



AARHUS UNIVERSITY

Everyday Justice and Security in the Myanmar Transition

Seminar at Moesgaard, Aarhus University, April 26-27, 2017



Programme

Everyday justice and security at Moesgaard

The seminar marks the involvement of Aarhus University's anthropology department in the joint research project 'EverJust' (<http://www.diis.dk/en/everjust>), and will provide an opportunity to explore and discuss the development in Myanmar during the current peace and democratization process. The presentations are based on recent field work, and the speakers include:

Matthew Walton (University of Oxford), Judith Beyer (Universität Konstanz), Michael Lidauer (Independent Researcher), Myat The Thitsar & Thang Sorn Poine (Enlightened Myanmar Research Foundation), Helene Maria Kyed (Dansk Institut for Internationale Studier) and Mikael Gravers and Annika Pohl Harrisson from Aarhus University.

Among the topics that will be addressed are the new Panglong Conference and the peace process; conflict interfaces between Buddhist and Muslim communities, local governance, the election and democratization process, justice and development.

The seminar is open to the public, and all are welcome.

Organizers: Mikael Gravers and Annika Pohl Harrisson, Department of Anthropology, Aarhus University

Funding: Research Programme of Anthropology, Aarhus University and The School of Culture and Society, Aarhus University

**Programme: Everyday Justice and Security in the Myanmar Transition
seminar at Moesgaard, Building 4206-129, April 26-27, 2017**

Wednesday 26

09:45 – 10:00	Coffee	
10:00 – 10:15	Welcome and introductions	Mikael Gravers & Annika Harrisson
SESSION 1		
10:15 – 11:00	Everyday Justice in Myanmar – research objectives, capacity building and initial findings	Helene Maria Kyed (Danish Institute for International Studies)
11:15 – 12:00	Civil society and Peacebuilding in Myanmar	Michael Lidauer, independent researcher
12:00- 13:00	LUNCHBREAK	
13:00 -13:45	Securing community through property. A case study from Yangon.	Judith Beyer (Universität Konstanz)
SESSION 2		
13:45 – 14:30	Do we really understand Ma Ba Tha?	Matthew Walton, University of Oxford
14:30 - 15:00	COFFEBREAK	
15:00 – 15:45	Buddhism and Nationalist Ideology in Myanmar – Monks, Muslims and Morality	Mikael Gravers, Aarhus University
18:30 – 20:30	Dinner for seminar participants	Den Rustikke Mejlgade 20, Aarhus

Thursday 27

9:15 – 10:00	Peace and Security as envisioned by major ethnic political parties in the context of Myanmar's bi-election 2017	Myat The Thitsar, Enlightened Myanmar Research Foundation (EMReF)
10:00 – 11:00	Ceasefire State-makings: Justice provision in an area governed by the New Mon State Party	Annika Pohl Harrisson (AU) & Thang Sorn Poine (EMReF)
11:00 - 11:30	Coffe break	
11:30 – 12:30	Roundtable discussion: Myanmar where now?	Louise Riis Andersen, moderator (Danish Institute for International Studies)
12:30 – 13:30	Lunch	
13:30 – 15:30	Visit to Moesgaard Museum for seminar participants	

Abstracts: Everyday Justice and Security in the Myanmar Transition seminar at Moesgaard, April 26-27, 2017

Everyday Justice in Myanmar – research objectives, capacity building and initial findings

Helene Maria Kyed (Danish Institute for International Studies), Coordinator of the EverJust project.

EverJust is a four-year research project that explores everyday dispute resolution and security in the Myanmar transition. Fieldwork is carried out in selected areas of Yangon, and Mon and Karen State, including those that the main ethnic armed groups *de facto* administer. The project supports research capacity in Myanmar through joint fieldwork, training and international publications. Apart from academic outputs, the empirical findings will feed into policy debates about justice sector reform and peace building. Initial findings, show that ordinary citizens prefer to have disputes and crimes resolved within their village or neighborhood through informally negotiated settlement. When cases cannot be handled locally, people draw on a range of informal actors rather than address the formal justice system. This reflects a plurality of authorities and normative orders in Myanmar, and the contested role of the state. Apart from a general mistrust in the state system, cultural and religiously informed perceptions of problems also influence the preference for local and informal solutions.

Civil society and Peacebuilding in Myanmar

Michael Lidauer, Independent Researcher

Securing community through property. A case study from Yangon.

Judith Beyer, Universität Konstanz

In Myanmar, we know that ethnicity and religion are strongly interrelated concepts. We also tend to speak of non-Buddhist religious groups as 'communities.' In my ongoing research in Yangon, which focuses on Hindus, Muslims and Christians, I have begun to scrutinize the very concept of 'community.' Employing an ethnomethodological approach, I investigate how self-identifying community members perform their 'communities' into being. In my paper, I will focus on the role that the communities' religious property plays in this regard. Taking the ethnographic example of a temple in

downtown Yangon, I describe one of many strategies of securing 'community' which I have come to observe during my field research. The case I present encompasses several decades and involves the deliberate involvement of the High Court. My data is based on a twelve months of ethnographic fieldwork between 2013 and 2016.

Do we really understand Ma Ba Tha?

Matthew Walton, University of Oxford

Ma Ba Tha, the Organisation for the Protection of Race and Religion, has been vilified by most foreign observers as an anti-Muslim nationalist group that also led a strong public campaign against Daw Aung San Suu Kyi and the NLD in the 2015 election in Myanmar. While these characterisations might be accurate, they are certainly not complete. Ma Ba Tha is made up of Buddhists with a diverse range of views and is oriented just as strongly toward the propagation of Buddhism through education as it is toward the protection of the religion against a perceived Muslim threat. Anyone seeking to respond to the organisation's anti-Muslim impulses must develop a more nuanced understanding of its leaders' and members' perspectives, through close study of its publications and activities. This presentation will be based on data gathered as part of a research project entitled "Understanding 'Buddhist nationalism' in Myanmar."

Buddhism and Nationalist Ideology in Myanmar – Monks, Muslims and Morality

Mikael Gravers, Aarhus University

In my talk, I attempt to identify the core of the nationalism purported by Ma Ba Tha monks and its effects on justice and security for Muslim and Hindu communities in Karen State. I argue that the nation-wide nationalist discourse on race and religion appeal to many Burmans still uncertain about democratization and the transition. Among many Burmans, there is a widespread ontological fear of losing control, of losing identity; whereas most Muslims and Hindus, who are denied national identification and citizenship, fear more discrimination and violence. Burmans act by creating closed ethnic/religious boundaries locally; the Muslims and Hindus react by a self-subjugation and avoidance of problems. I argue that the present nationalist ideology engages Buddhism, that Ma Ba Tha monks are extreme nationalists, and a danger to democratization. Moreover, they create not only fear but also specific injustices and insecurity to local communities.

Peace and Security as envisioned by major ethnic political parties in the context of Myanmar's bi-election 2017

Myat The Thitsar, Enlightened Myanmar Research Foundation (EMReF)

Ceasefire State-Makings: Justice provision in an area governed by the New Mon State Party

Annika Pohl Harrisson, Aarhus University & Thang Sorn Poine, Enlightened Myanmar Research Foundation (EMReF)

We explore present-day justice provision in a rural area that is governed by the New Mon State Party (NMSP), and describe how the NMSP justice system is organized and practiced, including the links to village dispute resolution.

In this context Thang Sorn Poine will explore the gendered aspects of access to everyday justice in the area. She argues that women find it unpleasant within society as such to report their cases in public and even to raise complaints inside the family. Seeking justice by women is seen to create shame and the loss of face for the family and for society as a whole. Thus, women tend to hide their criminal and civil cases. This is further related to the fact that most justice providers, from village level and upwards in the system are men, and that acts like domestic violence by many villagers are not regarded as crimes.

A core argument in the talk is that the NMSP justice institutions enjoy widespread legitimacy and are seen as a significant back-up by the ethnic villagers when disputes and crimes cannot be resolved at the village level. Although the systems have suffered due to the conflict, they are considered as *the* state institution, with legal documents and authorization, to deal with bigger issues. Importantly, the recent ceasefires have enabled the NMSP to strengthen and reform their justice institutions, rather than leading ethnic villagers to turn to the official Myanmar courts. I draw on a joint paper with Helene Maria Kyed (forthcoming) and use the concept of 'ceasefire state-making' to describe this process. This focus challenges a common notion that the ceasefires are only leading to an encroachment by the Myanmar state into the ethnic areas. Whereas this is certainly also experienced by villagers and feared by the Ethnic armed organization, the reverse is also true: the NMSP has to a certain degree strengthened its state systems. A core challenge for these systems are the in-between or frontier areas inside the country, where the EAOs co-exist with other EAOs or with Myanmar state institutions. Jurisdictional ambiguities and competition for authority in these areas indeed reflect that what is at stake is not simply armed control and extraction, but also state-making efforts that seek to create order and legitimate governance.