



Chapter 2

EMERGENCE OF TAI YAI "REFUGEES/ DISPLACED PERSONS" IN THAI-BURMA BORDER AREA IN THE 1960S

2.1. Cause of This Refugee Flow

The coup and the establishment of the military government led by General Ne Win in Burma in 1962 marked a moment in the migration scene between Thailand and Burma by increasing the flow of Burmese immigrants, say refugees/ displaced persons, into Thailand. Although the event became a big turning point, not all things happened suddenly in 1962. The underlying factors induced the coup and following, or might be advanced, flows of refugees/ displaced persons have existed since Burma gained independence from the British in 1948; disorders, various conflicts, and instabilities can be found throughout the contemporary history of Burma.

In this section, I review the factors on the Burmese side which produced the flow of refugees/ displaced persons from historical and political aspects, socio-economic aspects, and ethnic and cultural aspects. I try to display how these factors combined to produce and to become the background of the flows of refugees/ displaced persons.

2.1.1. Political Situation in Burma during 1948-1962

On March 2, 1962, the Burma Army, led by General Ne Win, staged a coup and seized power. This coup was justified by the military as "the action of saving the nation from a critical situation".¹ This very critical situation is thought to be the result of mismanagement by the prime minister U Nu, such as crisis of collapse of the Union caused by growth of ethnic minorities' demands for more autonomy and decrease of administrative power caused by factionalism and splits of the leading party, the Anti-Fascist People's Freedom League (AFPFL). U Nu's shortsighted policy-making is said

¹ Hirayoshi Sakuma, *Biruma Gendai Seijishi (Contemporary politics of Burma)*, (Tokyo: Keiso Shobo, 1993), p.35. (in Japanese)

to be a result of being caught in power struggle in his own AFPFL; he could consider nothing but staying in power.² But all the blame cannot be placed on U Nu alone. These problems have their roots since, or even before the independence of Burma and have formed potential causes of chaotic situations.

In 1948, although it became a memorable year when Burma gained independence and put a period on British rule which began with the annexation in the 19th century, Burma started to struggle to build its own nation. The new nation faced the devastation after the World War II, a destructed economy, the lack of strong leader, and a complicated ethnic composition which made it difficult to have a unified nation; all of these factors threatened the very existence of an independent Burma.³ These were soon followed by various insurgencies, which put Burma in a more difficult position. These insurgencies spread all over Burma and existed even at present. The insurgencies in Burma were mainly composed of two factors: (1) conflicts caused by ideological difference; (2) conflicts caused by ethnic minorities' demands for autonomy.

For the first one, its origins lie in the continuous splits and internal discords of the leading party, AFPFL. The AFPFL, the Anti-Fascist People's Freedom League, being the main pillar of parliamentary democracy of independent Burma, was originally formed in 1944 as an amalgamation of anti-Japanese, pro-independence, military, and political forces under the Japanese military occupation during the World War II. It included a wide range of political views, from mildly socialist to radical communist.⁴ But the unity of the AFPFL was ephemeral once its immediate goal, independence, had been achieved.⁵

² Sakuma, *op. cit.*, pp.22-23.

³ "The state of affairs in Burma when it achieved its independence in 1948 could hardly have been worse. The country had suffered some of the severest air-strikes in Asia during the war; the countryside was ravaged and the infrastructure almost destroyed. The inner circle of competent leaders had been murdered even before independence had been proclaimed. The new leader and independent Burma's first Prime Minister, U Nu, was a talented, intellectual politician but criticized for not being the strong statesman Burma needed during its first difficult years of independence. Army units rose in mutiny, the Karen minority took up arms and demanded a separate state and the communists went underground to organize guerrilla forces." Bertil Lintner, "The Shan and the Shan State of Burma" *Contemporary Southeast Asia*, March, 1984, p.409.

⁴ David I. Steinberg, *Burma: A Socialist Nation in Southeast Asia*, (Boulder: Westview Press, 1982), p.64.

⁵ *Ibid.*, p.59.

The first secession, that of the Red Flag Communists, happened as early as 1946, before independence. This secession followed by that of the faction of the White Flag Communists, which later became the strong insurgent Communist Party of Burma (CPB). Soon after, the faction of People's Volunteer Organization (PVO), which had formed a part of the AFPFL, also split into White Band and Yellow Band, and the White Band followed the White Flags. In 1950, the radical leftist Burma Workers and Peasants' Party (BWPP) was aligned with the AFPFL. These factions became insurgencies and actively have fought with the Burma Army. All of these groups were Communists and relatively moderate Socialists were remained in the AFPFL. The main reasons for these factions and secessions in the 1940s to the early 1950s were the ideological or doctrinal differences in their political directions.⁶

Factionalism in the AFPFL, which had just been secessions and had created no critical moments although it have constantly annoyed the government, finally reached its breaking point, and the AFPFL split in two in 1958. U Nu and Thakin Tin headed the Clean AFPFL, and U Ba Swe and U Nyein the Stable AFPFL. This split was caused by emotional and factional strife, rather than by ideological disagreement.⁷ They two parties fought for national election in 1958, which was finally postponed to 1960, by using any available means; they even armed by mobilizing *Pyu Saw Hti*, the local self-defense forces. Such a situation, in which the leaders were busy fighting for their power games, froze the government's functions and left actual administration behind.

The second factor creating insurgencies was ethnic conflicts, which had deep roots. Originally, Burma had of a multi-ethnic population. According to Martin Smith, ethnic groups in Burma are estimated to make up at least one third of Burma's population of 45 million and over 100 different dialects and languages have identified among them.⁸ Such ethnic diversity raised a big question: how to unite such different people into one nation.

⁶ Robert H. Taylor, *The State in Burma*, (London: C. Hurst & Company, 1987), pp.241-243.

⁷ Steinberg, 1982, op. cit., p.68.

⁸ Martin Smith, *Ethnic Groups in Burma: Development, Democracy and Human Rights*, (London: Anti-Slavery International, 1994), p.17.

This was quite a difficult one to deal with because the Burman-minority relations were stiffened by separated administration of the Burma Proper, composed mainly by ethnic Burmans, and the Frontier Area, composed of ethnic minorities, under the British rule. After an accumulation of many approaches to decrease ethnic tensions, General Aung San, the leader of the AFPFL at that time, finally reached an agreement in 1947, known as the Panglong Agreement, with the leaders of ethnic minorities that they would join the Union.

This agreement accepted full autonomy in internal administration for the Frontier Area, establishment of the Supreme Council of the United Hill Peoples (SCOUHP), and gave the right to secede from the Union after ten years to the Shan and Kayah.⁹ But after Aung San was assassinated in July, 1947, the promises in this agreement became ambiguous, because the "pillar", whom the minorities had trusted, was gone. Finally, in 1948, Burma was independent from the British by forming a unified nation composed of Burma proper and the ethnic states of Karen, Shan, Kayah, Kachin, and Chin Special Division. But the autonomy of these ethnic states was limited, while the Burmese government formed by Burmans held stronger authorities in the fields of defense, diplomacy, finance, and economic development. This inequality added to the dissatisfactions of the ethnic minorities. The first rebellion of Karens¹⁰ occurred in 1948, prior to independence. The Mon and Arakan were also rebellious in the very early phases of independence.

It was not only indigenous rebellions, but also foreign forces, namely the Koumintang (KMT) invasion of the Shan State from Yunnan, China starting in 1949, which inflamed disorder in Burma. Their existence and activities supported by Taiwan with U.S. connivance was troublesome for Burma because it always had to consider over

⁹ Lintner, *op. cit.*, pp.435-437.

¹⁰ This had its roots prior to 1948. "The first major instance of communal disintegration among indigenous ethnic groups were the Burman-Karen riots in the delta and the Salween Districts in 1942, at the time the British were withdrawing..." and as "early as 1928, some Karen leaders had argued for an independent Karen state." Steingberg, 1982, *op. cit.*, p.48.

the need to deal carefully with China, the adjoining big country.¹¹ It is said that in 1949, these ethnic minorities, together with communists and foreign insurgencies occupied about 60% of the cities and villages in Burma.¹²

The civilian government of U Nu was unable to handle these situations and asked for help from the military. In 1958, General Ne Win's military caretaker government came into power given tasks such as recovery of law, order, and economy, and preparation for next national election. Dissatisfied with the U Nu's compromising policies towards communists and ethnic minorities, whom the Burma Army had fought since independence, the military government responded more severely, and suppressed insurgencies, disarmed both rebel armies and civilians, and confiscated the rights left to the autonomy states. This Ne Win' caretaker government's policies towards minorities induced the second stage of outbreak of insurgencies and rebellions all over the Burma.

Prior to 1959, *Sawbwas* (hereditary princes) in Kayah and Shan states still had held their traditional authority to maintain their own budgets, police forces and local tax regimes, as well as appoint their own officials.¹³ But they had been handed to the state in 1959 under the pressure from the military caretaker government to surrender their rights in exchange for a financial payment.¹⁴ This inflamed the Shan nationalist movement, which had already been started in the mid-1950s stimulated by the KMT invasion and the influx of ethnic Burman troops. Right after this settlement, the battle between the Burma Army and Shan guerrillas started in November, 1959, at Tangyan in the northern Shan State. This was followed by rises and falls of various Shan insurgencies.¹⁵ The Kachin rebellion also started in this period.

¹¹ Ibid., p.62.

¹² Sakuma, op. cit., p.236.

¹³ Taylor, op. cit., p.227.

¹⁴ Josef Silverstein, "Minority Problems in Burma since 1962" in *Military Rule in Burma since 1962: A Kaleidoscope Views*, ed. by F. K. Lehman, (Hong Kong: Maruzen Asia, 1981), p.53.

¹⁵ For detail, see Lintner, op. cit., Martin Smith, *Burma: Insurgency and the Politics of Ethnicity*, (London: Zed Books, 1991), and Chao Tzang Yawngghwe, *The Shan of Burma: Memories of a Shan Exile*, (Singapore: Institute of Southeast Asian Studies, 1987).

In 1960, after U Nu won the election, the military handed its power to the civilian government, but U Nu's policies after 1960, mainly the realization of election promises, raised the prospect to the army and to many others of increasing disunity in the state and of the possible loss of independence; establishment of Buddhism as the state religion, the organization of administration for new Mon and Arakan States, and the continuing negotiations with politicians from the Shan and Kayah States over increasing regional autonomy.¹⁶

In particular, the demand of Shan and other ethnic minority leaders for autonomy, which developed into the Federal Movement and which included the discussion on the rights to secession from the Union shown in Panglong Agreement in 1947, was a crucial one for the military. This was backed by their ideological direction as socialists and recognition of the regional politics fully influenced by spread of the cold war into Asia:

The issue of federalism and the possibility of trying to apportion state sovereignty were intimately related to other central questions. The granting of greater autonomy to the states would have allowed them to pursue different patterns of economic development and would have further undermined socialism...The possibility of the secession of the Shan and Kayah States raised the prospect of independent foreign policies for these regions and, should they have elected to do so, of their entry into an alliance with an outside power such as the United States. This would have posed a major threat to the security of the remainder of the state, with the possibility of direct conflict between China and the United States extending beyond Laos and Vietnam to the heart of Burma.¹⁷

Then it resulted in the coup by the military in 1962, led by General Ne Win.

On March 2, 1962, the military rushed into a meeting of the Federal seminar, U Nu and Shan and other ethnic minority leaders attended to discuss the issue of federalism. The military seized all participants, and replaced the civilian government of U Nu. They also arrested the president, members of the cabinet, and justices of the court. Naming themselves as the Revolutionary Council, the military eliminated all legal barriers to military rule; suspended the constitution and dissolved Parliament and the high and

¹⁶ Taylor, *op. cit.*, p.291.

¹⁷ *Ibid.*, p.292.

supreme courts and leaving no threat to their position.¹⁸ Under such a strong authority, Ne Win's military government have enforced various radical, oppressive, and harsh policies for "the construction of a socialist nation".

2.1.2. "Burmese Way to Socialism" and Its Influence

After April of 1962, soon after the seizure of the power, the military government published three documents; *The Burmese Way to Socialism*, *The Constitution of the Burma Socialist Programme Party*, and *The System of Correlation of Man and His Environment*, which laid out basic policies of the government. In these documents, there were seen two important directions which Burma had sought for since the independence; nationalism and socialism.¹⁹ These directions were substantiated by enforcement of exhaustive nationalization policies. It was characterized by elimination of foreign influences, that is the Burmanization of the economy by expelling foreign enterprises, nationalizing private businesses, minimizing the foreign aids and loans, and cutting foreign investments. Two issues were behind this direction: one was to expel Chinese and Indian capitalists who had dominated Burma's economy for a long time and to return the control to Burmese hands to construct Burmese socialism; and the other was to prevent the involvement in the cold war, avoiding receiving aid and being taken into either bloc.

The process of policy enforcement was radical and oppressive because the military government had already gotten rid of legal barriers to their conduct. In July, 1962, the government established the Burmese Socialist Program Party (BSPP) as the main force of driving the construction of socialism. In 1963, moderate planner Aung Gyi was replaced and the pace of nationalization accelerated after the promulgation of the Enterprise Nationalization Law, stipulating that all major industries were to be nationalized by June 1963. All banks and consumer industries were nationalized, and the People's Stores Corporation was established to handle all import and distribution of foreign and local

¹⁸ Steinberg, 1982, op. cit., p.74.

¹⁹ Ibid., p.75.

goods.²⁰ In 1964, with promulgation of the Law to Protect National Solidarity, all political parties except the BSPP were banned and all their property and assets confiscated,²¹ and the military eliminated the possibility of growth of opposition forces as potential obstacles to socialism construction. In order to eliminate the foreign influence, foreign assistance was restricted to modest level throughout the 1960s; the major donor continued to be Japanese²² in the name of war compensation.

Under these policies, most of the experienced economic technocrats and Chinese and Indian businessmen were replaced by inexperienced militants.²³ This resulted in inefficiency, mismanagement, the expansion of corruption, and autocratic measures which, in turn, caused the breakdown of the traditional economy, the deterioration of balance of international trade, and much confusion and disorder in Burma's economy. These economic problems were intensified and, combined with the civil war and international isolation, led to social and political problems.

Real GDP per capita grew slightly but was still below the prewar level; but the Consumer Price Index had risen from 65.3 in 1963 to 100 in 1972.²⁴ Consumer goods production fell, imports of these commodities dropped because of deteriorated balance of trade,²⁵ and the most common necessities such as clothing, soap, medicines, cooking oil, or kerosene were unavailable. This accelerated the expansion of the black market and

²⁰ David I. Steinberg, "Burmese Economics: the Conflict of Ideology and Pragmatism" in *Military Rule in Burma since 1962: A Kaleidoscope Views*, ed. by F. K. Lehman, (Hong Kong: Maruzen Asia, 1981), p.31.

²¹ Ibid.

²² Ibid.

²³ The military government forced many Indians to leave Burma without their assets. "The entire business community was severely hit by these acts but the heaviest blows fell on the Indian businessmen who controlled 60 % of the trade and commerce of the country." Maung Maung Gyi, "Foreign Policy of Burma since 1962: Negative Neutralism for Group Survival" in *Military Rule in Burma since 1962: A Kaleidoscope Views*, ed. by F. K. Lehman, (Hong Kong: Maruzen Asia, 1981), p.15.

²⁴ In 1938/ 39, it was 395.3 Kyat, 335.4 Kyat in 1961/ 62, and 374.1 Kyat in 1970/71. Steinberg, 1981, op. cit., pp.31-32.

²⁵ Sakuma writes that the military government reduced imports to balance the decrease of exports and foreign exchange till the 1970s instead of calling for foreign investments and businesses to lead the flow of foreign currency. Sakuma, op. cit., pp.88-89.

smuggling of goods from neighboring countries²⁶, which was the major source of revenue for insurgencies. Repeated demonetizations of high-priced bank notes, aiming at invalidation of wealth accumulated by capitalists and foreign funds and suppression of the growing black markets, severely struck the economy of ordinary people by invalidating their little savings. In 1966-67, due to a poor harvest caused by adverse weather conditions, the subversive operations of insurgencies, and the government's inefficient collection system, the government did not even have enough rice to distribute. The shortage of rice was so serious that there were many strikes and riots by the populace throughout Burma. These popular movements were suppressed by the military.

The basic commodities necessary for daily life were basically unavailable because of the very low productivity of the national factories. Those few goods that were available were very expensive or of poor quality. The rice available was insufficient to feed entire families, and other food products were prohibitively expensive. The little money that people held could be invalidated at any time, and there were few jobs available because of stagnate economy. This was the situation in Burma in the 1960s. The people were starving, were disappointed at the military's construction of a socialist nation, and were too exhausted to work for their own survival. The dissatisfaction of the people accumulated. However, under the strict military control, they had no means to express this dissatisfaction to the government. With having no prospect of improvement for their home country's economy, many of them left Burma for neighboring countries to find jobs, or just simply to survive. This is also the conclusion drawn by the Burmese Way to Socialism.

2.1.3. Ethnic Policies in Upper Burma in the 1960s

The diversity of Burma's ethnic composition and complexity of the majority-minority relations were described in the former section. As the military government had

²⁶ Cf. "It is unofficially estimated that between 70 and 80% of all consumer goods in Burma originate from Thailand, ranging from car and motor-cycle components to pharmaceuticals." Micheal K. J. Vatikiotis, "Ethnic Immigrants from Burma in Northern Thailand: 'Refugee' or 'Displaced Person'?" A paper delivered at the International Conference on Thai Studies, Bangkok, August 1984. p.21.

recognized it as a crucial issue which endangered the unity of the nation, the Ne Win regime carried out exhaustive and strong ethnic policies after their seizure of power.

Silverstein sums up:

...under military rule, the structure of Burma's government has changed from a quasi-federal to a unitary state. Burmanization, together with nationalization, is the objective of the men in power and all of their policies are directed towards this goal.²⁷

Background of this direction was the way of interpretation on the ethnic problems in Burma by the AFPFL leaders, including U Nu and other successors to Aung San, since the independence:

...there were leaders among the Burman who felt that the ethnic, cultural and territorial divisions amongst the people of Burma were artificial and largely the result of British rule and colonial policy and that in fact all the people were really one. This group thought that national unity could be recovered through the development and use of a common language and educational system and the emergence of a national culture. They believed that in time the diversities among the people would gradually give way to the emergence of a single identity which would draw heavily upon Burman language, culture and tradition.²⁸

In this view, British was in the position to be blamed by dividing the "Burmese family of race"²⁹ into Burman and the ethnic minorities through its "divide-and-rule" policy. According to this, ethnic minorities in the Frontier Area had not been a separate existence prior to British rule, but were forced to be separated by its policy, and this should be remedied by their integration to the Union of Burma.

Following this interpretation, control over the Frontier Area was reinforced after the coup. This assimilation policy included formation of centralized system, emphasis on a single "Burmese" identity, and suppression of ethnic minorities. They created "a centralized bureaucracy whose network radiated outward from Rangoon to the borders of the nation in the area under its control" and this was "composed of representative from the

²⁷ Silverstein, *op. cit.*, p.58.

²⁸ *Ibid.*, p.51.

²⁹ Smith, 1992, *op. cit.*, p.18.

military, administration and the police are not from the people in the local area."³⁰ At the same time, Rangoon emerged as "the center of government, education, business and industry, and leaders among minorities also were drawn to the capital where they were acculturated and assimilated to "Burmese culture which was predominantly Burman."³¹ Minority people were granted access to the culture of the dominant Burmans and the opportunity of upward socio-economic and political mobility, but it had to be through assimilation.

The single identity of Burmese, the Burmanized culture of the Burmese Way to Socialism, was not only emphasized and promoted, but became the only real national cultural expression allowed. Public signs of Burma's multi-cultural life were largely limited to folk dances and national costume parade, ethnic minority clubs and associations were discouraged, and newspapers in minority languages were also banned.³² David Brown characterizes Burma with such centralizing and assimilationist nature as "ethnocratic state".³³

This centralization and Burmanization policy, as seen from another perspective, was nothing but discrimination against and oppression of ethnic minorities and their cultures and languages. All literature and expression of ethnic minority cultures has been interfered with and controlled by government restrictions. Ethnic minority writers and teachers who opposed government restrictions or encouraged expressions of cultural identity and the use of their own language have faced considerable harassment.³⁴ The ethnic minorities could not consider these as being in the process of integration which brought them into the mainstream of national life as equal partners, but rather felt to be second class citizens in every field, whether it be language, culture, education or

³⁰ Silverstein, op. cit., p.54.

³¹ Ibid., pp.52-53.

³² Prior to 1962, there were 12 newspapers in minority languages. Smith, 1991, op. cit., pp.103-104.

³³ David Brown, "The Ethnocratic State and Ethnic Separatism in Burma" in *The State and Ethnic Politics in Southeast Asia*. (London : Routledge, 1994). p.34.

³⁴ Smith, 1991, op. cit., p.104.

development by being pushed to the marginal position of Burmese society.³⁵

Paralleled with such assimilation and Burmanization policies, the direct military control over ethnic minorities, especially over ethnic insurgencies, was tightened. In 1963, Ne Win proclaimed a general amnesty for all insurgents, and tried to negotiate peacefully with all groups in revolt in order to end the long period of insurgencies. Although the talks were held over several months, nothing fruitful came from the meeting except the agreement with one small group of Karens.³⁶ It was then when Ne Win completely abandoned Aung San's "Unity in Diversity" and the federal structure of the 1947 constitution, and started an all-out counter-insurgency campaign against these groups.³⁷

This military operation in the Frontier Area, with the Burmese military's disregard for the safety and welfare of non-combatants in the areas of operation,³⁸ resulted in damage not only to the rebel armies but also to the civilians of ethnic minorities. In addition to active abuses, the harmful and passive disregard of the Burma Army for these people is documented. The indigenous peoples viewed the Burmese army's operations in their home area as invasions.³⁹ Many cases of forced labor, forced relocation, unlawful imprisonment, torture and executions were reported in the Frontier Area,⁴⁰ and the number of civilian casualties caused by these operations has been estimated to be as high as 10,000 fatalities a year.⁴¹

Where there were the Burma Army's operations, of course, there were rebel armies. These rebel armies also bothered and endangered the lives of local villagers. While the rebel army were stationed in the villages, they behaved roughly or disrespectfully to the

³⁵ Ibid., pp.35-36.

³⁶ Silverstein, op. cit., p.54.

³⁷ Smith, 1991, op. cit., p.25.

³⁸ Edith T. Mirante, "Ethnic Minorities of the Burma Frontiers and Their Resistance Groups" in *Southeast Asian Tribal Groups and Ethnic Minorities: Prospects for the Eighties and Beyond*. ed. by Benedict R. O. G. Anderson. (New Heaven: Cultural Survival Inc., 1987). p.67.

³⁹ Ibid., p.59.

⁴⁰ For detail, see Mirate, op.cit., and Smith, 1991, op. cit.

⁴¹ Smith, 1991, op. cit., p.73.

villagers. They demanded and sometimes stole rice, chicken, pigs and other foodstuffs from villagers, committed rape and other violent act. Conscription into the rebel armies also caused the villagers to suffer; even children in their low-teens were drafted as rebel soldiers⁴² and lost their lives in the battlefields.

All these situations were derived from the government's ethnic policies, and they affected and endangered the lives of the people, as well as the right to express and pursue their ethnic identity, in the Frontier Area which had turned into battlefields for the Burma Army and the insurgents. They lost their homes, property, and families, and were threatened by abuse or death on a daily basis. Some left the country to ensure their cultural and ethnic rights, but most of them left because it was the only way to save their lives. Many of these people came to Thailand as refugees/ displaced persons.

2.2. Status of Tai Yai "Refugee/ Displaced Persons" in the 1960s

2.2.1. Their Flow into Northern Thailand

As seen in the former sections, above-mentioned factors combined to push refugees/ displaced persons out of Burma. Although the flow had already started before the coup in 1962, the large scale outflow was triggered by the establishment of the military government and its subsequent oppressive policies. The Shan State, the home of most of Tai Yai refugees/ displaced persons, has suffered from these oppressive policies and campaigns of the Ne Win regime as much as, or much more than, other frontier states composed of ethnic minority populations.

The demand for the Shan State's secession from the federation, and the spread of the Federal Movement which involved other ethnic states, are generally said to be one of the factors that triggered the coup in 1962,⁴³ so the Burmese military has since kept a close

⁴² Ibid., p.117.

⁴³ "It had become clear that the Burmese leaders felt uneasy with the federal structure and held that only a strong unitary state could solve Burma's problem. The Shan princes were regarded as obstacles to the amalgamation of all the states and the Burmanization of the frontier areas." Lintner, *op. cit.*, p.411; Martin Smith strongly states the importance of the Federal Movement as a cause of the coup, Smith, *op. cit.*, 1991, p.196.

and constant watch on the situation in the Shan State. The Shan State had been the stage of its own nationalist movement and ethnic insurgency groups, as well as the activities of other tough anti-government forces, such as the Communist Party of Burma (CPB), People's Volunteer Organization (PVO), Pa-O rebel allied to Karen National Defense Organization (KNDO), and Kachin Independence Organization (KIO).

But even prior to the coup, the Shan State has been the center of military attention because of the existence of Koumintang (KMT) forces. Thus, such situation allowed the Burmese Army to station there and to interfere the affairs in Shan State since the 1950s, but especially after the establishment of the military government, the military started to carry on much harsher measures against ethnic minorities, including both the rebel armies and civilians. The fights between the Burmese Army and various insurgency groups have taken place everywhere in the Shan State; in the jungles, farmlands, or villages of ordinary Tai Yai people. Everywhere the Burmese and insurgency group armies are stationed, ordinary villagers have suffered from the misbehavior of the soldiers. The local people have suffered from an economic standpoint, as conscription to the Burmese Army leads to a diminished labor supply, and the activities of the armies destroy paddy fields. Those who could not withstand such difficult situations chose to leave for Thailand.

During and after the 1960s, most of the Tai Yai refugees/ displaced persons from the Shan State went to adjoining Northern Thailand, for example, Chiang Mai, Chiang Rai, and Mae Hong Son, where they originally had ethnic, cultural, trading, and migration connections.⁴⁴ According to the classification by Khajathpai, mainly two groups of refugees/ displaced persons were found in Northern Thailand: one is refugees/ displaced persons who were soldiers in insurgency armies; and other is refugees/ displaced persons who were ordinary people.⁴⁵

⁴⁴ Cf. Map 3, p.118.

⁴⁵ Khajathpai Burutphat, "Phu Pladthin Sanchart Pama: Banha Iae Neaw Thang Kee Khai" (The Displaced Burmese Nationality: Problem and Guideline, Solution), a paper presented at Seminar on Minority Groups in Northern Region, 1982, Chiang Mai University, p.3. (in Thai)

The first group includes soldiers and activists of Shan anti-governmental forces that were a part of the continuing Shan nationalist movement since the late 1950s. Some of them have their bases in the border area between Thailand and Burma, and sometimes have crossed the border to enter Thai territory when they face with the danger on the Burmese side. The families of these soldiers sometimes live in the hamlets that the insurgency groups have established in the border area, mostly in Thailand.⁴⁶ These groups living in the border area finance their military by such activities as taxation of border trade and opium smuggling. These people are troublesome for Thailand because of their involvement in opium trade, and their frequent fights with the Burmese Army, which makes the border area unstable. Khanjatphai summarizes the basic policies of Thai government towards these kind of people as follows: (1) Thai government never supports the activities of insurgency groups, (2) these people should be treated within the framework of Thai law and international law, and the support of humanitarian basis to these people should be minimized at the level not exceeding necessity, (3) Thai government should control and regulate these people tightly, (4) if any incidents happened in this area caused by these people, the Thai government does its best to limit the incidents and to settle them down as soon as possible to prevent an impact on the security of Thai citizens living in the area.⁴⁷ But they have another function for Thailand, serving as a buffer which contributes to Thailand's anti-Communist strategy. This was backed by the international and regional politics at that time. Steinberg writes:

Thailand viewed the development of a strongly socialist state in Burma with considerable alarm. Always fearful of a left-wing regime to its west, and with a war in Indochina to its east, the Thai were concerned that a militant leftist government in Rangoon could destabilize some of the frontier areas.⁴⁸

Because of such fear, some of these insurgency groups settled along the border as breakwaters buffering the influence of communists. Bertil Lintner writes on this matter

⁴⁶ Ibid.

⁴⁷ Ibid., pp.19-20.

⁴⁸ Steingberg, 1982, op. cit., p.82.

as follows:

The Thai policy encouraging rebel groups to settle along its border with Burma goes back to the rule of Phibun Songkhram (1947-57) and Sarit Thanarat (1958-63). They had hoped that in exchange for the freedom of movement and access to logistic support from Thailand, these groups could provide protection against communist infiltration in the area⁴⁹.

This policy, however, has caused problems for the Thai government because some of these buffer groups are obviously involved in the narcotics trade.⁵⁰

The latter group of refugees/ displaced persons who were ordinary people, is mostly composed of those who suffered from multi-faceted difficulties in the Shan State starting with the invasion of the KMT and the following influx of Burmese troops. Lintner writes on this issue that the "KMT invasion and the devastation of the countryside had destroyed the traditional rice-based economy of Shan State" and farmers "had to become porters for the government troops during their offensive against the insurgents."⁵¹ He also cites the description of Kengtung State by an American missionary there:

For many years, there have been large numbers of Chinese Nationalist troops in the area demanding food and money from the people. The area in which these troops operate are getting poorer and poorer and some villagers are finding it necessary to flee.⁵²

Such situations made many farmers leave the paddy fields and choose opium cultivation instead, which is the only way to earn a certain amount of cash for them, but, at the same time, made Tai Yai people infamous as one of the opium growing tribes. The very persons who were caught in crossfire between the Burmese Army and insurgency groups were these ordinary Tai Yai villagers. They were also uprooted and displaced because of the government's campaign of forced relocation known as Four Cuts or strategic hamlet operation. The operation aimed at cutting of the four main links, of food, finance,

⁴⁹ Lintner, op. cit., p.433.

⁵⁰ Ibid.

⁵¹ Ibid., p.417.

⁵² Elaine T. Lewis, "The Hill Peoples of Kengtung State" *Practical Anthropology*, 4, No.6, 1957, cited in *ibid.*, p.411.

intelligence, and recruits, between civilians and armed opposition forces by containing whole community into “strategic hamlets”, which are fenced in and subjected to tight military control.⁵³ According to Smith, tens of thousands of communities have been destroyed or removed by such “Four Cuts” operations over the past 30 years⁵⁴ and produced many internally uprooted and displaced people in the Shan State as well as other states. Both such internally uprooted people and those who feel it impossible to stand to stay in their home country formed the influx of the refugees/ displaced persons into Thailand. They are living in the hamlets that the Tai Yai insurgency groups established in the border area or absorbed into pre-existing Tai Yai societies on the Thai side.

2.2.2. Their Legal Status in Thailand

In the case of Tai Yai refugees/ displaced persons in Northern Thailand, they are not recognized as “refugees”, and unlike the cases of Mon, or Karen refugees/ displaced persons, there are no camps formed for them.⁵⁵ They rather have been left alone for better or worse.

When we see the Thai government’s policies towards refugees/ displaced persons on Thai soil from the 1960s until more recently, it seems to have put much focus on the situation along the eastern border facing Indochina. For the influx of refugees/ displaced persons into Northern Thailand along the western border, especially of civilians, it tends to be treated relatively liberally as “ethnic minorities”.

Although the situation in the western border has not attracted much attention, the Thai government had been very careful about granting Thai citizenship to these ethnic

⁵³ Smith, 1994, op. cit., p.46. The large-scale forced relocation programs in the Shan States are found in the 1990s. Refer to chapter 3.

⁵⁴ Ibid.

⁵⁵ “...the Thai government continues to deny refuge for those persons fleeing human rights abuses in Shan State. Shan refugees fleeing to Thailand have repeatedly pushed back across the border by Thai authorities, and unlike refugees from several other ethnic minority groups in Burma, Shan refugees receive no assistance from international aid groups....The result of the Thai policy has meant that until present, any Shan refugees fleeing to Thailand have been forced to try and survive as illegal migrants.” Shan Human Rights Foundation, op. cit., p.44.

minorities⁵⁶ because the “only tangible threat posed by these minority groups to Thai sovereignty is with the possibility of their having to ally themselves with communist groups backed by China or Vietnam.”⁵⁷ Thailand views insurgency groups coming across the border as the threat to Thailand’s security. Thus the Thai authorities deemed it inappropriate to give such migrants Thai citizenship. In the Nationality Act promulgated in 1965, we can see the provision regarding its consideration of the kind of people who may harm Thailand’s national security.⁵⁸ Because the Thai government believed that hill tribes and other ethnic immigrants could be communist spies or supporters of activities which endanger Thailand’s national security, they were often refused Thai citizenship. These groups can stay in Thailand, but do not have the same rights as “refugees” or “citizens”.

The rationale for this relatively liberal policy making in the 1960s might be due to the fact that there were no major conflicts between refugees/ displaced persons and local villagers as seen in the cases of refugee influx in the eastern border area.⁵⁹ This area has had a continuous influx of Tai Yai immigrants for a long time, so Tai Yai refugees/ displaced persons that have come after 1962 followed the same routes and were naturally absorbed into pre-existing communities without conflict. Linguistic and cultural similarities reduced the seeds of conflict.⁶⁰

Khajatphai writes that the Thai government’s liberal policy towards refugees/

⁵⁶ Nationality Act in 1992 basically shows the principle of birth in territory, but also includes the principle of descent. The person who is born in Thailand can get Thai nationality, but excluding the person whose father or mother is alien. So actually, not all of children who are born in Thailand get Thai nationality. Also naturalization shown in section 10 of Nationality Act also include detailed regulations. See *Nationality Act [No.2] B.E.2535 & [No.3] B.E. 2535*, from *Government Gazette*, Vol.109, Part 13, February 1992. Also refer to Vitit Muntarbhorn, *The Status of Refugees in Asia*, (New York: Oxford University Press, 1992), pp.135-138.

⁵⁷ Michael R.J. Vatikiotis, “The Problem of the ‘Burmese’ Minorities in Northern Thailand: A Historical Perspective” *Political Science Review*, No.3, August, 1982, p.91.

⁵⁸ *Nationality Act B.E. 2508*, from *Government Gazette*, Vol.IV, No.26, August, 1965.

⁵⁹ Gary J. Risser, “Thai Policy towards the Burmese Displaced Persons 1988-1993” M.A.Thesis, Chulalongkorn University, 1996, p.6.

⁶⁰ Khajatphai, *op. cit.*, p.7.

displaced persons has become one of the “pull factors”⁶¹ that has induced the flow of refugees from Burma. They come because they feel sure that the Thai government would never push them back to Burma.⁶² This is especially true in the case of civilian refugees/ displaced persons. The Thai government makes allowances for their refuge in Thai territory for humanitarian reasons once they have entered Thailand. According to Vitit, this continued until 1990.⁶³



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⁶¹ This concept of “pull factor” is now attracting attentions in analysis of refugee movements. Kurimoto shows the example of such pull factors for African refugees as medical care, educational opportunities, and supply of other foods and stuffs in refugee camps. Kitagawa Fumi, “Nanmin: Nanbu Afirika ni okeru Eikyou to Henryuu” (Refugees: Trans-Border Migration and Settlement in Southern Africa” in *Ido no Minzoku-shi (Ethnography of Migration)*, ed. by Shinji Yamashita, et.al. (Tokyo: Iwanami Shoten, 1996), pp.205-232. (in Japanese)

⁶² Khajatphai, op. cit., pp.10-11.

⁶³ Vitit, 1992, op. cit., p.131.