmar; and also in Singapore. In order to ensure anonymity, some names mentioned in this chapter have been changed. I am grateful to Nick Farrelly for his comments on an earlier version of this chapter. All views expression in this chapter are my own.

majority of Burmese Muslims in Melbourne are from villages in Karen State. Their journey is illustrated in the lives of Hassan and Salemar, a Burmese Muslim couple.[2] They come from Kyaikdon, a small village in what used to be a 'black' area[3] of Karen State, formerly under the control of the Karen National Union (KNU). In the 1990s, their village was repeatedly targeted and attacked by the military. As they lived in a KNU controlled area, some of the men fought with the KNU.[4] The military eventually swept through their village, burning houses and mosques, and forcing them, along with an estimated 4,000 other Muslims from surrounding villages, to flee.[5] They made the journey to Thailand along with their relatives and neighbours, and were among the first refugees to establish the camps in that area of the border of Thailand-Burma. They later settled in a camp that is today known as Nu Po, located a days' drive along 'death highway' (known for its dangerous bends), which winds its way to the border town of Mae Sot.[6] They lived in Section 11 of the camp, which is referred to by some non-Muslim camp residents as the 'Indian' section, although most of the people who lived there identified as 'Bama Muslim', not Indian.

[2] Interview with Hassan and Salemar (not their real names), Melbourne, 4 January 2011.

[3] From the 1960s, the military labelled certain areas of the country 'black', where conflict with insurgents remained; 'brown' for areas that were under dispute; and 'white' for areas that were uncontested and without conflict. For example, the liberated part of Karen State was labelled a 'black' area. For more on this strategy see Smith 1999: 259-260.

[4] Yegar claims that a small Muslim armed group operated in Karen State in 1983, but there is no evidence to suggest this was the same community (2002: 60).

[5] See Images Asia, 1997; TBBC, 2010: 12, citing Supamart Kasem (1997) 'Cleric Says Mosques and Schools Torched: forced relocation of villagers reported' *The Bangkok Post*, 10 March 1997. This is briefly mentioned in Fink 2009a: 239-240.

[6] In 2009, it was estimated that approximately 10 percent of the refugee population on the border of Thailand and Burma were Burmese Muslim (TBBC 2010).

Like many displaced families from Karen State, the camps became their reality and home for over ten years, while other family members lived there 15 or 20 years, and still others had their claims for asylum rejected as they were unable to pass the medical check, which means the camp is effectively their permanent home. During this time, Hassan was a camp medic and Salemar raised their three boys. Their two older sons attended school, where classes were taught in Karen language, although their first language was Burmese; they also learnt to recite the Qur'an at the mosque and adjacent *madrasa* in their section of the camp. Over 10,000 Muslims have sought refuge in the camps in Thailand since 1997. Many did not have citizenship cards, although most at this time were able to register with the UNHCR. In 2007, Hassan and Salemar and their children were accepted as refugees to resettle in Australia as part of its humanitarian program.

As well as helping many family and friends settle in Australia who arrived after them, Hassan and Salemar are involved with the Burmese Muslim Community Association and assist in the organisation of annual festivals and religious events, including *Eid Ul-Fitr* and *Eid Ul-Adha*.[7] They have travelled back to the Thai-Myanmar border to support family and friends still living there, and they have sponsored some of their relatives to come to Australia. In 2012, they became Australian citizens, a fact they recount with obvious pride, as this is the first time they have ever been recognised as citizens of a country. Since 2013, they have also helped newly-arrived Rohingya asylum seekers in the area, despite the differences between Burmese Muslims and Rohingya in terms of language and culture. With the support of a local council program and a community organisation, Hassan and Salemar have founded a café serving Burmese food in Melbourne. In 2013, they were able to see Daw Aung San Suu Kyi on tour when she visited Australia for the first time. They long to visit Myanmar one day, yet

[7] *Eid* is the breaking of the fast after the end of Ramadan; *Eid Ul-Adha* is the celebration that marks the commemoration of Abraham's willingness to sacrifice his son Ishmael.

like many Burmese Muslims in Melbourne, they feel that they are unable to return under present circumstances, particularly given that some of their relatives and contacts inside Myanmar have fled to countries such as Thailand and Malaysia.

Not all Burmese Muslims in Melbourne came from rural areas, however. Others were from towns and were directly involved in the democracy movement. One example is Ayub Khan, a Burmese Muslim who grew up in Yangon. In addition to his Burmese name, he also has a Muslim name, like most Burmese Muslims do. His grandfather was from Pakistan, his grandmother was from Mon State. He was 16 years old at the time of the democracy uprising. In 1990, he was put in prison for his involvement in the democracy protests and ongoing political activities in the late 1980s, which became known as '8888', which refers to 8 August 1988. He was in prison for three years until 1993 when he then spent several years as a bodyguard for Daw Aung San Suu Kyi. From 1996 until late 2002, he was put in prison again for his political activities, this time for another seven years. After being released from prison for the second time, he was married, and his wedding photos show Daw Aung San Suu Kyi as the special guest of honour. In 2004, facing further risks for their political involvement, him and his wife fled to Thailand. He was involved with the Assistance Association of Political Prisoners (AAPP) based in Mae Sot, Thailand. In 2008, Ayub Khan and his family came to Australia as part of the humanitarian settlement program.

Ayub Khan travels back to the Thai-Burma border frequently to support friends there and continue his work with the AAPP. In Melbourne, he is actively involved in the Australia Burma Society,[8] an inclusive community organisation that supports the arrival of refugees and organises annual community festivals. He has also established his own Burmese grocery store with the support of the local council. In November 2013, he again acted as a 'body-guard' for Daw Aung San Suu Kyi when she made her first visit to Melbourne.

[8] Interview with Ayub Khan (not his real name), Melbourne, 14 January 2011.

While these stories are brief, they share several common threads. It suggests that our gaze must not only look at urban populations, but extend to rural Muslim communities often beyond the reach of the state, such as the Muslims of Karen State, including in the liberated areas and on the Thai-Myanmar border. Our line of vision must not just consider Muslims within the territorial boundaries of Myanmar, but those on its borders as well as those scattered across the global. Although these two brief stories are of Burmese Muslims, we also need to consider the complexity of Myanmar's 'Muslim mosaic', which I discuss next.

Myanmar's Muslim Mosaic

Just as there is no official data on how many Muslims from Myanmar have resettled in third countries, there is no data available on the numbers of Muslims in Myanmar today. It is estimated that between four to ten percent are Muslim, and that the Muslims of Myanmar are a diverse group both ethnically and geographically. Even if the conservative government estimate of four per cent of the population is correct, this means that Myanmar has a higher percentage of Muslims in comparison to both Thailand and the Philippines (Selth 2004), two other minority Muslim contexts in the region. Yet in comparison to scholarship on the Muslim communities of Thailand[9] and the Philippines,[10] we have only a fraction of the research available on Muslims in Myanmar.

In March 2014, a national census was held in Myanmar in cooperation with the United Nations Population Fund. Provisional results did not reveal religious affiliation, but

[9] On Muslims of Thailand, see for example Leyland 2009; Funston 2010; McCargo 2012; Jerryson 2011; Liow 2009; Brown 2013.

[10] On the Muslims of the Philippines, the only major anthropological work is Kiefer 1972; on the politics of daily resistance see McKenna 1978; and on Islamic law in the Philippines see Hooker 1984: 231-245; Stephens 2011; Chiarella 2012.

the population was found to be 50 million (far short of previous government figures), although an estimated 1.2 million (including many in Rakhine State) were not included in the census (Republic of the Union of Myanmar 2014). In thinking about how we need to reconceptualise Muslims in Myanmar today, the census provides one example of the myopic view of the international community. For example, international commentary primarily focused on what categories the state would use to identify religion and ethnicity, and specifically whether the government would allow participants to use the term 'Rohingya'. But there was almost no coverage of Muslim responses to the census. This is despite the fact that, in the lead up to the census, there was fierce discussion and debate *within* Muslim communities about what categories they wanted to use to define their religious and ethnic status in the census. Representatives of the Muslim community were summoned to Naypyidaw for 'consultations' with government officials in regards to the census. Yet these meetings were often to be told how the census would work and what categories would be used, rather than to invite participation and opinions on what categories would be most appropriate.[11]

Prior to the census, the debates within Muslim communities varied. Many in the Burmese Muslim community were confused: they did not want to list their ethnicity as 'Burman', even if they were part Burman, because they felt that the ethnic category 'Burman' may be conflated by the government with 'Buddhists'. Many who identify themselves as 'Burmese Muslims' felt that this may allow the numbers of Buddhists in the country to be overestimated. On the other hand, as Muslims who take pride in their 'Burmeseness' – from the use of Burmese language, to Burmese clothing and culture - they wanted recognition that they belong to Myanmar too. As a compromise, some leaders from the Burmese Muslim community were advocating for the use of the term '*Pathi'* Muslim. This is a term that was

[11] Interview with Muslim community leaders, Yangon, 13 November 2013.

used during the period of the kings, and there have been attempts to revive the term in the past, such as in the 1960s, in order to carve out specific recognition for this group (Yegar 1972: 7, 80; 2002: 20). The term *Pathi* is today used in a broad sense to encompass Muslims of many different ethnic backgrounds in Myanmar, but particularly those with part-Burman ancestry (or ancestry of another recognised race in Myanmar).

From another perspective, some religious leaders from the Indian Muslim community issued a *fatwa* (Islamic legal opinion) to their community members to instruct and guide them on how to list their identity in the census. Part of their emphasis was simply that Muslims should not be afraid or hesitant to list their religious identity on the census. Some Indian Muslim leaders even argued that it was *haram* (forbidden) for a Muslim to fail to list their true religion on the census. Different debates again were held within the minority Shiite community, with some Islamic religious leaders from Yangon advising that all Shiites should list themselves as 'Mogul Shia' on the census, although some Muslim Shiite leaders from Mandalay disagreed. Like the Burmese Muslim resurrection of the term '*Pathi'*, the use of 'Mogul Shiite' was also an attempt to revert back to past categories – in this case the reference to Muslims who had migrated from the Mogul empire (Yegar 1972: 40, 42) – in order to recreate and redefine their future as a community in Myanmar. There were also some Muslim organisations, such as the Kaman National Development Party, that announced they would try to take their own census of their community (in this case, Kaman Muslims) to ensure they were not undercounted by the Burmese government and to combat any concerns that so-called 'Bengalis' had obtained Burmese identity cards with Kaman ethnic nationality through bribery (Narinjara 2013). This short insight into broader debates surrounding the 2014 census suggests that scholarship needs to go beyond surface debates about whether the term 'Rohingya' was used (not to diminish the importance of this issue in any way) and

recognise the more complex debates that cut to the heart of how the state identifies and limits the identities of Muslims, and how Muslims want to be identified by the state.

In addition to the census, the 2012-2013 violence against Muslims has both exposed the limits of our understanding of Muslims from Myanmar, and the politics inherent in the categories used to define them. While Muslims in Myanmar have generally been categorised along ethnic lines (see for example Selth 2003; 2004), I argue that we can also consider Muslims in terms of their degree of affiliation or the manner in which they engage with the state.

On one end of the spectrum there are those who identify first as 'Burmese', and it is a sense of 'Burmeseness' – in terms of their language, dress and customs - that pervades and shapes their practise of Islam and their relations with the state. This includes the Zerbadi/Zerbadee[12], that is, those who are of mixed descent, usually of an Arab, Persian or Indian father and Burman mother. They may also refer to themselves as simply 'Burmese Muslims' or 'Pathi' (explained above). The term 'Zerbadi'[13] was used during the colonial era and appears in court documents and census data. For example, in 1911 there were 59,729 'Zerbadis' recorded, and by 1931, this number rose to 122,705 (Mahajani 1960**:** 29), although the categories that the British used for Muslims in the various census it held were inconsistent. Even in the 1930s, however, the Burmese Muslims had lobbied the government not to use the term 'Zerbadi' but instead to use the term 'Burmese Muslim in the census, because Zerbadi had negative connotations, and today it is widely perceived to be derogatory

[12] Burmese Muslims generally dislike this term because it is derogatory and has negative connotations. In 1891, a population census taken by the British used the term 'Zerbadee' for Burmese Muslims. In 1941, the use of the term 'Zerbadee' was replaced with the term 'Burmese Muslim': Myo Win 2011.

[13] For the most comprehensive discussion of the possible origins of the term Zerbadi, see Yegar 1972: 33-34. Thant Myint U (2007: 51) claims that the word Zerbadi is derived from Persian word 'zir-bad', meaning 'below the winds', a reference to Southeast Asia.

(Yegar 1972: 64). They felt that the term 'Burmese Muslim' also allowed them to identify with, and emphasise their connection to, the country of Burma and the movement for independence (Mahajani 1960: 23). At times Muslims have been referred to by the demeaning term '*kala*'.[14] This term has even been used by some political leaders, such as General Ne Win during the socialist era,[15] and more recently by some local media when referring to the Rakhine conflict of 2012-2013.

In terms of status and occupation, many Burmese Muslims were well-known as public intellectuals, prominent members of government, civil servants, and businesspersons (Chakravarti 1971: 125). Yet most of our knowledge of Burmese Muslims only reaches up until the 1960s, before the full effects of Ne Win's socialist regime, and the post-1988 rule of the military junta. While there are some wealthy Muslim businessmen in Myanmar today, it is perhaps more common now for Muslims to work as small-scale traders in private business, although there are still a handful of prominent businessmen who own construction companies, hotels and other businesses. In contrast to the pre-1962 era, over the last few decades very few Muslims have entered the civil service, and those that have managed to get in have often remained in low positions, due to the difficulties of obtaining a promotion.

In terms of their customs, Burmese Muslims are notable for their insistence and emphasis on Burmese culture over Islamic traditions and teachings, and this has been a cause of tension with other Muslim communities (Yegar 1972: 57-67). Since independence, some Muslims have worked hard to create a 'Burmese Muslim' identity by, for example, supporting Muslim women wearing traditional Burmese dress and leaving their head

[14] Yegar (1972: 6-7) provides the most useful review of the term *kala*/*kula*. Many others have also tried to define its precise origins, yet it may have come from multiple sources, such as the Sanskrit word *kula* (caste man), the term *kala* (black man) or the Burmese words *Ka La* (coming from overseas): Chakravarti 1971: 11.

[15] Noted by Huxley, 1990: 250, quoting Address to the Central Committee of the Burma Socialist Programme Party (BSPP) Forward, 8-10-1982.

uncovered. These efforts are reflected in signs in some community buildings that specifically emphasise their 'Burmeseness'. For example, the Islamic Centre of Myanmar, an organisation known for its comparatively 'liberal' outlook, has a centre in downtown Yangon where a sign visible inside the entrance to the main room states that one of the key aims of the centre is to educate the Muslim community about the teachings of Islam in a way that is consistent with Burmese culture. It adds that this is to be done 'without gender discrimination', which is presumably a reference to the fact that the Burmese Muslim community insists that its women can and should wear Burmese clothing, which reveals more than what is permissible for Muslim women to wear, according to traditional Islamic teachings.

In terms of organisational representation, the Islamic Religious Affairs Council (IRAC) is one of the most visible Islamic associations, which is affiliated with the government, and is a prominent supporter of the 'Burmese Muslim' identity. The IRAC began in 1954, founded by U Khin Maung Latt. It has 'consultative status' with the Ministry of Religious Affairs,[16] alongside four other national Islamic organisations. I would argue, however, that of all Muslims in Myanmar it is Burmese Muslims who generally have the closest affiliation with the state actors and institutions, and local culture, and identify themselves as 'Burmese' (although not necessarily ethnically 'Burman').

Aside from Burmese Muslims, there are Muslims who identify ethnically as one (or often more than one) national race of Myanmar and therefore as part of the Myanmar state.

[16] The Ministry of Religious Affairs in Myanmar was formed in 1989 (Matthews 1995). It is a poorly funded ministry in contrast to other departments (and in contrast to the Ministry of Religion in Indonesia, which is one of the most well-funded departments). Further, unlike in Sri Lanka, the Ministry of Religious Affairs in Myanmar only represents Buddhism and does not have a separate representative for Muslims, although it provides a nominal amount of funding to five Islamic organisations.

The most well-known Muslim group in Myanmar are the Rohingya,[17] who are also referred to by some non-Muslims in Myanmar as 'Bengalis'. While the Rohingya insist that they should be recognised as a national race of Myanmar, the government has consistently failed to include them in its infamous list of 135 national races. The human rights situation for the Rohingya, who primarily live in northern Rakhine State where they form a majority in at least two townships near the border of Bangladesh, has occupied a particular concern of both scholars and advocacy groups over the past few decades (see for example Yegar 2002; Islam 2007; Selth 2003). The history of Muslims who today identify themselves as Rohingya in what is now known as Rakhine State dates back to the 9th century, and there are records from at least the 13th century onwards demonstrating their presence in the region (Yegar 1972: 1-17; 2002: 19-20). The situation of the Rohingya has raised acute concerns of statelessness, humanitarian aid, irregular migration and citizenship (discussed further below).

Unlike the Rohingya, some Muslim groups have been given recognition as a national race by state.[18] The Kaman Muslims are one group recognised by the government, and most speak Arakanese. The history of the Kaman has been traced to the period of the Burmese kings when the Kaman served as archers (Yegar 2002: 24). One Kaman Muslim who attained a prominent position in the independence period was U Si Bu, a judge who, among other cases, sat on the trial of the assassination of General Aung San. There is no scholarship on the Kaman to date, although the Kaman have risen to public consciousness due to the fact that the serious violence in Rakhine State in 2012 and 2013 also affected the Kaman community there.

[17] For research on the Rohingya, see Yegar 2002: 19-72; Yegar 1972: 95-105; Selth 2004: 111-114; Fealy & Hooker 2006: 269-271.

[18] There are several other ethnic groups that are Muslim, such as the Myedu, who claim that that they used to be recognised on the government list of ethnic groups, but have since been taken off the list.

Muslims in Myanmar may also identify with a range of other ethnic groups and have varying degrees of interaction with the state and its institutions. There are a small number of Panthay[19] or Chinese Muslims, who mainly live in north east Burma (Yegar 1966), although many moved to resource rich areas, major towns and centres of trade, including across parts of Shan State, Mandalay, Yangon, Moulmein, Myitkyina, among other areas (Forbes 1986). Some Muslims from Myanmar have also settled in China (see Egreteau 2012). Today, some Muslims living in Shan State may also be referred to, or refer to themselves, as 'Shan Muslims', for example, in 2013 it was reported that 'Shan Muslims' were also targeted when violence broke out in parts of Shan State.

At the other end of the spectrum in terms of their relations with the state are Muslims who identify either with an ethnic group other than a recognised race of Myanmar, or who would perceive their identity as 'Muslims' of greater importance than, or at least equal to, their ethnic identity (as non-Burmese). The primary example here is the Indian Muslim community. The Indian Muslim communities in Myanmar today are much smaller than they were at the height of the colonial period. Between 1963 and 1967 alone, an estimated 300,000 Indians (most Muslim) left Burma (Yegar 2002: 52), under traumatic circumstances where they were only allowed to leave with virtually the clothes on their back and a nominal amount of cash. Often Indians in Burma have been studied as a 'problem' and as a people group 'foreign' to Burma (for example, Khin Maung Kyi 1993; 2006). The status of Indian Muslims, particularly in terms of their role in the colonial economy, has been frequently discussed, although usually in the context of Indians generally and not Muslims specifically (Adas 1974; Chakravarti 1971; Taylor, 1993; Tin Maung Maung Than 1993; Mya Than 1993; Mahajani 1960; Egreteau 2011). There is a need to go beyond the negative stereotype

[19] While the origins of the term 'Panthay' are unclear, Forbes (1986) suggests that the term 'Panthay' was derived from the term '*pathi'* (Muslim) and that its use emerged in the late 1800s.

of Indians and to consider the contemporary dynamics of the Indian Muslim community. The chapter by Phyu Phyu Oo (this volume) begins to take scholarly inquiry in new directions as she considers the position of Indian Muslim women and attitudes towards education for women.

In addition to Burmese Muslims, the Rohingya, the Kaman, the Pathay (Shan Muslims) and Indian Muslims, there are a small number of the Pashu or Malay Muslims.[20] While I have inevitably charted the various communities along ethnic lines, these should not be considered mutually exclusive and it is probably true to say that most Muslims in Myanmar identify with more than one ethnic group. Yet many Muslims in Myanmar today have multiple backgrounds, which is often evident in the complex identities assigned to them on their national identity card. For example, Muslims may have up to four categories listed on their national identity card such as 'Burmese-Muslim-Shan' (indicating that one parent was Burmese Muslim and the other was Shan), or 'Indian-Muslim' or 'Burmese-Mon-Muslim'. This volume is not only focused on Muslims in Myanmar, but recognises that many have been forced to flee to its border or beyond.

Muslims and the State in Myanmar

Before we can begin to take scholarship further, it is important to consider how the Muslims of Myanmar have been studied and represented in academic scholarship. In this section I draw together insights from existing literature to map out current scholarly knowledge on the Muslims of Myanmar. It needs to be kept in mind that empirical research on Islam and the Muslim community in Myanmar has suffered the same fate as Burma/Myanmar Studies generally due to the challenges raised by an extended period of military rule for both local and foreign researchers (Crouch 2014). I identify several key themes: the history of Islam in

[20] See Fealy & Hooker 2006: 25; Selth 2004: 108.

Myanmar; Muslim engagement in national politics; Muslims in times of crisis; and the practise of Islam among Muslim communities. In doing so, I demonstrate the gaps that need to be filled, and therefore a future agenda for the study of the Muslims of Myanmar.

The History of Islam in Myanmar

From historical accounts of Islam in Myanmar, there are three major phrases in pre-1962 scholarship on Muslims: Muslims during the time of the Burmese kings; Muslims under colonial rule in Burma; and Muslims during the period of parliament democracy (1948-1962). In terms of the first time frame, Muslims played an important role during the era of the Burmese kings, yet we only catch glimpses of this in scholarly literature. Yegar provides an important analysis and detailed description of the arrival and establishment of Muslim communities in Burma (1972). His work is perhaps the most extensive analysis to date that recognises the role and contribution of Muslims during the period of the Burmese Kings, including in the army (Yegar 2002: 19-20). Some scholars have referred in passing to Muslim traders and Muslim soldiers under the kings (see for example Liebermann 1984: 26, 29, 226). Other scholarly accounts have recognised the presence and contribution of Muslims during the period of the kings, such as the 'sizeable Islamic community' during the Ava period (Thant Myint U 2007: 11) and the favours that King Mindon did for the Muslim community during his reign, such as build a mosque in Mandalay (2007: 136). This particular act of recognition by King Mindon is often raised by Muslims when discussing the history of relations between Muslims and the state today, in their attempt to affirm a sense of history of their community and belonging to the nation.

Events such as the construction of mosques were also occasionally noted in scholarship, such as the construction of the first mosque in Pegu by Muslim merchants in 1550s (Liebermann 1984: 28), or the construction of a mosque at Mrohaung in 1400s

(Harvey 1925: 139). While some mosques and grave sites remain as potential reminders and relics of the past history of Muslims in Myanmar, these are also often sites of contest and violence. For example, in early 2014 it was reported in Burmese media that old grave stones of some famous Muslims were demolished by the Mandalay City Development Council. When I visited the site in August 2014, I was fortunate to come across a man who described himself as 'the chief archaeologist' in the area and was able to direct me to the site. Two significant tomb stones had been demolished, but two still remain although they are in terrible condition and have been heavily vandalised. One of these is the tombstone of U Nu, who was the intelligence chief for King Badoun during the Konbaung Dynasty (1752-1885). The Shiite mosque in the same compound still stands, although it also remains in a dilapidated condition. Not far from the site of these tombstones is the famous U Pain bridge, a wooden bridge that is an iconic tourist travel site in Mandalay. Less well-known is that U Pain, the man who built the bridge, was Muslim. In 2014 there were news reports in the *New Light of Myanmar* (the government-sponsored mouth-piece) that attempted to cast doubt on the legacy of U Pain, suggesting he was of bad character and spreading lies about his behaviour. These allegations were used to suggest that the bridge be renamed which, alongside the demolition of some of the tomb stones, would further wipe away these physical traces of Muslim history in the region. In a similar way to these physical acts of destruction, some scholarly accounts promote a history of Burma as a history of Burmans, and almost make no mention of Muslims in the history of Myanmar (for example Aung-Thwin & Aung-Thwin 2012); this needs to be challenged and reconsidered.

Following on from the period of the kings, other scholarly accounts have focused on the colonial period and British colonial responses to Muslims in Myanmar. A critical historical account by Keck (2009) provides a searing inquiry into, and rereading of, how colonial sources portrayed Muslims in Burma. He examines how colonial references from the

period 1885-1914 took a particular view of the Muslim community, and more often than not were relatively silent regarding Islam in Burma. He identifies a number of common perceptions among colonial authorities, including that Muslims did not really 'belong' to Burma; that Islam was 'transitory' and 'alien' to Burma; that Muslims were somehow regarded as 'non-Burmese', despite the fact that Islam in Burma long preceded the arrival of the British; and that Islam was seen as a potential threat that may contribute to the end of the Burmese race. By uncovering these prejudges and common assumptions, Keck unmasks the reasons why Muslims were not the subject of a great deal of colonial writing in Burma. His genealogy of British colonial discourse shows that they contributed to the creation of this invisible minority.

Muslim Political Engagement in Myanmar

Another focus of scholarly research has been the involvement of Muslims in the political life of Burma/Myanmar. Some Muslims in Myanmar have been active in the political arena and have made a vital contribution to national politics. There were several famous leaders and politicians leading up to and during the period of parliamentary democracy who were Muslim. This time was marked by the activism of leaders from organisations such as the Burma Muslim Congress, which was affiliated with the Anti-Fascist People's Freedom League (AFPFL) (although this was later forced by U Nu to close in 1956); the Muslim Free Hospital, Yangon; and the Burma Muslim Student Association, based at the University of Yangon and first led by U Tun Sein. In the lead up to independence, there were also key figures such as Sultan Mahmood (1897-1958), an Indian Muslim who was a member of the Legislative Council in 1936, and was later member of parliament for Buthidaung North (People's Literature Committee 1961: 83); U Pe Kin was a Burmese Muslim who attended the Pinlon conference of 1947; and U Aung Thin, who in 1939 went to London as a

representative of Muslims at the Round Table Committee discussion on whether Burma should be separated from India. U Razak (also known as Abdul Razak) was cabinet minister in the interim government, Minister of Education and National Planning, and chairperson of the Burma Muslim Congress. On 19 July 1947, he was assassinated alongside Aung San and other cabinet members, and is commemorated annually on Martyr's Day (Myat Htoo Razak 2007).

Through the lives of these individuals, we catch a glimpse of the diversity and debate between the Burmese Muslims and Indian Muslims. This was evident in the political participation of two prominent individuals, U Raschid and U Khin Maung Lat.[21] U Khin Maung Latt was a Burmese Muslim who had been active in the Students' organisations of Yangon University and had taken part in the students' strike of 1936. He worked as secretary for U Razak before the later was assassinated. He held positions as the General Secretary of the All Burma Muslim Congress (1945); member of the Constituent Assembly 1947; Minister for Judicial Affairs (1950-1958); and chairperson of the Islamic Religious Affairs Council (Yegar 1972: 76; People's Literature Committee 1961: 74). When the AFPFL split in two, U Khin Maung Lat sided with the Stable Faction.

The views of U Khin Maung Lat were at times opposed by U Raschid, an Indian Muslim. He was the leader of the 1936 student boycott, and in 1939 an Executive Committee member of the Rangoon University Students Union. He became a prominent businessperson and in 1947 he participated in the Constituent Assembly. In the 1950s he held various ministerial positions, including as Minister for Housing and Labour (1952-53), Minister for Trade Development and Labour (1954-55), Minister for Mines (1956) and Minister of

[21] Although profiles of these two individuals and their contributions are discussed in Yegar 1972, his book was focused on 'The Muslims of Burma'. There is no general history of Burma or its politics that spends significant time on Muslim leaders such as these men.

Commerce and Industry (1960) (Trager 1966; People's Literature Committee 1961: 138). In 1958 he was the Vice President of the Trade Union Council of Burma. It has been said that he was 'intellectually and technically one of the most qualified persons in Burmese political life' of his time (Butwell 1963: 153). Yet there were always some who voiced dissent for U Rashid and other Muslim leaders, simply because they were perceived to be 'Indian' and/or Muslim.

This is reflected in some profiles we have that are coloured by prejudice, such as a profile of U Raschid by Dr Maung Maung (2008), who became one of the most influential legal figures during the socialist regime. Although U Raschid was considered to be next in line when the first president of the Rangoon University Students Union resigned, Maung Maung (2008: 232) notes that there were concerns raised because Raschid was a '*kalah*'. Maung Maung tries to suggest that attitudes changed as the student movement grew and depicts the university as a place 'where *kalah* meets Bamah' (2008: 237) a phrase which he claims was intended in a 'spirit of unity'. The All Burma Students Union was formed after the 1936 strikes with Raschid as president, as well as president of the Rangoon University Students Union, which Maung Maung suggests was evidence that a shift in mindset had taken place. Yet Maung Maung evinced the common perception that Muslims were not 'liberal'. For example, he expressed surprise that Raschid and his wife 'though Muslim and devout ones too, had liberal views' (2008: 239). When Raschid was appointed as Minister of Labour under U Nu, Maung Maung observes that "…now and then, he came up against criticism that being a 'kalah' he favoured the 'kalah' or simply that being a 'kalah' he should not be in cabinet" (2008: 241). Maung Maung suggests that U Nu ignored these criticisms, although he admits that U Nu unsuccessfully attempted to force Raschid to adopt a 'Burmese name' as part of his project of Burmanisation. Maung Maung appears to try and advocate for the involvement of Muslims in politics: "In the Union cabinet today there are people of 'kalah'

blood…and sad would be the day which sees Burma's affairs handled only by the narrow and limited circle of 'pure Burman'." (2008: 241). Yet these words ring hollow given that Maung Maung was a key part of the legal and political system under the socialist regime during which time Muslims faced severe impediments and disincentives to serving in government office.

One obvious omission from all these profiles is that we know of few prominent Muslim women. The one female whose name arises during the colonial and independence period is Daw Saw Shwe, who was the Principal of the Zinat Islam Girl's High School (1945) (Yegar 1972: 71); she was active in the Burmese Muslim Ambulance Corps (1941-45); and held the position of President of the All Burma Muslim Women's League (1946-1960). Aside from her role in education and social services, she was also active in the political sphere as a member of the Constituent Assembly 1947, and was later elected to the Chamber of Nationalities (1952-1956) (People's Literature Committee 1961: 153-54). As I demonstrate later in my reference to scholarship on women in Myanmar, there is a clear need for scholarly work on the role, position and contribution of Burmese Muslim women.

Aside from Muslims in the parliamentary period, there is little that has been written on the role of Muslims in public life since the 1960s, although this may partly be because of the significant restrictions Muslims face in seeking employment or gaining promotion in the public service since them. However, Muslims were politically active in key moments of Myanmar's history since the 1960s. For example, in 1988, the Muslim community in Mandalay was active in voicing their disagreement with the socialist regime and organised collective demonstrations and protests on behalf of the Muslim community (see photo below). Yegar even suggests that the government response to Muslims who were involved in the 1988 demonstrations was particularly harsh (Yegar 2002: 63). There were Muslims in the All Burma Student Democratic Front (ABSDF) in Thailand, and Muslims members of the

NLD such as Ayub Khan (mentioned earlier) who played a role as Daw Aung San Suu Kyi's body guard during the periods when she was released from house arrest in the 1990s. There have also been Muslim communities caught up in the fighting between the military and ethnic-armed groups in some of the ethnic-based states, such as Karen States. Muslims in these areas often acted as crucial traders and go-betweens, as they were trusted by some ethnic armies because they were not perceived to be 'Burman'.

[insert photo: 1988 protests]

After the end of the socialist period in 1988 and the re-emergence of political parties, several Muslim-based political parties such as the Rohingya-based National Democracy Party for Development ran in the 1990 elections and several Rohingya candidates were successful, although never allowed to take office. Again in the 2010 elections there were several Muslim-based political parties, as well as several Rohingya who ran as members of the Union Solidarity and Development Party in constituencies in Rakhine State. Since 2011, several other Muslim-based political parties have emerged. This includes the United National Congress Party, formed by those who identify themselves as 'Pathi' Muslims, and the Kaman National Development Party (*Narinjara* 2013). This discussion of Muslim engagement in politics is taken further in the chapter by Farrelly.

Aside from formal political party affiliation, Muslims have engaged in the new political process in other ways, sometimes voluntarily and at other times involuntarily. For example, in August 2012, after the conflict occurred in Rakhine State, the President established a National Investigation Commission[22] and four of its 27 members were Muslim religious leaders, although none of the members were Rohingya. Some of the Burmese

[22] Presidential Notification 58/2012 on the establishment of the Rakhine Investigation Commission.

Muslims on the Rakhine Investigation Commission later stepped down from the Commission due to disagreements, and therefore did not contribute to the final report.[23] Another example is the constitutional amendment process. In November 2013, some Muslim lawyers submitted recommendations to the Constitutional Review Committee, and in their submission they emphasised the need for the right to freedom from discrimination and equal citizenship rights in the Constitution.[24] There is also need to consider whether and how Muslims have engaged with other independent bodies such as the National Human Rights Commission (see generally Crouch 2013a). For example, one of the members of the National Human Rights Commission was appointed as a member to the Rakhine Investigation Committee; but the Commission failed to initiate its own investigation.

There is also a need for research on the responsiveness of non-Muslim members of parliament to minority religious groups such as Muslims, and the risks inherent in speaking out in support of Muslims. One such incident related to the 2013 visit by the UN Special Envoy to Meiktila, which was threatened when a mob attacked the car carrying the UN personnel. The member of parliament for Meiktila Township, U Win Htein, (of the NLD) admitted to the local press that the UN Special Envoy had been attacked while visiting the area and condemned the attack. In response, he was accused of favouring Muslims and was threatened. Public sentiment in Meiktila against his action is such that he may be unlikely to be re-elected for the seat in Meiktila if he runs in the 2015 elections.

Muslims in Times of Crisis

Our knowledge of the 'everyday' for Muslims in Myanmar is thin, partly because scholarship has tended to react only at times when Muslims were facing particular conflict or crisis. I will

[23] Interview with Muslim members of the Rakhine Investigation Commission, Yangon, January 2013.

[24] Submission is on file with the author.

focus on two here, one being the periodic mass displacement of Rohingya and debates on citizenship, and the other on the issue of inter-religious marriage and proposals for legislative reform.

Scholars have often focused on Muslims in relation to mass displacement and the humanitarian crisis suffered by the Rohingya, or the potential threat of armed Islamic groups in Rakhine State. Displacement has been a major issue for the Rohingya, even prior to independence. Due to the war in the 1940s, there were said to be 13,000 Rohingya in refugee camps in India and what was then Pakistan (present day Bangladesh) (Yegar 2002: 39). In 1962, many Rohingya Muslims were required to accept foreign registration cards, although some chose not to take these. The targeted campaigns of the government against the Rohingya were particularly fierce in the 1970s through Operation Naga (Yegar 2002: 55) and again in the 1990s, and both times this led to mass exodus to Bangladesh. While there were previous issues over citizenship, the introduction of the 1982 Citizenship Law is widely regarded as having effectively deprived the Rohingya of their citizenship, and remains a source of grievance today. The violence in 2012 and 2013 has been the most recent cause of displacement, and the expulsion of Western INGOs from the region marked a critical low in the willingness of the Myanmar government to allow critical basic health care and provisions to reach displaced persons in northern Rakhine State. This has raised questions of international law, citizenship, irregular migration, and statelessness, and number of human rights advocacy organisations have been concerned with these issues.[25]

One excellent example of sustained field research on displaced Rohingya communities, which stands out from other studies both for its methodological rigor and its

[25] In addition to the academic literature in this area, there have been numerous reports by international organisations on the issue: see for example Human Rights Watch (2002, 2012, 2013b); International Crisis Group (2013); Physicians for Human Rights (2013a); and the Islamic Human Rights Commission (2005).

originality, is Anwar's research on Rohingya migrants in Pakistan (Anwar 2013a; 2013b). I highlight Anwar's research here because it provides a crucial example of the kind of academic research that is needed, in contrast to top-down human rights analysis, or obvious assessments of Myanmar's failure to adhere to international law. Anwar's sophisticated research project involved a significant period of field research in Pakistan and required critical language skills and cultural knowledge. She focused on the Rohingya community in Pakistan, which grew particularly after the 1960s when many fled Burma after Ne Win's military coup. She explores why the Rohingya made the decision to leave Burma and head to Pakistan, as well as why they had decided not to return to Burma. She highlights the longing for citizenship and the illusion of Pakistan as an imagined 'Islamic homeland'. She uses the migrants own narratives of fleeing Burma for Pakistan to explore ideas of belonging and return. She discusses the wide range of problems that the Rohingya community as migrants face when settling in Pakistan, and the lack of recognition they experience there. She acknowledges that they are marginalised economically and socially, and generally work in low wage or the informal labour sector.

Aside from the issue of irregular migration, another reason that the Rohingya have been the focus of scholarship is because of concerns of links between these communities and the broader global issue of terrorism. Our knowledge of armed Islamic groups in Myanmar is thin, and this is a reflection of the fact that there is little evidence of such groups. There was a mujahideen rebellion after independence in 1948, which was in armed conflict against the government (Yegar 2002: 39). It was only a small group of approximately 500 men, and did not have the support of all Rohingya (Yegar 2002: 40). Many Rohingya, and Muslims, in Yangon in fact attempted to lobby the government to find a way to stop the mujahidin. While there were terrorist connections in the 1970s, these groups were again small in number and

never a real threat to the government (Selth 2003; 2004), and there is no evidence of such groups today.

In addition to the Rohingya, public debate in Myanmar has often generated a sense of national crisis in relation to the issue of inter-religious marriage and the position of Burmese Buddhist women. The literature on 'women' in Myanmar is usually focused on Burman and/or Buddhist women, or at least 'non-Muslim' women (see for example, Ikeya 2011; Harriden 2012; Than 2013). This literature is often preoccupied with inter-religious marriages, which are often assumed to be a marriage between a Burmese woman and a Muslim man (see for example Harriden 2012: 114-116). This was embodied in the introduction of the Burmese Muslim Dissolution of Marriage Law (Yegar 1972: 77), which is often misunderstood. It should be seen as a legislative response that was specific to its time. Introduced by then Minister for Justice U Khin Maung Latt (a Burmese Muslim), the original purpose was to provide Burmese women, who were married to Indian Muslim men who had fled Burma, the opportunity to dissolve their marriage, as Islamic law usually only allows men the right to divorce their wife. While this may have been true up until independence, or even up until the 1960s before the final mass waves of Indians who fled back to India, the situation today I would suggest is radically different. The stereotype of 'foreign Muslim men marrying Burmese women' is a legacy of a bygone era, and offers little assistance in understanding the marriage and family ties of Muslims in Myanmar today. There is almost no discussion – either in scholarly work or in public discourse - of Burmese men marrying Muslim women, although this of course also occurs today. In light of the proposal in 2014 to introduce a law that would ban marriages between Muslim men and Burmese women (which fails to take into account the reality that there is no crisis for Burmese women today as there was in the 1950s), it is crucial that new research emerges on women within the Muslim communities of Myanmar, and patterns of marriage and family arrangements.

The Practise of Islam

The final theme I highlight here that needs attention is the practise of Islam by the Muslims of Myanmar. Most Muslims in Myanmar are Sunni Muslims of the Hanafi school of law,[26] although some follow the Shafi school of law, and there is also a smaller community of Shiites. Muslims therefore have more in common at a doctrinal level with Muslim communities in South Asia, compared to Muslim communities in Southeast Asia, as most of the later follow the Shafi school of law. There are almost no studies to date on the beliefs and practises of these Muslim groups.

One argument that has been raised by activists, journalists and scholars in relation to the challenges to the practise of Islam in Myanmar is the attempts by the majority-Burman elite to 'Burmanise' the Muslims of Myanmar (Berlie 2008), that is, the aggressive and coercive promotion of Burman culture and Buddhist religion to the exclusion and suppression of Islam as a religion and culture. In this light, it is even more important that studies of the practise of Islam are undertaken.

One area where there has been some research is Islamic education.[27] There are two main types of Islamic education in Myanmar, *madrasa* and *jameahs* (colleague or university), also known as *mauvli*[28] schools or *hafiz* schools, as well as *makthabs* (place of writing or learning) which are for young children. At each level, the standard of education in both is not comparable to the quality of similarly named education institutions in other countries (see

[26] The Hanafi school is one of four schools of law and is prevalent across approximately one third of the Muslim world, including India, Pakistan, Afghanistan, Syria, Jordan and Lebanon: Kamali 2008: 73.

[27] For an overview of Islamic legal education in Southeast Asia, see Hefner and Zaman 2007; and Noor et al 2008.

[28] There are several terms that are generally used interchangeably to describe an Islamic scholar who has obtained education beyond the level of a *hafiz*, including *mauvli*, *mawlawi*, and *mawlana*.

Nyi Nyi Kyaw, n.d). The *hafiz* course is at least three years, while the *mauvli* program may run up to 10 years (Nyi Nyi Kyaw, n.d). The style and content of teaching in *madrasa* across Myanmar are generally similar to South Asia (Sulaiman 2008; Berlie 2008: 79-94). There is a common path to become a religious leader, with boys who can recite the *Qur'an* receiving the title of *hafiz*, then undertaking further study to become a *maulawi*, and often going to countries such as Pakistan, India or Malaysia for further study. There is an urgent need for further research in this area, especially given that the controversial 2013 report of the Rakhine Investigation Commission recommended state intervention in mosques and schools in Rakhine State, although there is little empirical evidence to support this recommendation.

Many of these *madrasa* are located in mosques, yet most research to date has only documented the number of mosques that can be found in almost every major town and city in Myanmar (Berlie 2008), rather than explore deeper questions about the function and significance of mosques for Muslim communities. Mosques are highly visible symbols and given that many of them were built during the colonial era, they remain as signs of the vibrant Muslim community during the colonial period. One particular feature of mosques in Myanmar is that women are not permitted to enter, with the exception of Shiite mosques or less than handful of more progressive Sunni mosques that have a separately demarcated space for women within the mosque.

There is perhaps only one major city in Myanmar without a mosque – the new capital Naypyidaw. While most of the commentary on the move to Naypyidaw has speculated on motivations in terms of security, historical patterns of political leaders and superstition (Seekins, 2011), one cannot help but contrast Naypyidaw to Yangon or Mandalay. The purposeful removal of the capital from Yangon has also led to the establishment of a capital with no overt traces of a Muslim population, nor of the influence of Indian traders on the economy and business. Muslim businessmen have also reported that they have not been

allowed to purchase land in Naypyidaw, either for commercial or religious purposes.[29] The fact that Naypyidaw is under the direct control of the President according to the Constitution[30] implicates the executive and the government in this design and omission.

Neither *madrasa* nor mosques are regulated through national laws, although a system of Islamic personal law was introduced in Myanmar during the period of British colonialism. Based on the Anglo-Muhammadan law of British India, access to the courts to have disputes concerning family law deciding according to Islamic law is still practised today. This is an area in which Myanmar is both similar to and different from the rest of Southeast Asia. Although most countries in Southeast Asia do also recognise some form of Islamic personal law, Myanmar is the only country where cases concerning Islamic personal law are heard and determined by the general courts, rather than by a separate institution of Islamic Courts. The jurisprudence developed by the courts is based on classic Anglo-Muhammadan textbooks in English (Hooker 1984: 42-84), although we know little about the case law since the 1960s. The chapter by Crouch in this volume begins to fill a gap in this area.

There are some Muslims who are unable to access Islamic personal law as they have been forced beyond the borders of the state. For example, an estimated ten to twenty per cent of the refugee population on the border of Thailand and Burma are Muslims that fled Burma in the 1990s (TBBC 2010). The most thorough and informed account of the life and customs of Burmese Muslim refugees to date, which reflects on the life of villagers more broadly and is based on significant empirical research, has been conducted by the Thailand Burma Border Consortium (2010). TBBC identifies a high degree of collectivism within the Muslim community; a strict adherence to conservative moral and religious codes; highly defined gender roles; the patriarchal nature of the community; and, the challenges Muslims face in

[29] Interview with Muslim businessmen, Yangon, 17 November 2013.

[30] See 2008 Constitution art 50, 284-287.

the context of refugee camps dominated by Buddhist leaders. The TBBC report is the first detailed empirical study of Muslims on the border of Thailand and Myanmar, although it only makes passing reference to the actual practise of Islamic law. What it does demonstrate is that up until this time, INGOs were unable to respond to the needs of the Muslim community because of their lack of basic awareness, for example, the fish paste supplied was considered to be *haram* according to Muslims and was therefore not consumed. This contributed to the malnutrition of Muslims in the camps. This is related to the issue of Muslim aid in response to 2012 Rakhine violence, as discussed by Cook (this volume).

Outline of the Book

The Muslims of Myanmar clearly constitute an understudied area of research for Burma Studies and Islamic Studies, and the opportunity is there for scholars from a wide range of disciplines to begin undertaking this task. I want to conclude my review of the literature by suggesting that future scholarship in this area must do two things in particular. First, we need to displace Buddhism from its privileged place in the field of Burma Studies. While I cannot survey the vast literature on Buddhism in Myanmar here, one reason that the study of Islam in Myanmar has been absent from scholarship is because of the disconnect between our views on Islam and Buddhism. Buddhism has been protected, idealised and shielded from scholarly criticism for too long. I am not suggesting that Buddhism is not an important part of the study of Myanmar. On the contrary, just as Islam is critical to understanding the Indonesian local context, or Catholicism is vital to the study of the Philippines, Buddhism is clearly a central part of the study of Myanmar. Yet what this volume suggests is that we must be willing to reject the rose-tinted glasses with which the West often views Buddhism, in contrast to the perception of Islam as a violent religion. We must reject perpetuating the stereotype that

Islam is ‘radical, bad and violent’ and that in contrast Buddhism is ‘peaceful, non-violent, and good’ (Elverskog 2013). We must recognise that the tendency for violence can and does arise in any religion, including those who identify with Buddhism or who seek to use religion as a rallying point, and the evidence we have suggests that it is Buddhists (rather than Muslims) who are the main cause of violence and conflict in Myanmar.

The second aspect is related more broadly to the study of Islam in Asia. For too long Muslims in Myanmar have been overlooked, ignored and forgotten in discussions and debates on Islam in both South Asia and Southeast Asia. We need to go beyond the assumption that Islam in Myanmar is peripheral and irrelevant, or an anomaly that does not really fit. Rather, we must begin to see the potential for the study of Muslim communities in Myanmar to offer fresh insights as a ‘crossroads’ for Islam between South Asia and Southeast Asia. There is a need for historians who are willing to do the hard work of reconsidering historical sources and where possible discovering new ones. There is a need for ethnographers and anthropologists to spend time in the field, to get to know these Muslim communities of close and personal way in order to construct rich ethnographies of contemporary community dynamics. There is a need for religious studies and Islamic studies scholars to take the study of Islam in Myanmar seriously. I could go on; instead I will turn to introduce the chapters in this volume, which begin to tackle this task.

This volume aims to reinvigorate scholarship on Islam in Myanmar, to explore the diversity within the Muslim community, and to bring a scholarly perspective and insight into complex issues raised by the position of Muslims where they form a minority in states across Asia. It brings together a wide range of scholars from Burma Studies and Islamic studies, from a wide range of disciplines – international relations, political science, history, law and anthropology. Importantly, it also features a number of chapters by Muslim scholars from

Myanmar, some based in Myanmar while others are based abroad, who represent a diverse range of ethnic backgrounds.

This book has been preceded by a preface from Professor Abdul Ghafur Hamid, who is the leading Burmese law professor on Islamic law. Previously a lecturer at the law departments of the University of Yangon, East Yangon University and Mandalay University, he is currently a professor at the International Islamic University Malaysia. In 2014, in cooperation with the Islamic Religious Affairs Council, he published a revised version of his book on Islamic law (in Burmese).

Part I, 'Colonialism, the State and the Law', reconsiders past histories of Muslims and their interactions with the colonial state, in order to understand and provide a deeper reflection on the present. In his conference presentation, Keck noted a striking comparative example: a historian would not be taken seriously taken today if they wrote a history of the United States that excluded the Jews or the African American community. He used this example to criticise existing histories of Burma, which have been written with little or no reference to the Muslim community, effectively writing Muslims out of the history of Burma. Keck's work seeks to redress this bias. Building on his thesis of Muslims as an invisible minority (Keck 2009), in his chapter on 'Reconstructing Trajectories of Islam in British Burma', Keck argues that British colonial discourse on Muslims effectively separated 'Burmese' from 'Islam'. Keck considers the ways in which the Muslim communities – specifically the Panthay of China and Indian Muslims – provided a critical link to Burma's two most important neighbours, China and India. Keck explains British interest in the Pathay in economic terms as an expression of British desire at the time for a new trade route and the expansion of economic opportunities for Burma. In turning to Indian Muslims, he considers the profiles of several Indian Muslim elites in order to highlight the contribution they made to society during the colonial period. His chapter suggests that only by considering the

connection between China, India and Islam as part of the history of Myanmar can we begin to reimagine the multicultural foundations of modern Myanmar.

The following chapter by Crouch on 'Personal Law and Colonial Legacy' demonstrates that Islamic personal law is alive and well in Myanmar. She traces the origins and development of Islamic personal law in Myanmar, and considers it in light of constitutional changes on religious freedom. In contrast to the scholarship of Hooker and Yegar, she argues that while Islamic personal law in Myanmar may once have been 'artificial', this is no longer necessarily the case. Instead, she suggests that we need to reorient our inquiry to consider how and why Muslims seek to access Islamic personal law through the general courts in Myanmar. She also demonstrates that Islamic personal law is in many ways a reflection of the broader legal system in Myanmar, which was largely cut and paste from British India

Part II, 'Everyday Experiences', provides three chapters that each offer a wealth of new empirical data on the lived, local experiences of Muslim communities in Myanmar. Farrelly focuses on 'Muslim Political Activity in Transitional Myanmar', which offers the first analysis of the dynamics of Muslim engagement in the political arena in recent decades. Coming at a critical time in Myanmar's electoral history, Farrelly deftly captures the nature and extent of Muslim political participation and the particular geographical concentration in Rakhine State. He recognises that to date the handful of political parties that primarily rely on a Muslim supporter base are active in northern Rakhine State, and that even non-Muslim political parties such as the USDP have several Rohingya members of parliament. This is consistent with the broader trend in Myanmar politics whereby political parties affiliate along ethnic, rather than religious, lines. What his chapter clearly demonstrates is that Muslim political participation in Myanmar has nothing to do with 'Islamist' politics, in terms of an agenda to introduce Islamic law, as it is understood in other parts of Southeast Asia. That is,

when compared to regional neighbours such as Malaysia's Pan-Malaysian Islamic Party (Partai Islam Se-Malaysia, PAS) or Indonesia's Prosperous Justice Party (Partai Keadilan Sejahtera, PKS), the Muslim-based political parties in Myanmar do not share a similar Islamic ideology. At most, these parties in Myanmar may be brave enough to publicly advocate for equal rights for all citizens, and perhaps even for Muslims in particular, but there is no evidence at all to suggest they seek to further state policies on Islam.

Farrelly highlights that Muslims have been significantly worse off in terms of political representation post 2011, due to the barrier that campaigns of anti-Muslim sentiment have created. Through a focus on three political parties, he captures the fierce context among these parties in the 2010 elections, where several seats for the Rakhine State Hluttaw were closely contested. This led to complaints made against the USDP to the Union Election Commission (UEC), although not surprisingly these were later dismissed. His chapter also points to the complicity of the government, whose policies have only fostered deeper resentment against Muslim communities in Myanmar. For example, the UEC has enforced discriminatory policies by rejecting the use of the term 'Rohingya'. Further, the fact that the situation for the Rohingya is so politically sensitive that Muslim representatives of the USDP have not attended parliamentary sessions since 2012 is, a dire indication of the informal methods of exclusion of Muslims from public participation and debate.

The chapter by Beyer, 'Houses of Islam: Muslim Property Regimes and the State in Myanmar', focuses on the particular story of one Shiite Muslim family from the Kalai Memon community in order to illustrate broader trends and challenges in urban property regulation in Myanmar. She highlights the essential social services this tight knit community provides for its members and its focus on helping the poor. Her anthropological approach to the complex challenges of property regulation demonstrates the issues facing many Muslim communities based in downtown Yangon today, where housing prices have risen

dramatically, yet communities wish to remain living in proximity to the mosque and community buildings, given the difficulties of gaining permission to build a new mosque.

The third chapter in this section by Phyu Phyu Oo, 'Muslim Women's Education in Myanmar', provides a series of original insights, based on both field research and her personal experience as a woman growing up in the Indian Muslim community in urban Myanmar. Phyu Phyu Oo charts the ways in which social, cultural and religious norms in Myanmar inhibit the potential of Muslim women in terms of their educational and career prospects. Phyu Phyu Oo provides an important contribution to our understanding of Muslim women in Myanmar. She is careful to note the general divide between Indian Muslim communities and Burmese Muslim communities in their attitudes towards women and their role in society. Like many others, her chapter also highlights the problems inherent in the current system of state education as well as the lack of access to quality education, which is clearly not only experienced by Muslim women in Myanmar. The fact, for example, that women are often required to obtain a higher score than men for certain university degrees highlights the systemic discrimination that exists in the current government education system. Phyu Phyu Oo aptly captures the various barriers that Muslim women face to accessing education, and she emphasises the potentially positive role that religious leaders, parents and the government could play in reversing this situation.

In Part III, 'Security and Violence', we look at the darker side of the everyday lived experiences of Muslims to consider the very real humanitarian, security and safety concerns of Muslims. Nyi Nyi Kyaw, in 'Islamophobia in Buddhist Myanmar: The 969 Movement and Anti-Muslim Violence', offers an incisive account of the foundations and motivations of the radical 969 Buddhist movement, which espouses an anti-Muslim agenda. The chapter reminds us that we cannot study Muslims in isolation, but must consider their relations with non-Muslims in Myanmar, specifically Buddhists. Nyi Nyi Kyaw seeks to go beyond populist

discussions and explanations for the violence that has occurred against Muslims since 2012, and the 969 movement in particular. He highlights the paradox that, while it is generally accepted in Myanmar that monks must not be involved in politics officially, the reality is that due to their high social position in society, they have often influenced national politics throughout Myanmar's history. He demonstrates that the motivations and inspiration for the 969 movement is not new, and that strong anti-Indian and anti-Muslim sentiment is clearly evident since colonial times. He explains the power behind 969 as a symbol that appeals to Burman Buddhist sensibilities and builds on existing practises. He also shows the way in which monks affiliated with the 969 movement have defined the 969 symbol in direct contrast to Islam and the 786 symbol, often used on Muslim shops and signs in Myanmar. This demonstrates how previous benign and internal religious symbols can be used as anti-religious propaganda, and it raises questions about how a purely internal religious symbol becomes a rallying point for 'anti-religious' sentiment.

Another chapter in this section by Schissler, 'New Technology, Established Practice: Implications for Narratives of a Muslim Threat in Myanmar', takes a critical approach to the study of information technology and its contribution to religious violence, taking the July 2014 conflict between Muslims and Buddhists in Mandalay as a starting point. He uses the example of Buddhist perceptions of Muslims to explore both past practises of communication under the military regime, and the future potential of the expansion of internet access, mobile phone usage and social media platforms such as Facebook. He demonstrates the distrust with which official media channels are usually met with – as typified in the *New Light of Myanmar*, which still evinces a heavily censored agenda – and how this has amplified the role that trusted friends and family members play in validating information and rumours. His chapter highlights the ways in which new forms of technology that are now becoming accessible across Myanmar may at times exacerbate existing anti-Muslim sentiment and

stereotypes, while also holding the potential to reinforce a more inclusive and peaceful democratisation process.

A third chapter in this section by Schonthal, 'Of Comparison and Causality in the Bay of Bengal: Islam, Buddhism and the State in Myanmar and Sri Lanka', a convincing argument as to why Sri Lanka is a crucial point of comparison for Myanmar through an analysis of the 969 movement and Sri Lanka's most active Buddhist nationalist group, the *Bodu Bala Sena* (Army of Buddhist Power). At a broader level, both countries provide for the recognition of Buddhism in the Constitution. Both have an ethnically diverse Muslim community who have experienced growing tensions and opposition from militant Buddhist groups. Schonthal considers the ways in which identity may be imposed on Muslim communities or asserted by Muslim communities. He notes the overlap between religion and ethnicity, where in Sri Lanka today to be Muslim is both a reference to one's ethnicity and religion, in a similar way that to be Muslim in Myanmar assumes that one cannot be Burman. He considers the way legal discourse has structured and restricted what Islam and being Muslim means in Myanmar. His chapter highlights the importance for scholars to think both comparatively and regionally in order to enhance understanding of Muslims of Myanmar and those who would oppose them.

In a separate chapter, 'Contested Humanitarian Space and Inter-communal Violence in Rakhine State', Cook considers the response of aid organisations particularly faith-based organisations, to the humanitarian crisis of displacement in Rakhine State. His point of departure is the Myanmar government's decision in early 2014 to expel international NGOs from Rakhine State after concerns of bias, in particular accusations against MSF, which it has rigorously and publicly denied. Cook acknowledges the different approaches or kinds of Muslim-based aid organisations, and the challenges that all aid organisations, regardless of religious affiliation, face in Rakhine State. While the challenges for the Rohingya community

are not new, the response to displacement since 2012 has seen an increase in the involvement of Muslim countries and Muslim INGOs, which often operate with respect for traditional sovereignty norm of non-interference in domestic affairs. In his examination of the present dynamics between Myanmar and Bangladesh in terms of aid, Cook demonstrates that any solution will clearly require cooperation between Muslims and Buddhists and therefore will be a test of Muslim Buddhist relations in the region.

The volume concludes with a reflection from Clark Lombardi, based on his insightful comments as made at the workshop held in January 2014.

To conclude, I am under no illusion that this volume represents a small beginning on a large and complex task that lies ahead. It is my hope that others may respond to this challenge of rethinking Islam-state relations from the perspective of Myanmar.