

## **A Critical Analysis of Globalization and Citizenship Status of the Rohingya**

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**Abstract:** The article concerns the concept of globalization and the legal citizenship status of Muslim Rohingya people from Myanmar. The political leaders, government officials, and the society do not accept the Rohingya community as the citizen of the country. The citizenship law of Myanmar created an exclusive system for the Rohingya Muslim to deprive them systematically from fundamental human rights. This paper argues that the notion of citizenship changes with the process of globalization since the very beginning. The research analyzes the main theoretical approaches to understanding globalization from the critical perspective. It investigates the interactions between globalization and the legal citizenship status of Rohingya people. The research paper examines the new aspect of citizenship status based on the case study of Muslim Rohingya people. Next will be analyzing the getting a new citizenship status in the globalized world is challenging; however, the future nationality of Rohingya people is still vague, uncertain and prolonged due to the political situation of Myanmar.

**Key Words:** Globalization, Citizenship, Rohingya, Ethnic identity, Nationality

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Date of Submission: 12-07-2018

Date of acceptance: 28-07-2018

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### **I. INTRODUCTION**

The theoretical and political argument of globalization portrays a significant essential term in the social science since the 1990s. The discourse of globalization explains the rise of democratization, diversity, and the process of governance and the new form of citizenship. At the same time, the notion of citizenship mainly asserts from the bounded society, a community of people, its politics, and geographically recognized nation-state with boundaries. The emergence of globalization always contemplate with the notion of political rhythm and rationality of government and the ideology of citizenship is a legal, political, and social formation that has domestic and international consequences. As globalization is a continuous process, which has a significant impact on social, political and economic activity. Though the recent argument is that the role of the citizen is transforming with the motion of the globalization process, it requires to examine the current citizenship status. So, the traditional concept of citizenship and state is arguably face a new challenge now more than before because the various local political, social and economic activity influence the process of globalization and its relevant interest and values at a global level. This research argues that since the Rohingya people are stateless and intentionally they are excluded from the society, it is necessary to rethink the impact and reality of their citizenship status in a globalized world. The primary focus of the article is to analyze the debate about the relationship between globalization and citizenship through the lens of the Rohingya issue in Myanmar. Further, it will try to find out the increasing problems of globalization and their influence on the citizenship status of Rohingya people and the significant opportunities for citizenship that the Rohingya people may perceive in a globalized world. The paper argues that the meaning of globalization and citizenship has been changing with the time and the philosophy of legal citizenship cannot be generalized as the legal notion is changeable within the community and nations movements.

### **II. HYPOTHESIS**

Accordingly, the research hypothesis is that the traditional conception of citizenship and its impact on Rohingya people in Myanmar must reform a new dimension with considering the current flows of the globalization process, not with the critical influence and will of its military power. The concept of citizenship is always heavily influenced by the state, its ruling elite and lastly globalization process.

### **III. OBJECTIVES OF THE STUDY**

The primary aim of the article is to recognize the future citizenship status of Rohingya people in a globalized world. The first phase of the paper will discuss the critical theory of globalization, and in theoretical terms, it states that the analytical approach is always convenient to understanding the globalization; further, the idea of social change, modernity, and development of critical theory are still compatible within the discussion of globalization. After that, it focuses the endemic tensions between citizenship and globalization particularly Rohingya issue in the current world. Finally, the last objective is to identify visions for the Rohingya citizenship status and global citizenship for their better future.

### **IV. METHODOLOGY**

This paper followed qualitative research to explore the changing notion of globalization and its impact on the citizenship status of people. All necessary data collected through review of books, journal articles, publications available in the public domain. This research topic is very sensitive as the conflict between Rohingya and military of Myanmar is on its highest peak and the citizenship of these people under threat. What are the challenges faced by the Rohingyas and how to overcome these challenges are also brought out through the study?

### **V. LITERATURE REVIEW ON GLOBALISATION AND CITIZENSHIP**

#### **a. What is Globalization?**

In this section, the paper discusses the theoretical paradigm of globalization. The critical theory is a comprehensive and widespread academic direction including various approaches and perspectives, and it always contrasts the analyses of contemporary issues (Douglas 1997). The paper endeavors to identify and define the critical theory and its relating concerns. The Frankfurt School of Germany is widespread and recognized for its development of critical theory because the traditional argument is different from the new one, and the school has spanned its research on arts, music, political economy, technology and so on. In particular, the theorists have challenged the traditional idea of globalization, and it has a fixed belief in historical materialism, economics, politics, and science (Castles & Davidson 2000). The theorists always explore the inherent connections within globalization for greater human participation; for instance, the technological development associated with globalization, and the states used this technology as an instrument for surveillance to its citizens (Gans 2005). Globalization means the open participation of the social, political, cultural and economic activities from global to local level. Theorist Scholte (1996, p.53 in Douglas 1997) argues that globalization is all about the poverty, environmental degradation, crises in democracy and so on. Therefore, it is significant to identify the critical issues including social and political varying from environmental degradation to human rights and economic inequality.

It states that in today's globalization, the nation-state is declining as well as the new dimension of political society within the international arena is forming. The modern globalization is all about the financial centric capitalism and the free market system (Rubenstein 2004). According to Barrett (1991 in Rubenstein 2004), globalization is an ideology to set philosophies for serving particular interests. Thus, Schirato and Webb (2003, p. 199 in Rubenstein 2004) view globalization as a widespread phenomenon and the primary function of globalization is to establish specific goals and ideas to control and evaluate societal activities. Further, Kuper Kuper (1996, p. 234 in Rubenstein 2004) viewed globalization more materially in the contemporary world, and they argue that the economic power and development are the imperialist expansion of the great powers. Consequently, Langhorne (2001, p. 2 in Rubenstein 2004) argues that the nationality, authority of government cannot hold the human being in the modern world who want to move smoothly and without any difficulties and hesitation through the accumulation of contemporary technology with globalization. The Dictionary of Social Sciences (Calhoun, 2002, 192 in Rubenstein 2004) offers the following conceptualization of globalization: 'A catch-all term for the expansion of diverse forms of economic, political, and cultural activity beyond national borders.' Further, the globalization considers as the compression of time and space (Bauman 1999 in Rubenstein 2004). On the other hand, John Lechte (2003 in Rubenstein 2004) suggests that the globalization is more about the global connection and universal consciousness and this regard is mainly the communication networks and new technology which formulates the broader and clear conceptualization of globalization. Therefore a globalization means the expansion of social, economic and cultural relations across the world.

#### **b. Two Aspects of Globalization**

The article focuses that the globalization has two aspects with implications for citizenship status. First of all, the people who move across national borders for a living and better work often raise the question of national identity and their membership or citizenship rights (Gans 2005). There is no doubt that traveling is

becoming regular and more rapid comparatively than before all around the world and people can move from one place to another quickly. Next characteristic of globalization relates to the massive effect of transnational and multinational organizations, which exist parallelly with the nation-state, and they superimpose the national sovereignty (Gans 2005). As a result, the significant number of problems arise which mainly hinder the rights and privileges of citizenship.

**c. The Relationship between Globalization and Citizenship: The Case of Rohingya**

There is an uneasy relationship between globalization and citizenship. The article argues that the globalization refers to the connectedness of the world where the changes are not limited to the economic, cultural, political, technological, and cultural arena. Further, the status of citizenship mainly recognizes by the other countries and the movement of people is a continuous process not limiting to the geographical boundary and law. However, globalization is a phenomenon because it connects national borders with various political, economic, socio-cultural, and technological dimensions (Croucher 2004, page 10). This connection increases the flow of different kinds of goods, most of the services, all people, and different ideas through traditional and new channels (Gans 2005). As a result, the globalization makes the relationship between nation-state and citizen more biased and complicated with the circulation of capitalism, internationalization of production and communications technology.

***Citizenship of Rohingya: A Name of Stateless People***

If we consider the citizenship status, the first question comes who a stateless person is? According to the 1954 Convention defines a stateless person who is not recognized as a national by any state under its domestic law (Article 1) (Ullah 2011). This definition is purely legal. It does not allude to the quality of nationality, the manner in which citizenship is granted, or access to citizenship. Therefore, we can say the person who has no proper bonding with any state around the world is a stateless person. Without any doubt, the Rohingyas are one of the most persecuted and stateless communities in the world. The primary challenge regarding the rights and citizenship of the Rohingyas is the 1982 Citizenship Law of Myanmar, which is unavoidably the reason behind the denial of citizenship rights. The 1982 Burma Citizenship Law (1982 Act) mainly distinguishes the country's citizens into three categories; such as citizenship, associate citizenship, and naturalized citizenship (Ullah 2011). Further, the government issued three unique color-coded citizenship Scrutiny Card to its citizens considering his or her status in the country like pink, blue, and green. The section 3 chapter II of the 1982 act mainly accepts the Kachin, Kayah, Karen, Chin, Burman, Mon, Rakhine or Shan as the Burma citizen (The Independent 2016). The main reason behind this acceptance is that they are living in this particular entity since 1823 A.D (The Independent 2016). Therefore, any citizen who is not able to provide any linkage to ancestry but settled in Burma before 1823 may be eligible for the citizenship status. Then, the associate citizenship is applicable for those citizens who do not have citizenship status; however, they applied for it under the 1948 Union Citizenship Act (Al Jazeera 2018). The Chapter II of the 1982 citizenship law states that the person who entered and resided anterior to the 4th January 1948 and their children who born within the territory may apply under the Union Citizenship Act 1948 (Al Jazeera 2018). Besides these two, the section 44 of the 1982 act declares that the applicant of naturalized citizenship must have some qualifications; such as they should be eighteen years old with good character and a sound mind. As a result, there are an estimated 800,000 to 1.3 million Rohingyas excluded from the citizenship status, and they became stateless under the 1982 Myanmar Citizenship Law which does not recognize their ethnic identity (Al Jazeera 2018). Though the Rohingyas from the Rakhine state are eligible to apply for the citizenship under these qualifications, they are denied to issue and provide citizenship and documentation to clarify the crisis of citizenship.

***Integration of Nation-state***

The nation-state considers as a first classifying instrument of human society. There is another significant matter of developmental time of the nation-state as the globalization impacts on it. The article argues that the nation integrates during the emergence of shared goals, beliefs, legal and political institutions (Schnapper, 1998, p.24). Further, there has been an enormous political, and economic changes since the cold war; for instance, the emergence of the European Union, economic integration, the revival of religious fundamentalism, ethnic conflicts, and an increase of human migration/ immigration all over the world. As a result, the development process of younger states by globalization is comparatively different from the nations which have to undergo a more thorough process of integration after the cold war. The research argues that the human agency is more complicated than ever. With the process of globalization, many organizations are becoming dominant in society, and they are assessing the community of citizen regarding accessing civil, political and social rights in their birth country. For example, after the independence from Japan, the ideology of Burmese nationalism is primarily based on the process of post-independence national integration through the establishment of the 'nation of the Burmese.' In reality, the Burmese citizens do not accept Rohingya as an indigenous ethnic group, and they are called 'illegal immigrants' who migrated from Bengal after the end of the Second World War. As a result, the

minority ethnic issue and ethical problems arose in the areas where the ethnic communities are not Theravada Buddhist, and their language is different from the Burmese language. Further, the other elements of the human association especially the culture, ethnicity, religion, and politics are dominating and increasing over the time and within the boundaries of Myanmar. Most of the Burmese people do not accept the use of 'Rohingya' (Ullah 2011). Particularly the Rakhine or Arakanese people do not usually use the word 'Rohingya' but use 'illegal immigrants' or 'Bengalee' (Ullah 2011). The reason behind this discrimination is that they recognize as the conservative Muslims in Burma and their look is considered different from indigenous 'citizens' (Ullah 2011). Furthermore, this anti-Muslim attitude grows with the historical understanding that 'Rohingya people had not lived in Burma before 1823', which seems to reflect the Nationality Law of 1982 (Ahmed 2010). Therefore, the internal conflict is inevitable in the Myanmar society, and it is also significant how the state plays the role to combat the situation. Nevertheless, the nation-state is the principal vehicle for tackling this stateless enemy. In reality, the nationality becomes steady while people move across the boundary for better living and become integrated into a community of work, culture, and the redistribution of wealth.

### ***The legal relationship between citizenship and nationality***

The paper argues that the citizenship means the legal status of citizen and how the state recognizes its citizen and how do it defines the rights and responsibilities, duties and opportunities for participation within a community (Rubenstein 2004). This ideology of legal status is broader than the member of the society, and the formal equality needs for considerable equality in social terms (Rubenstein 2004). For instance, in Myanmar, the Rohingya Muslim people do not hold any legal and equal membership rights in the society. While the regular legal citizens get all the civil and constitutional rights of citizenship, the most fundamental rights of citizenship, such as voting and travel prohibit for Rohingya people. Even today, years after the independent from the British colony, the Rohingya people are restrained regarding formal equality rights such as voting and traveling, and their social, cultural and economic position is suppressed compared to other Burmese citizens. As a result, the nature of citizenship differs regarding ethnicity, and it raises the notion of second-class citizen in the society over the time.

### ***New Sense of citizenship***

The paper argues that the definition of citizenship is all about the equality for all citizens, and the citizenship status means the equal rights regarding politics and ethnic identity. Consequently, globalization forms a significant relationship within citizenship status of the individual and their situation and equality as the citizen in society, which is directly link to the nation-state in domestic and international law (Rubenstein 2004). In this context, the formal citizenship mainly relates to establishing status through connecting legal rights and the individual can have specific responsibilities including voting rights and select representative in society, and they can enjoy constitutional rights of mobility and travel and all social rights such as welfare (Rubenstein 2004). Therefore, the formal citizenship means a liability to pay tax and follow social rules and duties. Another traditional concept of citizenship in a domestic sense links to nationality and international law. According to the international law, each state always determines who its nationals are and who is not a citizen; further, the laws relating to citizenship are different from each country (Hague Convention 1937) (UNHCR 2012). As a result, every individual has the right to hold more than one nationality by fulfilling the specific requirements for citizenship status.

The research argues that the globalization is the new sensation of forming a new relationship between nation states and individuals around the world. There are some examples of trends; such as the General Agreement on Trade and Tariffs, the North American Free Trade Agreement, the European Union, and the Asia Pacific Economic Cooperation (Gans 2005). As the trade is the developmental instrument for the global institutions with authority beyond government, the financial markets are the core controller of the nation-state through the market economy (Rubenstein 2004). Thus global regimes and institutions regulate matters beyond the control of any single government. Consequently, both the international law and human rights framework deals with the citizens of nation states and it undermines the traditional idea of sovereignty articulated in international law (Rubenstein 2004). Further, every country is responsible for dealing with its citizens and individuals within its territory, and people who are directly affected by the drastic changes (Rubenstein 2004). Therefore, nowadays every individual is concern about the essence of globalization and they know how to participate in this arena.

There is an academic tension for the relationship between the globalization and citizenship. Extensive theoretical literature always explores the nature of national identity and culture, relations between nation states, and the citizenship rights. The significant debate about religion and identity among social scientists is primordial and fixed. For example, the Rohingyas considered as a resident foreigners who are not the citizen of Myanmar because they are ethnically different from the rest ethnic groups in the country (Ullah, 2011). In this context, the

citizens perform in the politics and their culture and identity circulates with their political boundaries of the nation-state (Rubenstein 2004). However, the status of the citizen should not be fixed because it may create disintegration among the community of citizens. In this context, when the identity of the citizen is fluid, globalization assist these citizens to be active, capable and adapting to the activities of the nation-state (Rubenstein 2004). Further, the nationality is not only about the political boundary but also embodied a sense of shared identity and history. The research concerns that the citizens from integrated society mainly confers the nationhood of the country and the national culture and identity shape the new boundaries and legitimacy of the nation-state (Rubenstein 2004). Here nation means the community of citizens and they integrate their existence with the internal and external activities of the state. Though the identity of Rohingya arguably considers as political construction, the problem of identifying citizenship through ethnic indigeneity is ethnic chauvinism, which is still a massive problem across the world. As a result, Myanmar is facing the challenges of ethnic conflict regarding the citizenship issue of Muslim Rohingya community.

#### **VI. CAN GLOBALISATION EMBRACE THE ROHINGYA AS GLOBAL CITIZEN?**

Considering the current citizenship status of Rohingya, this problem is still a contested matter for the Myanmar government as they deny the identity of Rohingya people in the ongoing census in Myanmar. The article 15 of the 1948 Universal Declaration of Human Rights declares that “Everyone has the right to a nationality. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality” (UNHCR 2012). The citizenship status of Rohingya people is still under threat while other 135 official ethnic groups in Myanmar are enjoying their rights. And, this is one of the reasons that they are undoubtedly stateless people. Since the 1970s, the Rakhine state is burning with the tortured and forced hundreds of thousands of Rohingya, and they are raped, tortured, arson and murdered by Myanmar security forces (Ullah 2011). The result is that the Rohingya people are forced to flee from Myanmar to neighboring country Bangladesh to secure their lives, which is creating a burden for Bangladeshi economic, social and environment condition. According to UNHCR, there were around 307,500 Rohingya refugees who are living in camps, makeshift settlements and with host communities (Al Jazeera 2018). Since August 2017 around 655,000 arrived in Bangladesh (Al Jazeera 2018). As refugees are coming, the Kutupalong refugee camp grows from 13,901 to 22,241 and outside the tent has climbed from 99,495 to more than 547,616 (Al Jazeera 2018). Bangladeshi society does not accept these Rohingya people as a Bangladeshi citizen. As a result, they are living in an impoverished environment with inadequate sanitation and water facilities. Temporary shelters are made of discarded plastic and bamboo slats. Rohingya people are running temporary small grocery shops under the surveillance of the Bangladesh Army to meet their daily essentials (The Independent 2018). Though both countries agree to complete the repatriation process in next two years, the Rohingya are reluctant to response this agreement who fled the previous crackdowns led by the Myanmar military (Al Jazeera 2018). However, the settlement agreement is questionable because the Myanmar government decided to issue the Rohingya national verification cards after scrutinizing the citizenship eligibility process for undocumented people in Rakhine state. Then, Myanmar plans to begin repatriating about 100,000 Rohingya refugees on January 22, 2018; however, the Rohingya leaders disagree with this hasty decision because they first demand the citizenship status and security of Rohingya people in Rakhine state (Al Jazeera 2018).

In the new world order, modern states have shifted the direction of politics to economic affairs and sovereignty has necessarily been changed without being eliminated (Rubenstein 2004). Although the states are no longer relevant actors, globalization has transformed the idea of independence by promoting goods and labor across nation-state borders (Gans 2005). Despite lack of cooperation on specific strategic issues, both Myanmar and Bangladesh are trying to improve bilateral ties through the regional and sub-regional forums. For example, the Bay of Bengal Initiative for Multi-Sectoral Technical and Economic Cooperation (BIMST-EC), the ARF, the Bangladesh-China-India-Myanmar Forum can build the hub of connectivity between South and Southeast Asia (The Independent 2018). Further, this regional connectivity with Myanmar will assist Bangladesh for economic growth in this region. Both Bangladesh and Myanmar as the regional hub will establish themselves as the economic powerhouse. At the same time, the Rohingya humanitarian crisis in Myanmar is creating tensions among ASEAN countries, and the relations between Myanmar and its neighboring Muslim nations become unstable in recent time. Further, the Islamic groups in Indonesia are building public sentiment for the Rohingya crisis and urge the Indonesian government to come forward for long-term resolution in Myanmar (Al Jazeera 2018). Therefore, the South East Asian countries will also have the scope to link with this region, and this connectivity will assist the Rohingya people to get better job opportunity in Myanmar, and Bangladesh can take advantage of this connectivity to solve the Rohingya problem.

## VII. CONCLUDING REMARKS AND WAY FORWARD

The idea of a global citizen is affecting the traditional citizenship and nationality concepts in the 21<sup>st</sup> century. Though the global community of citizens is being tested from time to time, the citizenship status of Rohingya is still the same. Their social rights and nationality are also very much in flux. Though the traditional concept of nationality is now facing the challenges with the globalization process, the nationalism and nation-state still need to consider the identity and social politics. Ensuring the citizenship status of the Rohingya is not only the domestic politics but the significant matter of security to diminish the conflict in Rakhine state. The connection between Rohingya Muslim and Myanmar will transform with the recognition of this community, and the safeguarding the fundamental human rights; such as voting, right to travel, social welfare rights and so on. In conclusion, the integration of political, economic, socio-cultural, and technological dimensions in Myanmar states can connect the Rohingya community across national boundaries, and this will change the new paradigm of globalization and citizenship.

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Sinthia Chakma Krisna. A Critical Analysis of Globalization and Citizenship Status of the Rohingya." *IOSR Journal Of Humanities And Social Science (IOSR-JHSS)*. vol. 23 no. 07, 2018, pp. 72-77.