



An 1862 map showing British possessions of India and Burma.



Photograph of the arrival of British forces in Mandalay, 1885, at the end of the third Anglo-Burmese war.
 PHOTO: WILLOUGHBY WALLACE HOOPER



British governor Hubert Rance and Sao Shwe Thaik at the flag raising ceremony on January 4, 1948 at Stone Pillar.
 PHOTO: WIKIMEDIA



Rohingya refugees play football at Kutupalong refugee camp in Cox's Bazaar, Bangladesh, March 27, 2018.
 PHOTO: REUTERS/CLODAGH KILCOYNE

Weaponising Paperwork

Rohingya Belonging and Statelessness

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Crisis as Narrative Structure

Most of us in/of Bangladesh have had to tutor ourselves hurriedly in the world of Burmese history and politics, in the face of "hosting"—almost overnight—what is apparently the world's largest refugee camp. It is in this spirit, with no claims to expertise on the subject, that I have sketched out my thoughts in this essay.

How does an ethnic minority, in possession of most citizenship rights up until quite recently, become stateless over time and, that too, primarily through legal measures? The denationalisation of the Rohingya, I suggest, is not a peculiarly Burmese problem, but an extreme version of a more general predicament of (postcolonial) nation states in the present. The time of decolonisation in the middle of the 20th century was one of celebration, of promised prosperity and justice for everyone within the national collective. Suffice it to say, the failure of such promises have long been apparent, not least to citizens of these nations. What may be distinctive about the current moment of populism and rightward shifts is not so much the unravelling of the nation (which was never whole) but the final shredding/renouncing of a shared postcolonial vision of national and international plurality, and the acceptability of such rejections. The imagined post-WWII order of things is no longer even an aspiration.

I argue below that the constitutive contradictions of the nation-state form have precipitated the present "crisis". Prevailing discourses of crisis, however, may not be the most productive way to understand why the Rohingya find themselves stateless and subject to genocidal violence.

What is a crisis and for whom? The unimaginable brutality of the Syrian war, for instance, became an international crisis only after large numbers of Syrians, desperate to escape the carnage in their home country, sought refuge in Europe. Even then, it wasn't Syria but the shores and edges of Europe that became sites of crisis. What unfolded was understood to a refugee crisis, not for Syria, but for Euro-American nations.

When do crises begin and when do they end? Crisis narratives tend to conjure up singular, catastrophic events—temporally bounded, with a beginning and a discrete end. Myanmar has never made any secret of its long-term intentions toward the Rohingya, who occupy the unenviable position of being the world's "most persecuted" minority. Over the years, before and after the restoration of formal democratic politics, the state made little effort to hide explicitly discriminatory and invariably violent policies, from severe limitations on mobility and marriage to slash and burn techniques of dispossession and murder. Over these same years, an estimated 200,000 Rohingya, were desperate enough to seek refuge across the border into Bangladesh. Clearly, this is a population that has been "in crisis" for decades. Yet, it was only after the August 2017 attacks, and the horror generated by the media coverage that followed, that a Rohingya humanitarian/refugee crisis emerged on the global stage. This kind of framing amplifies some issues—the explicit savagery of singular events—and occludes or minimises others—the slow violence of bureaucratic practices, for instance.

Citizenship and Bordering Practices
 To be nation-stateless is to be right-less and, by extension, for others to treat you as less than human.

Anthropologists and others have long noted the conceptual paradox of human rights: abstract claims of the inalienability of individual rights—rights we should be able to claim by virtue of being human—are belied in practice. That is, being human is not enough to claim or secure human rights. The exercise of *universal* rights—or the right to have rights, as Hannah Arendt put it so memorably—hinges on membership in a *specific* political community. Even if we set aside questions of who counts as human and associated hierarchies of suffering, we are still left with the fact that *claims to* and *exclusions from* a rights regime depend upon the individual or group's relationship to a nation-state, on citizenship. Outside the nation-state context,

individuals or groups cannot claim universally recognised rights that would grant them protection.

Statelessness then is both anomaly and built into the structure of all national rights regimes.

Here it is worth recalling that all states rely on some idea of ethnic or racial purity and so of a core people or Self in imagining/unifying the national community. The imagined majoritarian national Self—Bengali, Bamar, whatever—is co-produced with an imagined minority Other. There can be no ethnic/racial/cultural majority without a corresponding minority. Not all minorities occupy the same place in a nation state, of course. Very few end up, like the Rohingya, the object of active hatred and expulsion. Arjun Appadurai calls such populations bio minorities—those whose difference from national majorities is seen as a form of bodily threat to the national ethnos (or The People). Why do certain minorities become objects of fear, panic, and danger?

The Rohingya genocide, I argue, can be understood as an extreme outcome of the imperative of exclusion at the heart of all nation-making processes, *in conjunction* with contextually specific factors including the limitations built into transnational governance and associated legal infrastructures, specific regimes of neoliberal capitalism, and the indifference or complicity of the so-called international community.

The profoundly ahistorical premises on

ethnic boundaries. Who or what is a migrant or undocumented individual when we take into account the overnight transformation of British India into (East) Pakistan and India? From this perspective, the Rohingya are subject to the still unravelling implications or playing out of the 1947 partition of British India.

Contemporary bordering practices—the production and policing of "us" and "them"—must be located in the coloniality of the present. As I understand it, it was not inevitable that Rohingya in Arakan would be excluded from the national community that would eventually constitute Burma. At least it was not until the 1943 Japanese/Burmese conquest of Arakan and its aftermath. This was a key moment—however disputed the historical record may be today. The province was on the frontlines of the battle between the British and emergent Burmese nationalist forces; leaders of the by then marginalised Rohingya population supported British forces in exchange for promised regional autonomy or inclusion into a future Pakistan. Not surprisingly, as in so many other cases, the colonial state reneged on its promise, leaving the Rohingya on the "wrong" side of national history in the making. Up to this point, the active exclusion of Rohingya from the imagined Burmese nation did not appear to be a major concern. Over time that changed, and quite rapidly.

Post independent imperatives to construct

intimately tied to political arrangements and bureaucratic practices. Ostensibly apolitical and neutral bureaucratic measures—the need for documentation and proof of residence, for instances, are centrally implicated in bordering practices—in the demarcation of who belongs and who doesn't, in the literal writing out of people from national memory, history and culture. The right to have rights today appears to be ever more dependent on the *right to* documentation, which can be wielded as a weapon.

The line for providing documentation to claim citizenship keeps moving, as even a rudimentary chronology of Burmese efforts to reclassify Rohingya makes evident:

1947: National Registration Certificates issued to all Rohingya.

1974: Emergency Immigration Act

1982: De-legitimation culminated in the Citizenship Law, which instituted three tiers citizenship—full, associate and naturalised, two of which can be revoked.

1994: Rohingya children no longer issued birth certificates

2015: Stipulation to accept National Verification Cards (NVCs) as a condition to remain in the country. NVC has no category for Rohingya, only Bengali.

As Natalie Brinham observes, Rohingya proof of citizenship and belonging has been systematically removed over the last 35 years, through confiscation, destruction, nullification and targeted non-issuance

discretionary power to bureaucrats who determine whether or not a given document is genuine *and* adequate. This is a generative practice—producing categories of "foreigner" and Indian, of those who belong and those who trespass and so must be eliminated from the national body. In this instance too, the state mobilises legal procedures and protocols to effectively strip (primarily) Bengali speakers who are also Muslim of their citizenship.

This kind of bordering practice has followed the Rohingya into Bangladesh. A reading of the November 2017 bilateral agreement toward repatriation illustrates another manifestation of weaponised paperwork. The text reveals the ways in the formal language of law and rights is imbricated in notions of dominant Burmese/Bamar national belonging, leaving untouched the legal and bureaucratic structures that have systematically rendered what was once a minority into statelessness. The conditions for and criteria of eligibility reduce the right of return to a hollow but elaborate ritual of discretionary bureaucratic power.

The proper noun Rohingya does not appear even once in the text. Instead, the reference throughout is to displaced persons. This not-naming sets the terms of debate. For the purposes of the text, Rohingya simply do not exist as a people. The process of negotiations to return Rohingya to their "home" simultaneously authorises the non-existence of Rohingya, and reaffirms the official expunging of Rohingya identity from the Burmese nation.

In one of several other instances of extraordinary epistemic violence, the agreement refers to the unspeakable brutality of the attacks of August 2017 as the event, in which, "Muslims from Rakhine" took shelter in Bangladesh after "terrorist attacks of 2017, 2016 and earlier." Here we see multiple erasures and re-framings. Burmese state and civilian violence are written out of the story, reframed as self-defence in the face of terrorist attacks. Equally significant, any Rohingya resistance has been recast as terrorism.

The text calls for all returns to be "in conformity with existing laws and regulations." This is quite a paradox, to put it mildly, given that existing laws and regulations render Rohingya eligibility for citizenship out of reach. Finally, also with no apparent irony, the agreement states that, "verification for return will be based on evidence of past residence." This Kafkaesque situation is another example of the weaponising of paperwork.

The agreement actively colludes in writing the Rohingya out of the nation in which they were once citizens. But is not only that the arrangement effectively extinguishes Rohingya subjectivity and the history of violence that precedes it. Its narrative structure is part of present border making practices.

Concluding Thoughts

Much of the Rohingya debate today hinges on getting the history "right". Are "they" original inhabitants or newer arrivals? Are they Bengali Muslim migrants or do they represent a separate ethnicity? And so on. I suggest that more or better evidence is not necessarily going to solve the issue. Of course the lack of evidence doesn't mean that forms of identification did not exist in the past. But history cannot be reduced to an exercise, one that will yield a set of transparent, empirically knowable facts. Getting the history right cannot resolve questions that are political, not empirical. Discussions around the "authentic" history of Rohingya deflect attention from other urgent issues, including the problem of tying citizenship claims to ethnicity or indigeneity. In the circumstances, it is urgent to reframe the question of belonging, and uncouple the idea of rights from citizenship and the shackles of the nation state. To this end, we must begin to dismantle existing narratives of belonging and citizenship.

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A Buddhist monk chants slogans as he holds a banner protesting a law which grants voting rights to temporary citizens in Yangon, Feb. 11, 2015.
 PHOTO: AFP

which global governance protocols proceed assumes the timelessness of national borders; the immutability of identity; and the existence of documentation, of legal records. This ahistoricity reproduces and enables the often violent logic of the nation and corresponding technologies of rule.

On the Coloniality of the Present

The context of empire and decolonisation is foundational to contemporary global politics and to the hyphenated entity that is the nation-state. As David Ludden and others note, the shift from empire to nation in the immediate post war period changed the relation of peoples to borders. The relation between bodies and borders have always been multilayered; borders themselves—metaphorical, material, bodily, and so on—are increasingly mobile. Here I am concerned quite literally with the authority conferred by lines on a map.

The newness of postcolonial national borders and older non-national ways of being in the world have been generative of conflict, not least along the borders of Burma and what is now Bangladesh. Newly-independent nation states also demanded the disavowal or erasure of older histories of mobility, as Sunil Amrith argues. This is a simple but critical point that raises questions of how scholars, institutions, and media label and categorise people. Nation states, transnational bodies, and popular discourse tend to assume the stability and naturalness of national and

a unified majority identity centered on Bamar Buddhist cultural resources. The consolidation of this identity drew on local cultural memory, including the supposed "disloyalty" of Arakan's Muslims during Burma's independence struggle. Prevailing colonial era tropes of the so-called Indian Peril, and communal identity formations inherited from the colonial state, helped to construct and popularise ideas of Rohingya as untrustworthy outsiders. In more recent times, land grab/resource extraction, the interests of military and international capital, along with transnational Buddhist vitriolic discourse, and securitisation/war-on-terror narratives all converged to produce a near consensus of Rohingya as objects of revulsion, and fear, as not quite human, so to be stamped out. Islamophobia provided especially potent ideological fuel for the extrusion of Rohingya from the increasingly Buddhist body politic.

Global "political will" is deeply entangled in considerations of political economy—the Burmese state draws strength from the silence of the international community. France, for example, has called what is happening in Myanmar a genocide, but yet continues to invest heavily in the country.

Weaponising Paperwork: From Minority to Statelessness

National Belonging is not only *not* primordial and given, it's negotiable, down-gradable, punctuated over time. Among other things, the production of ethnic identities is

of documents. The stripping of rights and downgrading of Rohingya citizenship has not been consistent or even but hinges on contingency, on the demands of the political at any given moment. Regardless, they map on to individual experience of *becoming* a foreigner in one's own country, of slow but certain denationalisation. As I put together the list above, I recalled the words of a leader of the Rohingya diaspora with whom a colleague and I had a long conversation about five years ago. Among other things he shared with us, he recounted the following:

-My father and U Nu both had the same document of citizenship.

-I had the same card but with a seal and no guarantee of citizenship after 1962.

-My younger brother had no certificate but a temporary white card.

-Now we have all been issued a STAY PERMIT, a green card.

-In order to obtain a national verification card, you have to accept the designation of Bengali.

The message is clear. In order to be considered a citizen of Burma/Myanmar, Rohingya subjectivity must be disavowed.

A somewhat similar process is taking place in Assam right now, in efforts to reconstitute and implement a National Register of Citizens. The process of counting those who "truly" belong to the nation—the so-called *original inhabitants*—relies on documentary evidence. The process is messy and confers tremendous