

The Role of Ethnic Minorities in Burma's democratization process

Burma/Myanmar is one of the world's **most ethnically diverse countries**, with ethnic minorities representing more than **one third of its population**. Since its independence from Great Britain in 1948 the country has seen ethnic minorities and ideological groups fighting Burman dominated governments. Its socio-political life in post-colonial time has been heavily influenced by these **continuing conflicts** and militarization. Citizens of ethnic minority states have lived under the authority of numerous states, quasi-states and militant groups and have especially suffered from the protracted conflict.

The **political landscape after** the Ne Win era in **1988** can be described as a **three-cornered conflict between** the **SLORC/SPDC** military government, the pro-democracy movement led by the **National League of Democracy** and the country's diverse **ethnic minority groups**. Even though this three sided equation attracted international attention and the call for a "**tri-partite dialogue**", discussions about sustainable peace and democratic transition **never occurred**. In fact, the SLORC/SPDC has since then determined the political and economic direction of the country. The ethnic-ceasefires, the political economy, the actions of its neighbours and the military government's own agenda towards a democratic transition have dominated political and conflict dynamics in the last 20 years.¹

The ethnic nationalist community in Burma/Myanmar is composed of three broad sectors including ethnic ceasefire groups, insurgent groups still in armed conflict with the government, most of which are members of the National Democratic Front and are aligned with exile political formations, and nationality parties which contested in the 1990 elections.

Ceasefire agreements

In **1988** the **Burmese military** government, under the initiation of Military Intelligence chief, Gen. Khin Nyunt, **started making ceasefire offers** to different ethnic armed groups, trying to end the conflict **without** having to agree to a **political solution**. Even though regarded with suspicion about the real intentions of the military government, ceasefire agreements increased during the 1990s. Today these **ceasefire agreements have lasted over 20 years** and over 17 main official ethnic ceasefire groups as well as small militias exist, while others such as the **Shan State Army South**, the **Karenni**

¹ Smith, Martin (2007), *State of Strife: The Dynamics of Ethnic Conflict in Burma*, Policy Studies, No. 36 (Southeast Asia), Washington D.C.: East-WestCenter, p.39-45

National Progressive Party and the **Karen National Union (KNU)** have **not reached an agreement**. Ceasefire groups were given the right to maintain their arms and territories until a new constitution was introduced. Not having been able to participate in the 1990 general elections, insurgent leaders argued that if armed ethnic groups were to really represent their peoples, then they had to be on the inside process of reform discussions such as the National Convention.

These accords have been a **first step in the process of peace building** in Burma/Myanmar, put an immediate end to the fighting and brought therefore relief to local ethnic communities. In some areas positive impacts in the fields of human security, human rights, development, trade and civil society can be observed. However, the **main deficiency** of the ceasefires is the **absence of a sustainable peace process and political development** as a follow up to the agreements.

Ceasefire groups have come under immense **pressure to follow** the government's "**seven-step road map**" to democracy, compete in 2010 elections and transform their troops into a border guard force under the control of the Tatmadaw or face disarmament. Till the end of 2009, only smaller armed groups and militias have followed the demand. Several deadlines have passed without a decision and the issue has become a considerable concern to ceasefire groups. The **acceptance of the SPDC demand would greatly reduce ceasefire groups' autonomy without any political concession**. The re-emergence of violence would have devastating impacts on local populations.

Non-Ceasefire groups

Over a dozen non-ceasefire groups **remain active** in the borderlands and are interlinked with the **National Council Union of Burma** and the **National Democratic Front**, which advocate for a federal union.

Nationality Parties

Most nationality parties, an **entirely new entity**, were **allied in** the 1988 **United Nationalities League for Democracy**, winning the second largest bloc after the NLD in 1990. Together with the NLD they agreed in principle to **establish a democratic federal union of Burma**. Several member parties joined together with the NLD in the 1998 **Committee Representing the People's Parliament committed to achieving recognition of the 1990 elections**. In 2002 the United Nationalities Alliance (UNA) was formed in

support on the ethnic nationality cause. Veteran ethnic nationality leaders argued that the marginalization of ethnic views during both the parliamentary and BSPP eras should not repeat itself.²

National Convention

The National Convention was first started in 1993 by the government to **draw up a new constitution**. Representatives from **eight different groups** and organizations, including the ceasefire groups were selected to participate. In 1995 the NLD accused the government of **political restrictions** and pulled out of it. Soon after, the National Convention was **suspended**. In 2003 Gen. Khin Nyunt announced the military government's "**Seven Step Roadmap**" to **democracy**, starting with the **reconvening of the National Convention**, which had been suspended since 1996 and would lead to the **drafting of a new constitution followed by a referendum** to approve it. **New elections** were announced **for 2010**, which will be followed by the formation of parliaments (Pyithu Hluttaws) and a new government.

The second session of the National Convention was attended by 1,088 delegates, most of them chosen by the military government. **Nationality representatives**, including 17 ceasefire groups and 17 other small armed groups, constituted over **half of the delegates**. The ceasefire groups could in general be distinguished between former National Democratic Front groups, ex Communist Party of Burma members and local defense and business focused militias. Despite the political recognition by the SPDC, only half of these ceasefire groups could be considered as legal representatives of their local populations.

Ceasefire leaders and ethnic political parties saw the National Convention as the **only chance to include some of their political demands**, while the UNA and the NLD boycotted the process. For ethnic ceasefire leaders, a new constitution and government was a better perspective than the current situation in which the SPDC made all political, social and economic decisions. These **ceasefire leaders** became the **only substantial group** of delegates which were not chosen by the junta and therefore **pushing for reforms**. Despite of restrictions, the National Convention presented an opportunity for ethnic minorities to present their common views, discuss their policy positions and debate their shared visions.³ The ceasefire groups presented their proposals mainly in **two blocks**: ex-NDF parties and a four-party ex-CPB

²Smith, Martin (2007), *State of Strife: The Dynamics of Ethnic Conflict in Burma*, Policy Studies, No. 36 (Southeast Asia), Washington D.C.: East-WestCenter, p. 49.

³Oo, Zaw and Win Min (2007), *Assessing Burma's Ceasefire Accords*, Policy Studies, No. 39 (Southeast Asia), Washington D.C.: East-West Center, p.51.

group. While the **ex-CPB** group opted for **autonomous regions**, **ex-NDF** members proposed a **federal Union of Burma**. In 2004, thirteen Ethnic ceasefire groups submitted a **proposal** to the National Convention, **asking for concurrent legislative powers and residual powers** for the states and the **formation of local ethnic security forces**. However, the Convening Work Committee **refused** their proposal and informed them that it would not be included on the convention's plenary agenda. In early 2005, four months after the discharge of Khin Nyunt, six ceasefire groups repeated their demands at the National Convention and asked for a review of the draft constitution Principle No.6, which guaranteed the Tatmadaw to continue a leading role in politics. In addition, they asked for non-ceasefire groups to be granted an observer status. ⁴

Key Provisions for Ethnic Minorities in the 2008 constitution

Key features of the 2008 constitution regarding ethnic minorities' concerns can be summarized as followed:

A **presidential system** of governance with a **bicameral legislature** will be established. The formation of the state is similar to the current. There will be **seven regions** and **seven ethnic states**. The **capital Nay Pyi Taw** will be under the direct administration of the president. Special **self-administered areas** within certain regions or states will be **granted to minorities** such as the Wa, Naga, Pa-O, Pa Laung and Kokang groups.

Each region and state will be **headed by a chief minister**, appointed by the president from the representatives of the legislature of each region or state. So called "Leading bodies" will administer the special self-administered areas with limited legislative and executive powers. These features of the 2008 constitution are new and do not have any precedent in previous constitutions (1947 or 1974).

The **appointment** of the chief minister for each region/state **remains an uncertainty**. In section 261 of the constitution it is stated that he must be **selected** by the president from **among** the **members** of the region/state **legislature**, including both the elected representatives as well as military appointees. Therefore, the chief minister of an ethnic state may not be of that ethnicity or even from that state, considering that the president **could appoint** a chief minister from **among the military appointees**.

⁴ South, Ashley (2008), *Ethnic Politics in Burma – State of Conflicts*, New York: Taylor and Francis, p.135.

The constitution gives the military the power to administer and adjudicate all its own affairs, while also executing considerable political power, including a 25 percent bloc of legislative seats. Union Ministers for the Ministries of Defence, Home Affairs and Border Affairs will be nominated by the Commander-in-Chief of the Defence Services. Under a state of emergency the military would have broad executive, legislative and judicial authority.⁵

Reaction of ethnic Minorities

Ethnic minorities have been **disappointed** by the outcome of the constitution. It provides only very **limited ethnic autonomy**. While different ethnic minority groups have called for a genuine federal union, the military government has made only limited concessions and the state remains in practice a unitary one. However, some ethnic minority leaders and have adopted a more **pragmatic approach**. Even though they might not accept the constitution or feel that it will bring more opportunities, for them it is the **“only game in town”**. Even though a participation in the 2010 elections would have some negative effects, a legitimization of the Tatmadaw’s political role and going against the opinion of the mainstream democratic movement, the **consequence of a boycott could be by far more disastrous**.

The **non-ceasefire groups have heavily criticised the 2008 constitution** and the upcoming 2010 elections. The **KNU doesn’t see** the 2008 constitution and the 2010 elections as a genuine **solution to the political problems** in Burma/Myanmar. It regards the whole process as a consolidation of military rule under the disguise of a civilian government. As democratic opposition groups, the **KNU calls for the release of all political prisoners, the cessation of hostilities** towards ethnic nationalities and a genuine **tripartite dialogue** between all stakeholders. Without these elements, the 2010 elections will rife with irregularities, intimidation, fraud and vote rigging. Having not reached a ceasefire agreement with the military government, the KNU will boycott the elections. However, many Karen have become wary of the long conflict and want to see a political solution.

The **Kachin** seem to have the **best ethnic minority strategy** concerning the 2010 elections. The **Kachin Independence Organization** and the **New Democratic Army- Kachin** together with civil society organizations and religious leaders have agreed to **support the state-based Kachin State Progressive Party**. The new formed party will separate from the armed groups to represent the interests of all peoples in the future state legislature. The New Democratic Army- Kachin has accepted the BGF proposal and has

⁵ International Crisis Group (2009), Myanmar: Towards the Elections, Asia Report No 174, 20 August 2009.

been under partial command of the Burmese Military since November 2009, while the KIO has so far refused the demand.

Two main parties contested for **Chin State** during the 1990 Election, the **Chin National League for Democracy (CNLD)**, a political party formed in October 1988, following the seizure of power by the SLORC and the **Zomi National Congress (ZNC)**, both registered under the multi-party election law. “Zomi” known as Chin in Myanmar, is one of the ethnic groups who signed the Panglong Agreement in 1947 to join the Union of Burma. After the **military regime stopped recognizing** the UNLD and nationality parties including the CNLD it declared them illegal in 1992. The **CNC (Chin National Council) was established** by the Chin National Democracy group, the Zomi National Congress, Mara People’s Party and the Chin National Front in 2006.

The **Chin** in particular will probably **not have an impact on the election 2010**, there is no non-disintegration, among the Chin. In a recent conference the **leaders** of the CNC opposed the elections and **declared boycotting the election** as the constitution doesn’t reflect the people’s interest. The CNC, in its Assembly resolution said, the junta would be held accountable for the consequences if it continues with its planned elections without taking into consideration the NLD’s “**Shwegondine Declaration**”. The **Council** also said it **supports** the stand of **ethnic ceasefire groups**, which **rejected** the junta’s proposal to **transform their armies into a Border Guard Force**, to be controlled by the Burmese Army. The chances that the ZNC and CNLD will not take part in the election remain high. A **proper strategy** or agenda **seems to be missing** and **conflicts** of interest could further **erode the organizations**. It remains unclear who will represent the Chin community in the 2010 elections. This could lead to a dominance of military government sponsored parties such as the Union Solidarity and Development Association.

Conclusion

Ethnic conflict has been one of the most defining characteristic of Burma/Myanmar's socio-political life since its independence from Great Britain in 1948. Without a political settlement, which addresses the root-causes of the conflict, restores relationships and fosters reconciliation it will be extremely hard to achieve sustainable peace. Ethnic minorities have been disappointed by the National Convention, in which their proposals and aspirations where not considered. The military government has so far not addressed the main grievances and aspirations of ethnic minorities and it is highly questionable if the 2008 Constitution can have an impact on the issue. However, the constitution and the elections may be viewed as moving away from the current absolute political dominance of the military and might create an opportunity for more political space. However, ethnic nationalities are highly divided on how to contest the 2010 elections.

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