



Title: Myanmar's federal dream and its political dilemmas

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Abstract

The word federation is literally translated in Burmese as “Pyidaungsu” meaning a collection of nation-states. Federation is perceived as the most suitable political system to accommodate the country's diverse ethnic groups.

The idea of federation for a new nationhood was formed on the verge of the independence. Traditional leaders of Ethnic Shan, Kachin and Chin and leaders of the Burmese independent movement agreed on a form of federal government. They signed a historic agreement, the Panglong Agreement, on the 12th of February 1947 that promises equality and self-rules for ethnic minorities in return for their choice to join the soon to be established a new union of Burma.

Since the independence in 1948, three constitutions were introduced, but the country is nowhere near a federal system. All the constitutions carried the title “Pyidaungsu” to refer the country as “a collection of nation-states”, but all the constitutions were unitary with a highly centralized government. The constitutional crisis is underpinned by political cultures and worldviews of political elites. Burmese chauvinism and ethno-centric movements have been in contest over seven decades and the country is now the home of the world's longest civil war.

The Spring Revolution that has emerged after the military coup on the 1st of February 2021, the ethnic armed organizations as well as the State Administrative Council (SAC) or the coup military leaders all claim that federal democratic union is the only future for the country. But federalization in Myanmar is still unattainable.

On the other hand, despite non-existence or ineffective formal local government institution, the local communities in many parts of country have carried out self-rules and addressed their community needs on their own. These informal local governments are formed out of necessity, self-reliant and have the local people's support.

This paper will examine political culture and mindset that shape and break the federal dream and discuss the best possible model for federalization in Myanmar.

(Note: The country's name was changed from ‘Burma’ to ‘Myanmar’ in 1989 by the military junta under the leadership of Senior General Than Shwe. The name changing was politically provocative because the Burmese population see that the military junta was illegitimate and did not have the right to change the name of the country. The name Burma or Myanmar has been a matter of political choice, but this paper will use the name Myanmar instead of Burma for the purpose clarity and easy understanding.)

Introduction

A country that is blessed with multi-ethnic groups, officially 135 ethnic and sub-ethnic groups with the Burma or Burman as the majority ethnic group, is struggling to hold together as a country. On the verge of independence from the British colony, federalism was viewed as the most appropriate system to accommodate the diverse ethnic groups and leaders of ethnic groups representing the Frontier Areas and leaders of the Burmese independent movement representing the Burma Proper areas, negotiated for the future union and signed the historical accord to form a federal system. More than seventy years have passed, the country is nowhere near federalism.



Ethnic identity, indeed, has been subject to political manipulation, and the state has been fueling ethnic tension using various policies and methods including systematic marginalization of ethnic minorities, denial of cultures and customary practices other than that of the ethnic majority Burman and severe oppression of any political opposition. Burmese or Burman as an ethnic group, on the other hand, has been promoted as homogeneity and the representative of all ethnic groups (Furness, et al., 2020, p26). This Burmese chauvinism has been diversified and produced snowballed effects. Consequently, ethnic tension not only between the majority Burman ethnic and other non-Burman ethnic minorities, but among different ethnic minorities have spread. Ethnically diverse country that once coexisted relatively peacefully, has been turned into a field of identity hostility. Severe political oppression, on the other hand, has forced several ethnic groups to choose armed struggle believing it is the only way to make their political assertion. There are more than one hundred non-state armed actors in ethnic states and many of them are at war with the Myanmar Army. Armed conflicts have dragged on for several decades, and violence and human right violations, especially in ethnic minorities states, are rampant. Myanmar is now the home of the longest civil war in the world and the problems are getting worse.

Recently, the tribulation of civil war has been extended to areas where no armed conflict has never been affected. The latest military coup on the 1st of February 2021 has escalated armed conflict because peaceful anti-military coup demonstrations have turned into armed struggle after civilians were mercilessly suppressed and many have been forced to take up arms to defend themselves. New and sprinkled armed actors in the name of People Defense Forces (PDF) quickly emerged in several parts of the country and have been at war with the military regime. Within months, the political landscape of Myanmar has quickly changed and the country has been turned into a massive and complex armed conflict zone, and the Myanmar army is now in the middle of the crisis and the common enemy of all sides. New political actors such as the De Facto government known as the National Unity Government (NUG) was formed with MPs elected in the 2020 elections and other anti-military coup political forces, and the National Unity Coordination Council (NUCC) that made up of civil opposition groups and some Ethnic Armed Organizations (EAOs, also called Ethnic Resistance Organizations) have emerged as new actors and taken the center stage of the resistance. NUG, NUCC, EROs and PDF all have either directly or indirectly formed coalitions and called for a federal democratic union. The coalition groups have laid down the Federal Charter that outlines a new federal democratic constitution (South, 2021; Fortify Rights, 2022).

Federalism, after several decades, has made a return and represented a flash of hope for the people of Myanmar despite ruthless political oppression and armed conflict. The Spring Revolution that has emerged from the recent anti-military coup movement is no doubt has resurrected federalism as the spirit and political aspiration of the people in Myanmar. Federalism has been brought back to the forefront of the struggle for political changes and it is believed that the country's deeply rooted political crises can only be solved by establishing a federal democratic system that grants equal rights and internal self-determination to all its ethnic groups. However, the centralized political system that has been the dominant ideology of the state for more than half of a century,



continues to take its tolls. Federalism maybe accepted in principle but there are practical challenges and barriers that hinder the transformation to a democratic federal system. Not only that the Myanmar military that is in control of the power is unwilling to give up its domination, but there are also practical issues among democratic opposition groups that are still hindering the democratic transition due to lack of experience and necessitous democratic cultures.

On the other hand, informal local governance in several parts of the country, especially in areas where the government has failed to provide basic services for several decades have revealed that home-rules are active and strong at the community level. For several decades, local communities, in both rural and urban areas, have been poorly served by the government and in most cases, they are left to deal with their own community welfares. In the absence of formal government services and provision, local communities learn to develop their own methods of solutions, many have emerged as sustainable and well-organized self-help community-based actors representing the very kernel of the federal system (Eloff, et al., 2018). Ethnic armed organizations that control extensive territories in several parts of the country also provide administrative services including education, health care, justice and natural resources management to the population living in their controlled areas (Jolliffe, 2015; South, 2022).

This paper will attempt to explain the negotiation for a new federal union, constitutional crises that tamed the country in a unitary system, the deep-rooted authoritarian mindset and Burmese chauvinism that hinder the development of democratic cultures and the window of opportunity that is presented as informal local governance with a potential to make federalism a reality.

Historical background

Myanmar's pre-colonial past was a land of power struggle among the Burmese, the Mon, the Rakhine and the Shan kingdoms competing for the domination in the lowland areas. The Burmese kingdom was in high power when the British arrived in the 1800s. After three wars, the Burmese realm was ended and the region was the under the British colonial rule over a hundred years from 1825-1947. The British ruled the region in four different territories. The Ministerial Burma comprised Burma Proper that included the vast central plain and lowland areas, the coastal areas encompassing the Ayerrawaddy delta area, the Yakhine, the Mon and the Thaninthayi coastal regions, and they formed a single colonial entity. The Hill Areas that surround the Burma Proper were the Federated Shan States, the Kachin Hills and the Chin Hills, and they were treated under three different Acts and Regulations. In other words, the Hills Areas were ruled indirectly and were left to their own traditional rules. There was also the Karenni territory in the Southeast of the country regarded as "no man's land" because of the agreement made on 21st of June 1875 between the British and the Burmese Royal Minister *Kinwon Min Gyi*, to leave the area alone (Khau Marko Ban, 2021, P. 18).

During the final days of the British colony, the different territories decided to come together and create a new country. The defining moment in the making of the present-day Myanmar was the



signing of the Panglong Agreement on the 12th of February, 1947. The Accord was signed by Aung San, the supreme leader of the Burman nationalist front, the Anti-Fascist People's Freedom League (AFPFL), and leaders of the Frontier Areas including the Kachin, the Chin and Shan *Saophas* or (Lords of the Sky) led by *Sao Shwe Thaike*, who became the first President of the Union of Burma (Khau Marko Ban, 2021).

The day the accord was signed has been celebrated as the Union Day or the founding day of the union or “*Pyidaungsu Nae*”. In the Burmese language, the word for the Union is *Pyidaungzu*, meaning “a collection of nation-states”. The Panglong Accord is politically defining because it represented at that time the aspiration of all leaders, both Burman and non-Burman, to be free, to jointly obtain independence from British rule and sowed the seed for a future federal union (Chao-Tzang Yawnghwe, 2002). For the start, a new form of federal union based on equality and self-rules was in the process of formation and it looked promising. However, four months after signing the Accord in July 1947, the dream of becoming a federalization was suddenly disrupted as Aung San and leaders of the independent movement including a prominent Shan Prince (*Saopha of Mong Pown*) were assassinated during their cabinet meeting. The country that destined to become a federal union was derailed and quickly turned into a unitary state, and afterwards its political future was defined by a series of military coups and never-ending armed conflicts. It was apparent that the agreement to form a federal union based on equality was in fact a unity of controverting dreams. The signatories of the Accord were obviously varied in their visions for the future union. Aung San, the leader of the AFPFL, the umbrella organization leading the independence movement viewed that forming the union between the Burma Proper and the Hill territories that under the separate rules of the British colony, was about protecting the ethnic minorities from the British colony whereas the leaders of ethnic hill people envisioned a union of co-independent and equal national states (Chao-Tzang Yawnghwe, 2002; Khau Marko Ban, 2021).

Ethnic Shan, Kachin and Chin were, however, obviously preserved concerns about the status of their states and demanded that the secession clause to be included in the Union Constitution during their negotiation for the signing of the Panglong Accord (Mg Mg Gyi, 1983, p. 188) and leaders of the Frontier Areas consistently insisted on the guarantee of their autonomy and self-rules in the emerging new nation-state or the Union of Burma (Khau Marko Ban, 2021).

The country's very first constitution was a federal union in name and a unitary in practice (Chao-Tzang Yawnghwe, 2002). Three different constitutions have been put into action since the independence and all of them denied federalism and instead, they all highly centralized power. The constitutions in Burma did not have long life and each barely lasted fourteen years before they were abandoned. The first constitution applied between 1948 and 1962, experienced politically chaotic years until the military seized power in March 1962. The country had no constitution for the next twelve years until the military introduced a one-party political system constitution in the name of the Burmese Socialist Program Party or BSPP in 1974. The civil war was intensified during the years under this constitution, the country was locked away from the international communities and as a result, the country was admitted to the list of the least developed countries



in 1987(United Nations 2018). The BSPP constitution was ended in 1988 when the nationwide uprising for democracy erupted. In the same year, the army staged the coup in the name of the State Law and Order Restoration Council (SLORC) and continued to hold on to power for the next twenty years. The third constitution was introduced in 2008 and it offered multi-parties' democracy and some visible federal features, but the constitution not only allows members of the military permanently one quarter of the seats in all the legislative bodies but also the absolute power to overtake the whole system whenever it sees necessary (Myanmar's 2008 Constitution, Articles 417 and 418). The military coup on the 1st of February 2021 puts 2008 constitution into uncertainty. Nearly half of the past seventy-three years from 1948 to 2022, the country did not have constitution and was under the direct rules of the army. The military consequently has been not the only strongest and most effective institution in the country but also the supreme body that determines the fate and the destiny of the country.

Pre-independence: Negotiations for the future federal union

It is worthwhile to look into the pre-independent events and experiences that brought the idea of federalism into Myanmar's politics and the experiences of negotiations to form a federal union between the independent movement forces and leaders of the people of the Frontier Areas.

Toward the end of the World War II, the independence movement in Burma gained its momentum and the leading nationalist and independence movement under the banner of the Anti-Fascist and People's Freedom League or AFPFL, taking advantage of the weakening position of the British Empire, were contemplating on gaining independence.

The Frontier Areas or the Hill Areas that surround the Burma Proper areas, were under the separated and indirect British rules included the Federated Shan States, the Kachin Hills and the Chin Hills. The independent movement in the Burma Proper also put political pressure on those communities in sleepy Hills Areas. The traditional rulers in Federated Shan States or the *Soaphas* were planning the future of Shan States. The Shan leaders were twisting the ideas between remaining a separate territory under the British rule until they were ready to gain the independence on their own or collaborating with the Burmese independent movement for an early independence, and they were struggling to have a collective voice among themselves. At the same time, young people with anti-colonial spirit in Shan States including the *Ya Pa La* or the Shan State People's Freedom League, the Workers Association, the Shan State Student Union, the *PyiThu YePaw* (Shan State), Youth Organizations, Farmers and workers associations were also heating up the debate for independence. The *Ya Pa La* was led by young and educated people, many learnt and shared the ideas of Marxism, and politically the most active organization. *Ya Pa La's* political aims were not only to gain independence from the British but anti- feudalism or anti-*Soapha's* traditional rule was also on its political agenda. Leaders of *Ya Pa La* teamed up with the Burmese independent movement and together they changed the course of Shan States by turning the idea of unification with the Burma Proper into reality (U Shwe Ohn, 2017; Na Lan Bawk, 2014; & U Tun Myint-Taunggyi, 2013).



The negotiation for independence between the anti-colonial movement led by Aung San and the British government took place in London in January 1947, resulted in an agreement known as the Aung San-Atlee Agreement that outlined the plan for independence of Burma Proper. At the meeting Aung San negotiated for the inclusion of the Hill Areas into the Burma Proper areas for independence. The Shan leaders, the *Soaphas'* Council, sent a telegram to the meeting that was undertaken in England, stating Aung San and his team did not represent the Shan people and their homeland. As a result, the Article eight in the Agreement detailed the plan to hold a meeting with the leaders of the Frontier Areas as soon as possible in order to have their views and choice on the form of association with the government of Burma, and to set up the Committee of Enquiry to find out the political aspiration of the people in the Hill Areas (Aung San – Atlee Agreement, January 1947). Subsequently, the event that led to the signing of the Panglong Agreement on the 12th of February 1947 took place, and the Frontier Areas Committee of Enquiry led by D.R, Rees Williams was set up and the enquiries were taken place in April and May, 1947 in *Maymyo* (formerly part of Shan State) in the same years (Tinker, 1983). Both the Panglong Agreement and the findings of the Committee of Enquiry clearly expressed the political aspiration of the ethnic groups and they wanted a federal system that grants their autonomy and equality (Khau Marko Ban, 2021).

During the negotiation for the Panglong Agreement, Aung San was using the protective approaches and his messages were about protecting the people of the Frontier Areas from the British Colony. Aung San, after returning from England explained to the leaders of the Frontier Areas about his negotiation for independence with the British government, two days before signing of the Panglong Agreement on the 10th of February 1947, says *“the Burmese do not want to see the people of the Frontier Areas under the British colony. We spoke for the Frontier Areas because we want the people of the Frontier Areas to have the same right as the Burmese have. We the Burmese do not like being under the British colony and we also do not want the people of Frontier Areas to be under the British colony. The people of Frontier Areas are promised and will not be subordinated under the Burmese”* (Khau Marko Ban, 2021, pp. 101-102).

But at the same time, he used the tone of threatening. During his visit to the Enquiry meetings on May 19, 1947 in *Maymyo*, the Supreme Council of the United Hills People of the Frontier Areas organized a dinner meeting for him where he urged *“the leaders of the Frontier Areas to adhere to the Panglong Agreement and give the (new) Union ten years to prove his words. He will demonstrate that the people of the Frontier Areas will be satisfied in ten years. After the independence, the Shan leader will be nominated for the president, the Karen will be installed as the Commander in Chief and the other ethnic groups will be given ministerial positions in the government. The secession right and the creation of new states should only be discussed at the constitutional assembly. But if the Shan States do not join the Burma Proper (for independence) they will be attacked and occupied in ten years' time”* (Khau Marko Ban, 2021, p. 140).

However, on the part of The Frontier Areas leaders, they were uncertain. They wanted early independence from the British but were very worried that they could fall prey to the Burmese chauvinism. Their dream was to retain equality, autonomy and self-rule for their territories. In the



negotiation for the Panglong Accord, they insisted on the “secession right” to be included in the Union constitution (Khau Marko Ban, 2021, p. 105). The leaders of Frontier Areas’ fear of chauvinism continued even after the agreement to include the secession clause in the constitution and promises for protecting ethnic minorities were repeatedly given. *Saopha Sao Shwe Thaike* of *Yawnghwe*, the President of the Supreme Council of the United Hill Peoples (SCOUHP) and member of the Upper House, the Chamber of Nationalities, during a debate on the motion to make *Thakin Nu* the Speaker of the Constitutional Assembly, made the point in his speech; “*We the representatives of the Shans, Burmans, Karens, Kachins, etc., are assembled here at this time today to recover the lost ‘freedom’, and to draw up a constitution by which we shall determine our own fate and administer ourselves*” (Mg Mg Gyi, 1983, pp.188-189).

In summary, the experiences of negotiations for a federal system between ethnic people in Frontier Areas and the Burman ethnic dominated independent movement force indicated that forming a federal union based on protecting minority approaches and the accord that only mentioned certain self-rule rather than a clear setting of power sharing between the union and its member states, were proven to be inadequate. As a consequence, the majority ethnic group was given the opportunity to dominate and manipulate the creation of the union.

Constitutional crisis and civil war

Myanmar’s more than seventy years as an independent nation, has not only failed to established the federal system that leaders of the ethnic minorities and the independent movement agreed in their negotiation for a new union, but the unitary system that has dominated for more than seventy years and mainly led by the ethnic Burman leaders, has proven unsuccessful. Three constitutions with highly centralized power, were applied over the past seventy years, and none of the constitution lasted more than fourteen years. For half of the past seven decades, the country did not have constitution but was under the direct rule of the military. Constitutional crises have been the central issue in Myanmar’s political dilemma.

I will briefly look into the constitution crises and the way each constitution failed to meet with political aspiration of the ethnic minorities’ dream to live in a federal system.

The very first constitution was drafted in 1947, soon after the leaders of the Frontier Areas and the leaders of the independence movement agreed to form a union based on a federal system. The constitution was modelled on the Westminster System, and had the president as the ceremonial head of state but did not enjoy veto powers (Ye Tut, 2019, p.30). There are several factors (nuts and bolts) can be discussed about the un-democratic characteristics and un-federalization of the constitution, but the most vivid and crucial flaw can be seen in the formation of the union itself, because the Burma Proper or the core region, instead of being a member of the union, became the central union government. Hanery E. Hale (2004) describes the post-independence Myanmar constitution, from 1948 to 1962, “*its core region, often referred to as “Burma proper,” had no government and legislature of its own and was administered directly*



by the Union government and legislature; only Burma's ethnically de-fined "states" had formal autonomy (Hale, 2004, p.169).

In other words, the Frontier Areas were turned into vassal states that attached to the Burma Proper that acted as the mother-state (Chao-Tzang Yawnghwe, 2002). The chief of ministers for the states were also ministers in the union government and they were responsible for reporting the state affairs to the union government. The constitution included an article that member states, notably the Shan State and the Karenni State, had the right to break away from the union after ten years (1947 constitution, Articles 201 & 202). However, it was obvious that the clause was never meant to be exercised. Instead, it became a reason for the military to justify its action for taking over of power in March 1962. The post-independent AFPFL government (1948-1962) faced a number of challenges during this period, was attacked from several fronts by the powerful communist party and the Karen National Union that preceded for armed struggle as the country gained independence. The AFPFL government was internally split up into two major factions and political battles between them were deadly. Ethnic states were discontented as they realized they were only subordinated states to the Burma Proper. The military coup in March 1962, put an end to the constitution. The troublesome multi-party democratic system was replaced by the military rules. Most ethnic leaders and members of the government were detained and jailed and many also died during their prison time. The country's first president, a prominent Shan *Soahpa* and a crucial figure in the creation of the Union Burma was arrested during the 1962 coup and later died in prison.

The second constitution was introduced in 1974, after thirteen years of direct military rule, and it established the one-party political system in the name of the Burmese Socialist Program Party (BSPP). This constitution lasted fourteen years until the nationwide democracy uprising ended it in 1988. The limited autonomy of the states vanished under this constitution. The dream of becoming a federal union was abruptly ended. The word federalism was banned and propagated as a dangerous political system that could disintegrate the union. Protecting and preventing the union from disintegration have been the most useful political instrument for the military to hold onto power for several decades to come.

During the term of this constitution, armed conflicts spread like wildfire, the economy went down to its knees and the country was ranked as one of the least developed countries by the United Nations in 1987 (United Nations, 2018). The one-party political system was undeniably a dictatorial system and tolerated no political opposition. The country was coerced into the most extreme form of unitary system with highly centralized power, and locked away from the rest of the world. The military regime led by Gen. Ne Win aggressively pursued Burmanization to create a unified national identity based on Socialism and Buddhism through explicit policies promoting Burmese culture (Furness, et al., 2020, pp. 5-7). Teaching and learning ethnic languages were banned.

In 1988, the nationwide uprising for democracy broke out as the country's economy was on its knees. The BSPP was losing its control and in its very last days, announced the demolition of the one-party constitution. In the same year, the military took over power killing several thousand



unarmed demonstrators and established a new military era in the name of the State Law and Order Restoration Council (SLORC and later renamed as the State Peace and Development Council - SPDC). The country would be ruled directly by the military for the next twenty years.

In 2008, a new (the third) constitution was introduced again, known as the 2008 constitution. This constitution was rigged by the military to its delights, and makes an observable return to a multi-party democracy system and practices separation of power. It features some federal characteristics such as apportioning state and regional governments and parliaments, however the real power remains in the hand of the military. The military permanently occupies twenty-five percent of the total seats in all union and state legislative bodies, and it appoints three key union government's ministers including defense, interior affairs and border affairs with senior army officials. There is the military dominated National Defense and Security Council (NDSC) that acted as the supreme council of the country and is bestowed with power to made all key decisions including taking back the power of the government if it sees fit. Six Self-Administered Areas for six different ethnic groups were created and five of them are in Shan State alone (2008 Constitution, Article 56). The creation of the Self-Administered Areas was solely attribution to ethnic identity rather than a specific ideological agenda. The process made no consultation with the local population. The Self-Administered Areas may be viewed as the symbolic privilege, but they challenge former cultural and political hierarchies in Shan State. The Self-Administered Areas do not really hold much power in practice but they have caused dissatisfaction and resentment among different ethnic groups in Shan State. In turn, this creation of local Self-Administered Areas with a heavy-handed top-down action has incited ethnic tension among the local ethnic groups. Some ethnic minority groups that have not been allowed self-administrative areas also feel dissatisfaction and left out.

Understanding the underlying causes

All three constitutions exercised in Myanmar portrayed the unity among ethnic groups as the central ideology of the union and all used the word *Pyidaungsu* or a “collection or union of nation states” to emphasis the unity among different ethnic groups. Different ethnic groups are referred as ‘*Tyine Yin Thar*’ implying that ethnic groups are ‘people of the same land’. The word ‘*Tyine Yin Thar*’ also have legal implication as the original/true citizens to distinct them from Chinese and Indian descents who are considered to be foreigners despite they have lived in the country for generations. One of the most important tasks of the military specified in the 2008 constitution is about guarding the constitution and preserving the unity of the ethnic groups (Myanmar’s 2008 Constitution, Article 20. E and F). Ethnic based policies are not new in Myanmar and they always put Barmar ethnic groups at the center or as the big brother of all ethnic groups (Furness, et al., 2020, p26). The military’s narrative about the union of Myanmar continually dated back to the early history when the Burmese kings dominated the regions and the kingdom as the center of the state and all different ethnic groups lived peacefully side by side benefiting the protection of the great king (The Republic of The Union of Myanmar: Defence White Paper, 2015). The military tends to see all political problems in the country as outsiders (foreign powers) incited problems,



therefore the military is always needed to be in the leading role of politics to protect and preserve the country in the name of security (The Republic of The Union of Myanmar: Defence White Paper, 2015).

A late Shan revolutionary leader and scholar put it that *“unfortunately, the military's vision of national unity and concept of nationhood have always been a mono-ethnic, Burman-centric with the idea that all other ethnic groups should be Burmanized. Such a narrow, exclusionary nationhood formula created a lot of problems and frictions”* (Chao-Tzang Yawngwe, 2002. P.5). The Burmanization has been at the center of the state ideology, because it serves the needs of the military and validate the continue domination position of the military over the society. The military, therefore, promotes itself as not only the protector of the nation, but it must also act as the mentor in politics (Furness, et al., 2020; Myanmar's 2008 Constitution; The Republic of The Union of Myanmar: Defence White Paper, 2015).

Burmese chauvinism is a serious mental issue and not only confined to Politics. Religion and other sectors in the society have been treated in the same way. Since the independence, Burmese language has always been the only official ethnic language and English as the colonial language was discouraged during the BSPP era. Buddhism has been portrayed as the main religion of the country and it is closely tied with the majority *Barmar* ethnic identity. Religion, Buddhism and Burma as an ethnic group are all integrated and to be protected altogether. The association of the nationalist Buddhist monks such as *“Ma Ba Tha”* meaning the association for the Protection of Race and Religion were encouraged (Zhang, 2019). This *Ma Ba Tha* movement representing Buddhist nationalism has rapidly grown since 2011. The religious nationalism is intertwined political elites' desire to have total control and religious nationalism is often presented as a well-suited political instrument providing ethnic minorities belong to different religions (Zhang, 2019, pp 67-73).

The super racial mentality, subsequently, has propagated racial tension and fragmentation among ethnic minority groups because ethnic minority groups are impressed by the Burmese super racial behavior and inclined to promote the greatness of their own identities and histories. Re-constructing histories and the desire to make claim of the territories of ancestors have stimulates distrust, jealousy and hatred among different ethnic groups living in the same community/territory. Members of different ethnic groups labeling and attacking one another with ill intends on social medias often related to identity greatness and territory entitlement, and they are also directed to the constitution of institutions that validate boundaries among the different ethnic groups. Ethnicity has become an instrument of political mobilization and there has been an upsurge in ethnic conflicts which further perpetuates violence, dissension and a growing sense of separatism among ethnic minorities. This is a formidable challenge and can lead to the eruption of many conflicts among different ethnic groups. Ethno-nationalism is clearly on the rise and the problem is very murky and complex. Ethnic groups that have been living side by side are now enemies or unwelcome guests. The future of federation of Myanmar is at risk and the situation demands creative and practical approaches including re-education for ethnic harmony.



On the first of February 2021, the military abruptly seized power and detained most members of the democratically elected government, mostly members of the National League for Democracy (NLD) party, after its backed political party, the Union Solidarity and Development Party - USDP lost badly in the latest elections in October 2020. The coup, however, has provoked the country into an unprecedented political wrath. Millions of people came out on the streets to demonstrate their disapproval of the coup. But they were met with severe repression and hundreds were brutally killed. Unarmed protesters ultimately sought to continue their struggle against the military rules with arms. The movement is called Burmese Spring Revolution and it has been supported by the majority of the population, and has rejected the 2008 constitution because they do not see it can offer solutions to the country's fundamental problems. The Spring Revolution comprises of the opposition groups, the civil disobedient movement and some ethnic armed organizations have formed a powerful de-facto government called the National Unity Government (NUG) and its political counsellor, the National Unity Consultative Council (NUCC), together have laid down the Federal Charter aiming to build a genuine federal democratic union for the future of the country (South, 2021, p 448; Fortify Rights, 2022). The Charter have received a widespread support.

Federalism however, remains a distant goal. The people of Myanmar, although they have strong desire for federalism, their only experience in all their lives has been a highly centralized political system and federalism in practices often presents as a threat even among members of the opposition. There are persisting mentality of central control that hinders the practice of power distribution and sharing.

On the other hand, a modest but promising window of opportunity for future of federalism is expected to emerge out of local government context where members of local communities can participate and practically address their needs together. Political arrangement for federalism at the union and state levels may be crucial to define the organization of the federal system and structure. However, to make the system works, the most practical level such as local governance/communities play a crucial and requisite role. The next section will discuss the opportunity that presented to help making the construction of the federal system from a bottom-up approach and allocating the necessary power in the hand of the people who know best about their communities.

Local governments as an indispensable mechanism for strengthening of the federalization

Myanmar's modern history has been an account of power struggle among political elites, devastating armed conflicts, military coups, dictatorship, deteriorating economy, ineffective government provisions and many more. More than seven decades of armed conflicts between the army and ethnic armed groups have taken a heavy toll on the country's economy. Myanmar has been categorized as one of the least developed countries since 1987 and the status has not been changed since (United Nations 2018). Successive governments have relied on highly centralized system and local communities around the country have been poorly served. Armed conflict



affected areas in ethnic minority territories have largely been ignored. Separate administrative services and systems appear in different territories under the control of ethnic armed groups. As the country's economy is in steady decline, not only the rural and conflict affected areas are being ignored, major urban areas have been poorly served. In most cases, local communities are left to their own for taking care of their local community affairs.

One of the most striking features of Myanmar's governance system is its lack of formal local governance. In fact, decades-long lack of effective government control at the local level has culminated in a situation where non-state institutions are considered to be the most important providers of public goods in Myanmar's rural areas (Eloff, et al., 2018, p. 17.; Griffiths, 2016, p.19). Community-based actors, usually self-help organizations, have stepped in and fulfilled the gaps as state institution is unable to provide. Important governmental functions such as service delivery, dispute resolution, representation and electoral politics are mediated by community-based actors (Eloff, et al., 2018, p. 19). Various types of community-based and non-state actors have been identified, are visible throughout Myanmar and they include local committees for development or protection, social welfare organizations, religious organizations, local volunteer organizations, maternal/child welfare organizations, and non-state security organizations (Griffiths, 2016, p.13).

Community-based non-state actors and their service provision are usually developed in response to immediate needs in their local areas, but they have multiple inadvertent social and political effects as they help promote social harmony among members of their communities and assumed the responsibilities to self-governance. In this regard, I would like to draw Ronald Watts' (2002) concept on the desire for self-governing political units has the aspiration to make governments more responsive to the individual and community members who share common purposes as well as attachments such as linguistic and cultural ties, religious connections, historical traditions and social practices that form the distinctive basis of community.

The democratic characters of community-based non-state actors are also crucial to note. A number of studies into the community-based non-state institutions in Myanmar illustrate how these grassroots mechanisms are generally representative, broadly inclusive and offer the ability to adapt to local needs and preferences. They have not only enabled localized social protection but allow communities to act collectively for broader social-economic development (Eloff, et al., 2018; Griffiths, 2016; Griffiths and Aung Naing, 2015). This democratic nature and underlying sense of belonging and protection are indeed the key to their existence and will be crucial contribution to the success of federalism in Myanmar. Watts (2002) explains that most of the failed federalization cases occur due to their undemocratic characters than their un-federal characters. Diversity is not the threat to the federation and "fully democratic processes" hold the key to the success of federation.



The UNDP project and the attempt to strengthen local government

In 2011, the first elected civilian government of Myanmar in half a century, made an effort to bring reforms to the country and the Union Government evolved significantly in term of political, economic, social and administrative changes. States and regions were also allowed their own governments and parliaments with controlled authority. However, the local level structure reform was rather underdeveloped, although indirect elections of local representatives at ward and village-track administrators and the creation of a number of advisory committees at the local level (Eloff, et al., 2018, p. 4). The highly centralized governance system persisted and members of the military presented and held the key positions in these local level committees. Community representation in these structures did not have the real authority to make impact in their own local communities.

However, local government as a critical component at the local community level and its ability to make practical and effective impacts on local communities cannot be overlooked. Making local government truly represented by its own communities and have the necessary authority and resources to address their needs demand a genuine reform. Therefore, several actors seeking to address the issues are looking to voluntary and community-based solutions. The following is an initiative of the UNDP to enhance local government in Myanmar.

Local governments' role as the seed of economic development and has ability to foster social cohesion, is well recognized by the UNDP and it initiated local government mapping and local government program for development and poverty alleviation in the country. Between 2013 and 2017 the UNDP in partnership with Myanmar government's Ministry of National Planning and Economic Development, Ministry of Home Affairs, Ministry of Information, Ministry of Border Affairs, Ministry of Cooperatives, Ministry of Finance and Revenue; and State and Regional Governments, initiated a nationwide local government program.

It was a pilot program aiming to provide development assistance for local governance in rural areas of Myanmar with high poverty incidence and post conflict settings. The aim is to strengthen and nurture institutional capacities of government, civil society and media. Understanding that the needs on the ground are immense and demand an integrated approach, the program encouraged an integrated approach involving government institutions and civil society organizations to bring the services to the people. The local government program's key components include early recovery, access to microfinance, improving livelihood and social cohesion. Promoting active participation of citizens in the governance process and livelihood development, the program aims at fostering peace building, addressing local issues and promoting social cohesion (UNDP- Myanmar 2022).

An example of self-help service for home-rule in a small town was witnessed when the community faced common threats. Nam Kham, a township located in far Northern Shan State, is a multi-ethnic community and a frontier town where several armed organizations are active. In the past few years, the local population of Nam Kham have been caught up in the conflict between of different armed groups, and the community is deeply divided along ethnic lines. In recent events, we have seen those members of the community regardless of their ethnic backgrounds and past experiences,



demonstrated the ability to band together for their common purposes. In the face of the threat of Covid 19 and on top of that the military coup in February 2021 that had seriously impacted on the local economy and security, members of the community had quickly come together and provided emergency medical relief and transportation assistance to local health care service and young people of different ethnic groups formed a township political association and showed their collective voice in the anti-military coup movement. In face of common threats, members of the community regardless of their different ethnic groups, work collectively to protect their community. When members of the same community act together for the sake of common good reconciliation among different groups also occurs naturally.

Governance in ethnic armed groups-controlled territories

Administration in armed conflict affected areas is provided by the relevant authorities and in various forms. Normally, the ethnic armed group set up their governance system for the population in their control areas. Several hundred thousand of internally-displaced persons and refugees who are the victims of armed conflicts, generally seek safety and shelters in ethnic armed groups-controlled areas. There are more than 110 non-state armed organizations including more than twenty ethnic armed groups actively engage in armed conflict with the Myanmar army, and the army's proxy armed groups such as militias and border guard forces, varying from a few hundreds to more than 30000 in strength, controlled most areas in ethnic minority territories. Major ethnic armed groups such as the Karen National Union (KUN), the Kachin Independent Organization (KIO), the New Mon State Party (NMSP), the Shan State Restoration Council (RCSS), the Shan State Progress Party (SSPP), the Arkam Army (AA) and the United Wa State Army (UWSA) control extensive territories and provide a wide range of services covering education, health cares, natural resources management, Justice and administrative services (Jolliffe, 2015, South, 2021 and 2022).

This vibrant and prevalence of community-based non-state actors that fill the gaps in the absence of formal state government services may present as the antidote to the Myanmar's long derailed track to federal democracy. Community-based collective actions not only allow residents to effectively solve their local problems, instead of turning to the state and union governments, but can also foster trust building among people of different ethnic backgrounds.

Conclusion

In conclusion, the intricate problems of federalization in Myanmar reveal that in a multiethnic society where the majority ethnic group is in dominant position, having an accord to lay down the seed of future federalization and un-sustained promises in the negotiation for early independence, are proven to be insufficient for a democratic federation to emerge. The agreement for a federation that only stresses the protection of ethnic minority groups' autonomy and lacks the arrangement for specific power sharing between the states and the union, could only provide the opportunity for the majority ethnic to take advantages and acts as the central role of the union or the mother-state position and make others as vessel states. For more than seventy years, Myanmar's



constitutions have not only voided a federal system but failed as a unitary system. The authoritarian nature of Burmese society has even made the formation of the federal union more challenging because the ruling authorities themselves do not believe in federal system. As John Dewey (1937) noticed “the keynote of democracy as way of life expressed”, the formal written documents, administrative mechanism and institutional set up cannot make democracy works unless democracy is accepted and practiced in all aspects of human life. Participation and contribution of individuals in the societal functions and their sense of ownership in their own community offers valuable lessons and experiences to build social coherence. Community-based non-state institution in Myanmar that have prevailed in the absence of state government service for several decades, could offer the pathway to federal democratic society that the country has been searching for the past seventy years and help restore social harmony in a deeply divided society.

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