

Meeting held in the Central Meeting Hall, President House, Ahlone Road, 8 October 1982.

Translation of the speech by General Ne Win provided in *The Working People's Daily*, 9 October 1982

"Comrade Central Committee members:

What I am going to speak today is about an important law, the Burmese Citizenship Law. If this law must be explained, what has happened in the past must necessarily be recalled. I have no desire to hurt anybody in recounting this recent history. However, the truth might perhaps hurt somebody sometimes. But I do not wish to hurt anyone and I will try not to do so.

I would like first to explain about conditions that prevailed in Burma as a subject nation. After a part of Burma had been annexed by foreigners in 1824, one war after another was fought and the whole of our country subsequently became a subject nation. After becoming a subject country, we officially regained independence on 4 January 1948, as is known to all. During the period between 1824 and the time we regained independence in January 1948, foreigners, or aliens, entered our country un-hindered under various pretexts. They came to live in Burma and mainly for economic reasons. The first to come were the English who ruled our country. After them came many of their camp followers. Let us say only that much.

We, the natives or Burmese nationals, were unable to shape our own destiny. We were subjected to the manipulations of others from 1824 to 4 January 1948. Let us now look back at the conditions that prevailed at the time we regained independence on 4 January 1948. We then find that the people in our country comprised true nationals, guests, issues from unions between nationals and guests or mixed bloods, and issues from unions between guests and guests. So at the time of independence there were not only true

nationals, but also guests, issues of unions between nationals and guests, and issues from unions between guests and guests. This became a problem after independence. The problem was how to clarify the position of guests and mixed bloods. When the problem was tackled, two laws emerged.

The Union Citizenship Act, 1948. This Act was promulgated on 4 January 1948, as Act No. 66. The Second Act was the Union Citizenship (Election) Act, 1948. This Act was promulgated on 3 May 1948, as Act No. 26. The aim of the first Act was first to define citizens and their rights. The Aim of the Union Citizenship (Election) Act was to solve the problem of immigrants I had mentioned. These people were already in Burma when we regained independence and they were to elect for Burmese citizenship if they so desired. They were to apply for it. Not that citizenship was to be granted without limitation. Certain qualifications were to be fulfilled. For this purpose the Act was promulgated.

I would like to explain certain significant points of this Act. Section 5 of the Citizenship Act provides that persons born after the Constitution had come into force were to be citizens of Burma (a) if born in the Union of Burma of parents one of whom is a Union citizen: where the father is a citizen of a foreign country, that person is to make a declaration within one year after reaching the age of majority that he renounced the foreign citizenship and elected to remain as a Union citizen. If he or she did not make such a declaration he or she cease to be a Union citizen at the end of that year; (b) if born outside of the Union of Burma of a Union Citizen father but had registered his birth in the prescribed manner and within the

prescribed period at a respective Consulate of the Union; (c) born outside of the Union of Burma of a parent serving as a Government servant: where one of the parents is a foreigner he or she is to make a declaration within one year of having attained the age of majority renouncing foreign citizenship and electing to remain a Union citizen. If he or she failed to do so he or she is to cease to be a Union citizen at the end of that year.

I have singled out this matter because our blood is involved -our citizen, our national, is involved either as father or mother. He or she having married a foreigner had an issue. That issue has the duty within one year on attaining the age of majority, to make a declaration renouncing foreign citizenship and electing to remain a citizen of ours. It is as if even a person of our blood must do this. This Act was promulgated as a matter of course. Should a person of mixed blood forget to elect Burmese citizenship as required by law before authorities concerned he or she automatically loses citizenship on completion of 19 years of age. That is one point.

Section 7 of the same Act states: (i) A foreigner may apply for citizenship certificate giving the following reasons. If the reasons are acceptable to the Minister a citizenship certificate may be issued to him. (a) Has completed the age of 18 years; (b) has lived continuously for not less than five years within the Union under the authority of the Union prior to submitting the application... I will read out only the relevant portion. There are many more points. What is meant here is that a foreigner who (a) had completed the age of 18, (b) had lived continuously for at least five years in the Union under the authority of the Union can apply for citizenship.

You might not have noticed what I had read out just now. It is mentioned that if the Minister accepts the reason given a citizenship certificate may be granted to the applicant. This means that a citizenship certificate may be granted at the discretion

of the Minister, appointed and empowered by the President for this purpose. That is, the Minister acting alone, has full power to decide as he wishes.

In this same Act there are other points relating to those who had entered our country our country that I did not go into details to avoid hurting others. However I feel one point should be brought out. Section 13 of the Act states that a person who had served for at least three years either continuously or not may apply for citizenship during his service or within six months after termination of his service and may be granted citizenship if he fulfils requirements of the law even if he had given (i) no prior intimation of his desire to do so (ii) or had not resided within the Union. Of foreigners who came into Burma there were many who served the English, but of them extra care has to be taken of armed forces personnel.

I will say only this much about this Act. The next Act is the Union Citizenship (Election) Act, 1948. I will read out section 3 of that Act. Any person who fulfils the following qualifications may apply to the District officer concerned for Union citizenship. The qualifications are: (a) being born in a territory under the suzerainty of the British monarch.

The British Empire at that time was very extensive and it was then said that "the sun never sets on the British Empire" in various parts of the world. People from within this Empire who wish to reside in our country as citizens were allowed to apply for such citizenship. This was a special privilege. Since we live in amity with the whole world, it is not right to give preference to one country only. We must be fair to all.

That same Section 3 has a sub-section (b) that states that those who have lived within the territory of the Union of Burma for eight years out of ten years prior to 1 January 1942 or 4 January 1948 are eligible to apply for Burmese citizenship. The qualifications therefore are that one must

have lived within the territory of Burma for eight years out of ten years prior to 1 January 1942 or 4 January 1948. These, of course, are points of law.

There are actions to be taken under this law. For instance, those who are in Burma and who satisfy those conditions must declare that they would like to elect Burmese citizenship and apply for Burmese citizenship.

On the part of the Burma Government, personnel from the department concerned must scrutinise the applications and issue citizenship certificates. In this respect, certain foreigners were illiterate or were unaware of the existence of this law. They therefore have not made the applications up to now and if legal action were to be taken against them there would be no end. A lot of bother and a lot of trouble for them as well as for us. What is worse and what should not have happened is as we had been saying all along since our Party was founded: the giving of full powers to a single person. Power was however entrusted to a single person under the conditions that prevailed at that time. Decision taken by the person in power was final. There were some irregularities with regard to grant citizenship to persons before Independence; and have not persons arriving in Burma after Independence in 1948, also been given citizenship?

We cannot look on with folded arms on cases of grants of citizenship to those who had arrived in Burma after Independence. As I have said earlier, those foreigners who had settled in Burma at the time of independence have become a problem. We made these two laws to solve this problem. But we were not able to apply these laws strictly with the result that the problem of these people exists up to this day. The problem not only remains: because of this problem, these people are now living in panic because most of them have no definite status.

If we could do something definite to define their rights, they would be happy. We on our part must also be magnanimous. These people, the foreigners, had settle down here since after 1824, 1830, 1835, 1840. and had been here for more than 100 years. Their descendants retained their own nationality and were not Burmese citizens before Independence. After Independence, some left. Those who remained behind did not know what nationality they were. If we choose not to be magnanimous to them, if we consider that we have nothing to do with them, and that they have come here of their own accord and if we are to deal with them accordingly, they would be in great trouble with nowhere to go because they have lost contact with their native places. We are here talking about the remote past, about foreign settlers who had come in the aftermath of the first Anglo-Burmese war.

And then we have those persons who came before 1948 Independence or before 1942, the year the war broke out. We therefore decided to make the latest Citizenship Law solve all these problems together.

We are, in reality, not in a position to drive away all those people who had come at different times for different reasons from different lands. We must have sympathy on those who had been here for such a long time and give them peace of mind. we have therefore designated them *eh-naing-ngan-tha* (associate citizens) in this law. Why have we given them this name? Because, we were all citizens in the beginning; then these people came as guests and eventually could not go back and have decided to go on living here for the rest of their lives.

Such being their predicament, we accept them as citizens, say. But leniency on humanitarian ground cannot be such as to endanger ourselves. We can leniently give them the right to live in this country and to carry on a livelihood in the legitimate way. But we will have to leave them out in matters involving the affairs of the country

and the destiny of the State. This is not because we hate them. If we were to allow them to get into positions where they can decide the destiny of the State and if they were to betray us we would be in trouble.

I will tell you an instance. Now let us use the term *eh-naing-ngan-tha* from now on. After the country gained independence, some of these *eh-naing-ngan-tha* left this country again, leaving behind some of their family members. Some of them -*kalas* to be frank- did not go back to their *kala-pyi* but went to Singapore, Hong-Kong or America. Some *tayokes* did not return to *tayoke-pyi* but went to Singapore, Hong-Kong, Australia, and America. They left behind a relative, say a brother, here. This brother would contact his brother in Hong-Kong and his brother in England and would smuggle goods out of our country. We have actually seen such smugglings. We are aware of their penchant for making money by all means and knowing this, how could we trust them in our organisations that decide the destiny of our country? We will therefore not give them full citizenship and full rights. Nevertheless, we will extend them rights to a certain extent. We will give them the right to earn according to their work and live a decent life. No more.

I have recounted the past. Now I shall speak on the present Burmese Citizenship Law. Beginning now, up to a certain point in the future, there will be three classes of citizens. Racially, only pure-blooded nationals will be called citizens. As for those foreign settlers who came here before Independence and who could not go back and who have applied for citizenship under the two law mentioned before, we will scrutinise their applications and will grant them *eh-naing-ngan-tha* if all conditions are satisfied. For those who have not applied for citizenship out of ignorance, we will tell them to apply for citizenship and consider them as *naing-ngan-tha-pyu-khwint-ya-thu* (naturalised citizens) if all conditions are met. Citizenship will this be granted in three categories (i) citizens; (ii) *eh-naing-ngan-tha*; (iii) *naing-ngan-tha-pyu-khwint-ya-thu*.

Who are the *eh-naing-ngan-tha*? They are those who arrived in Burma before Independence and satisfy all conditions laid down in those two laws and who already applied for citizenship. They are *eh-naing-ngan-tha*. What is the difference between *eh-naing-ngan-tha* and *naing-ngan-tha-pyu-khwint-ya-thu*? Both came here in similar circumstances -before Independence, January 1948. The difference lies in whether they applied for citizenship or not. Those who have not yet applied for citizenship are, let us say, a bigger problem. Therefore, we have made a distinction between *eh-naing-ngan-tha* and *naing-ngan-tha-pyu-khwint-ya-thu*.

According to the Union Citizenship (Election) Act, 1948, a person with Burmese blood who failed to make certain declarations and renouncements when he or she comes of age loses his or her citizenship. Under our present law, not only those persons both of whose parents are nationals but also those persons only one of whose parents is a national automatically becomes a citizen on coming of age, without having to make declarations or renouncements.

There are three types of citizens at present as said earlier. There will be only one type in our country at some time in the future; that is there will be only citizens. What is known *eh-naing-ngan-tha* and *naing-ngan-tha-pyu-khwint-ya-thu* will gradually disappear. How? A person classified as an *eh-naing-ngan-tha* at present if qualifications, I said earlier, are met. We cannot trust them fully. That is why one is called *eh-naing-ngan-tha*.

If the descendants of *eh-naing-ngan-tha* continue to be regarded as *eh-naing-ngan-tha*, they will never be in a position to enjoy the rights of citizens. I said earlier, that in view of what is happening at present, this *eh-naing-ngan-tha* is not trustworthy at present. As I said earlier one lives in Burma, one in Hong-Kong, and one lives in England and are engaged in bad business. However, this blood relation will more or less cease to exist at the time of his or her

grandchildren. When the grandchild is given citizenship, he will, just like any other citizen, become a full citizen. Similarly, with the children, grandchildren and great-grandchildren of a *naing-ngan-tha-pyu-khwint-ya-thu* continue to be a *naing-ngan-tha-pyu-khwint-ya-thu*? Will a *naing-ngan-tha-pyu-khwint-ya-thu* not be able to enjoy full rights? As I said earlier, his grandchildren will be given citizenship. Although there are three types of citizens at present -*eh-naing-ngan-tha*, *naing-ngan-tha-pyu-khwint-ya-thu* and pure citizens, the grand children of *eh-naing-ngan-tha* and *naing-ngan-tha-pyu-khwint-ya-thu* will become full citizens. Then there will be only one type of citizen.

If the grandchildren of *eh-naing-ngan-tha* or a *naing-ngan-tha-pyu-khwint-ya-thu* are to become full citizens, the *eh-naing-ngan-tha* or *naing-ngan-tha-pyu-khwint-ya-thu* himself or herself, and his or her children and their children must live in our country correctly and must not misbehave. Only then can his or her grandchildren become citizens. As to action to be taken against them for misbehaviour, time limits, etc., are to be prescribed in Rules.

This is the first time we are taking action to enable those who have been in our country since before Independence to escape from a life of uncertainty about their own nationality. If necessary qualifications are met, they can live in our country; if they live correctly and properly, their grandchildren will become full citizens. What I would like to tell such persons is that, in recognition of what we have done to enable them to be certain of their own nationalities, they should live correctly and properly. I would also like to tell our true citizens, the Burmese, that they should not treat such persons arrogantly, saying they came from abroad or they are guests, but

should realise that one day they will become one with us and all will be travelling in the same boat.

As everybody knows, this law was drafted in consultation with the whole country and a lot of time has been taken in drafting it. I do not know how many drafts were drawn up at the lower level. After it came to me, six more revisions were had to be made because some terms and facts had been left out.

Even now I found one fact missing. I discovered that when I re-read it while writing this speech this morning. A clause about pure citizens. Citizenship is a person's birthright. Excepting for treason during war, nobody can strip him of citizenship. This is what this clause is about. However, there is also another clause which gives him responsibilities. There is one point left unmentioned in this Section. If this is not put in, it may create disputes later on. That is why I am saying this. What is to be added is "A citizen shall have no right to renounce his or her citizenship in time of war in which the country is involved". This is what is to be included in the law. There is such a clause in the part concerning *eh-naing-ngan-tha* and *naing-ngan-tha-pyu-khwint-ya-thu*. It was inadvertently left unmentioned in the Sections on pure citizens. We must therefore put it under Section 13 as Section 14. Section 13 says: "A citizen shall have no right to be a citizen of another country". Section 14 should read: "A citizen shall have no right to renounce his or her citizenship in time of war in which the country is involved". This must be put in because in time of war a citizen not wanting to go to war may say he no longer wants to be a citizen. "

(Applause)
