



## Ethnic Unity

The current tripartite (government/Tatmadaw, EAOs, and political parties) Framework for Political Dialogue in the peace process was based on an assumption of ethnic unity, not to mention, a unified stance between the government and Tatmadaw, and amongst the political parties. However, this unity remains more of an ideal in all three cases, rather than an actuality. It was widely expected that the EAOs would at least have similar aspirations on what the future federal union would look like. But past years have shown that this assumption was inaccurate.

The more substantive and detailed the negotiations have become, the more divided and fragmented the EAOs have turned out to be. This fragmentation could not only be seen between the different EAOs (horizontal fragmentation) but also potentially within the EAOs (vertical fragmentation). At the horizontal level, different factions have emerged indicating the groups' different interests and the different realities each group is trying to cope with. Particularly, the division is clear between the Ethnic Armed Organisation – Nationwide Ceasefire Agreement Signatory groups (EAO NCA-S) and the EAO NCA Non-Signatory groups (EAO NCA-NS), currently consisting of the Northern Alliance, and the Karenni National Progress Party (KNPP).

### **Horizontal Fragmentation – NCA Non-Signatories:**

Within the Northern Alliance (NA)<sup>1</sup>, federalism is not a key issue. The United Wa State Army (UWSA) and the National Democratic Alliance Army (NDAA – Mong La) have never articulated a desire for federalism. In fact, the two organizations, the Shan State Progress Party (SSPP), and the Myanmar National Democratic Alliance Army (originally formed in 1989, forcibly disbanded by the Tatmadaw and its proxy in 2009, and re-emerged in 2014), which is a member of the NA's splinter Three Brotherhood Alliance, are offshoots of the Communist Party of Burma (CPB) which collapsed in 1989. The UWSA and NDAA managed to not only continue operating but to also secure their territories through a ceasefire ('gentlemen's agreement') brokered by intelligence chief Khin Nyunt.

Rather than a federal Union, the UWSA would likely be more comfortable with a one-country, two-systems arrangement – a reverse of the China-Hong Kong situation where a Communist country tolerates a democratic enclave, i.e., a democratic country tolerating a Communist enclave. Chinese officials have informally suggested that unless and until the Myanmar economy catches up with that of Wa State, they do not see how Wa State could integrate into the Myanmar system. In the case of Hong Kong, China's economy has caught up with that of Hong Kong, and the process of trying to integrate the democratic enclave into the main system has begun. Given their background, the NDAA and the MNDA might have similar aspirations albeit with less chance of succeeding.

The situation of the Shan State Progress Party (SSPP), however, may be more complicated. Its ideology may be more aligned with its three ex-CPB colleagues, but it cannot afford to be seen as not supporting the cause of Shan nationalism. If it did, it would lose popular support to its competitor,



the Restoration Council of Shan State (RCSS), which in its opinion is using its legal status in the peace process (and NCA) with the government to encroach on both its territory and legitimacy.

The Kachin Independence Organization (KIO) which like the UWSA enjoyed from 1995, 17 years of a pretty autonomous existence until 2011, might like a similar arrangement but not being Communist, it does not enjoy the same kind of patronage from China as the USWA does. And with the Kachin State being a signatory of the original 1947 Panglong Agreement, the KIO has thrown in its lot with the groups demanding 'genuine' federalism. However, what constitutes 'genuine' federalism is a point of contention. Not being an NCA signatory, it is also hampered in trying to ensure that its version of 'genuine' federalism is reflected in the 21<sup>st</sup> Century Panglong peace talks.

Unlike its 'big brothers' in the NA, the Arakan Army (formed in 2009) and a member of the NA-splinter, the Three Brotherhood Alliance, is demanding confederate status for Rakhine State,<sup>2</sup>

The position on federalism of the remaining NA member, the Ta-ang National Liberation Army (current iteration formed in 2009 with military activities starting 2011), is unclear. It definitely wants equality and autonomy for the Ta-ang people, but how that can be achieved within a federal system and within Shan State where the Ta-ang people live, has not yet been articulated or made public. It is also continuing to clash with both the Tatmadaw and the RCSS.

The last NCA Non-Signatory, the Karenni National Progress Party (KNPP), has also like the KIO, thrown in its lot with the groups demanding 'genuine' federalism. However, in terms of its true aspiration, the KNPP harks back to 1875 when the British recognized the sovereignty of the Karenni States. Recognizing the difficulty of claiming independence, 'genuine' federalism is seen as the next best-case scenario, however, it would likely opt for confederation like the AA if that option were open. But not being an NCA signatory, like the KIO, it is also hampered in trying to ensure that its version of 'genuine' federalism or confederation is reflected in the 21<sup>st</sup> Century Panglong peace talks.

## **Horizontal Fragmentation – NCA Signatories:**

While in theory, all the NCA Signatories are for 'genuine' federalism, the reality on the ground for the ten EAOs is very different.

The Lahu Democratic Union (LDU), the latest NCA Signatory (2018), is not recognized by the Tatmadaw as having an armed component and it does not have a bilateral ceasefire like the other nine. The majority of armed Lahu's serve in Lahu militias under the command of the Tatmadaw. The LDU, therefore, does not carry much political weight either in federal discussions amongst the EAOs or in the peace negotiations with the government. It sees its role more as symbolic to ensure that in any peace arrangement, the Lahu people are recognized and their rights protected.

Similar to the Lahu, the PaO people are a minority population in Shan State where the PaO National Liberation Organization (PNLO) operates. But unlike the Lahu, there are also PaO minority populations in Bago Region, and Kayah, Kayin and Mon States. More seriously, the PNLO cannot claim to represent the PaO people in Shan State. That is the claim of the PaO National Organization (PNO) which has had a ceasefire with the Tatmadaw since 1991 and have elected



representatives in both the Shan State Parliament and the Union Parliament. Sorting out who represents whom and where in a future federal arrangement has not been touched. In the meanwhile, the PNLO is happy for its legal recognition by the government and unlike its counterparts, has nothing to lose in going along with the proposals put forward by the government.

Another late NCA Signatory, the New Mon State Party (NMSP), has enjoyed a 25-year ceasefire with the Tatmadaw. A federal arrangement giving it more autonomy and rights would be welcome. But as long as its status quo is preserved, it does not need to worry too much about the negotiations with the government or the Tatmadaw. It may in fact be more concerned about its relationship with the KNU since some of their territories overlap.

Given the rise of the Arakan Army (AA) and the Tatmadaw's relentless war with it, the role of the Arakan Liberation Party (ALP) as an armed resistance group has been eclipsed. Will its voice have any weight in the new reality in Rakhine State? For the time being, it is continuing like the PNLO to enjoy its legal recognition by the government and trying to make the best of a bad situation by going along with proposals put forward by the government and the Tatmadaw.

The war between the Tatmadaw and the AA in southern Chin State, where the Chin National Front (CNF) does not have any troops, has negatively affected the CNF. But like the KIO, since Chin State was a signatory of the original 1947 Panglong Agreement, the CNF is actively working with the groups demanding 'genuine' federalism, and putting less emphasis on its military role.

Another EAO focussing on its political role and de-emphasising its military role is the All Burma Students Democratic Front (ABSDF). Founded mainly by Bama students in 1988, 32 years ago, to fight for democracy and to install an NLD government, the ABSDF finds itself in a strange situation negotiating for ethnic rights (together with ethnic armies) with an NLD government. Why has it not been absorbed by the government and which side of the negotiating table should it really be on?

The non-military focus of the other NCA Signatories creates a problem for the RCSS and its Shan State Army (South). In addition to its political negotiations for a 'genuine' federal Union, it is crucial for RCSS to be able to negotiate to its satisfaction, how it will disengage with the Tatmadaw militarily. Given its large army, the extent of its operational area, and the population under its control, unless the disengagement can be negotiated successfully, peace cannot be achieved even if the political negotiations were to bear fruit.

The Karen National Union (KNU) is affected similarly. Its area of influence is even more extensive and diverse than the RCSS. And while the KNU is mainly concentrated in the east, Kayin populations inhabit most of southern Myanmar from the Tanintayi Region, Mon State, Kayin State (not to mention Kayah and Shan State), and Bago, Yangon and Ayeyawaddy Regions. Both political and military negotiations are extremely important for the KNU. And while in theory, the Democratic Karen Benevolent Association (DKBA) and the KNU/KNLA Peace Council (KPC) share the same aspirations as the KNU, neither are as politically engaged or focused on military matters.

The brunt of the heavy lifting in the peace negotiations, therefore, generally falls on the KNU and the RCSS. This, however, is not always appreciated by the remaining eight, who do not see or



understand the challenges faced by the big two. They either see them as obstructing the speedy conclusion of the peace talks with petty details for their own benefit or as bullies trying to get their way at the expense of the smaller groups. The government and the Tatmadaw have encouraged these perceptions by demonizing certain individuals as being unreasonable and impractical, knowing that the other groups are more amenable to the government's and the Tatmadaw's demands, and more likely to exert pressure on the KNU and the RCSS to accept their demands.

### **Vertical Fragmentation:**

While this has not yet happened, the potential for vertical fragmentation is always present. It has happened in every past round of peace negotiations with the government and Tatmadaw since independence. The EAOs are not professional armies with paid positions. The troops are volunteers who serve at their own pleasure. Climbing up the military ladder yields more benefits but they leave or stay depending on job satisfaction and a sense of mission. If they feel that the 'cause' has been betrayed or if the benefits have not been shared equally, they may leave. If they have a following, leaving to form a new organization can be very profitable. From being a second or third-line leader in a larger organization, one can become the leader in a smaller organization and can decide who benefits how much from what.

Therefore, in the current peace negotiations, it has been necessary for the EAO leaders, especially in the larger organizations, to be very transparent and to make sure that the rank and file understand what is at stake, what has been compromised for what reason and what has been gained in exchange. Countering misinformation, rumours, allegations of corruption, etc. on social media, has become burdensome. Unless everybody is convinced, vertical fragmentation can happen at any time.

### **Fragmentation – Political Parties:**

There are about 100 political parties in Myanmar out of which approximately 64 parties can be considered to represent ethnic aspirations.<sup>3</sup> But none of the ethnic parties can hope to compete with the two giant national parties, Aung San Suu Kyi's National League for Democracy (NLD) and the military-backed Union Solidarity Development Party (USDP). The most any one of them can hope for is dominance in their own ethnic State, not at the national or Union-level. Their main strength and also their main weakness is their ethnic identity. None of them has national policies that can attract votes from outside their own community. The question, therefore, arises as to how an ethnic party might influence national policies, other than as spoilers or king-makers in certain situations. How will ethnic political parties bring Federalism to Myanmar? Currently, they are dependent on the peace negotiations being conducted by the EAO NCA Signatories.

Political parties were regarded as equal and key stakeholders in the original Framework for Political Dialogue in the peace process. Under the NLD Government, only the 24 election-winning parties are eligible to participate in the formal peace process but in reality, only 10 of the 64 ethnic parties are represented in the Union Political Dialogue Joint Committee (UPDJC). And even then, the political parties are not involved in the negotiations between the government/Tatmadaw and the EAOs. The parties are only informed of the outcome after an agreement has been reached between the two. The



parties are mainly expected to endorse the decisions to give the negotiations a measure of democratic legitimacy, not to take part in the negotiations themselves, or to make changes.

Most of the ethnic parties are organized into two camps the United Nationalities Alliance (UNA) – parties that won seats in the 2015 elections (generally seen as being aligned to the NLD) – and Nationalities Brotherhood Federation (NBF) – parties that won seats in the 2010 elections (generally seen as being aligned to the USDP).<sup>4</sup> Another major difference in their vision for a federal Union is that the UNA wants a federation of eight – Burma Proper and the seven ethnic States, whereas the NBF see a federation of fourteen – seven Regions and seven ethnic States as a practical solution since the 2008 Constitution gives the seven Regions equal status as the seven ethnic states. The two ethnic alliances see the other as a competitor, and not as co-workers. They have not coordinated in the peace process, nor in the Parliament towards building federalism in Myanmar. Neither seems to have a practical strategy as to how to bring about a federal Union, and the chances of success for either on its own is remote.

Given this institutional split, several ethnic parties in 5 states have merged and registered as a single party in each state. Subsequently, they have distanced themselves from both the NBF and UNA, and are hoping to make more of an impact on their respective ethnic states. How everything will work out in the long-term is anybody's guess.

### **Ethnic Civil Society:**

In general, ethnic civil society discounted by EAOs, ethnic political parties, the Government and the Tatmadaw, are in better shape than both the EAOs and the ethnic parties. While organized locally, and are community-oriented, the activists are less ethnocentric, better educated and more politically aware. They also tend to network nationally on specific issues, be it the environment, land, drugs, education, HIV, human rights, dams, etc. They could perhaps be the vanguard for federalism.

### **A more nuanced and inclusive strategic approach:**

While it's clear that the different realities need to be accommodated in the future process, calls for "unity" and a uniform approach in the peace process keeps paralyzing the process and preventing the development of a more nuanced and inclusive strategic approach for the negotiations.

The compulsion to call for ethnic unity pushes the negotiations into a setting, where the ethnic groups are forced to agree to unnecessary concessions, making the political process a broken instrument of change especially for those outside the formal process. If the framework for political dialogue cannot be fixed, it is highly likely that the peace process will again deadlock, sooner or later.

### **Challenges:**

Adding to the internal pressures amongst the EAOs is the government and Tatmadaw's inflexible bureaucratic attitude towards the peace process. Everything has to be reduced to Standard Operating Procedures (SOPs), formally fixed agendas, fixed schedules depending on the availability of government and Tatmadaw leaders, and fixed outcomes. No topic of importance is ever put



forward or debated at the Union Peace Conferences. Dialogues are stage-managed. Prepared speeches are delivered and pre-scripted agreements are signed. There are no surprises.

Additionally, the main worry for the NCA signatories is whether or not the Tatmadaw really wants a negotiated settlement. Do they really accept Federalism? After all, the Tatmadaw seized power from a democratically-elected government and ruled for 5 decades, ostensibly because it opposed federalism. What has changed? These concerns arose because unlike when ex-General Thein Sein was President, the Tatmadaw appears to have been blocking most of the political initiatives arising from the NCA such as the sub-national dialogues in Arakan (Rakhine) and Shan State, and in the Regions; military-to-military dialogues on the ground to enable troops to disengage peacefully; discussion in the Union Peace Conferences on the Security Sector; the discussion of federalism and the convening of EAO Liaison Offices Coordinating Meetings (LOCM), etc.

The NCA Signatories recognize that they are not in a strong enough position – militarily and politically – to directly challenge the Tatmadaw. They need the support of the Non-Signatories. But the Non-Signatories have no faith in either the Tatmadaw or the peace process in general.

Besides, EAOs continue to cling to the belief that unity is strength, ignoring the fact that each group is actually seeking different outcomes, and that the unity they are trying to create is based on the ‘weakest link in the chain’ metaphor which sees unified blocks having to support a member that may be seeking a different or opposite outcome.

Moreover, the-EAOs also need the support of the ethnic political parties but the parties are wary about being seen to be too close to the EAO’s in case the Union Election Commission (UEC) accuses them of collaborating with ‘unlawful organizations’ and disqualifies them from competing in the coming elections.

Another challenge has to do with ethnic political parties (EPPs) seeing themselves as the representatives of their ethnic communities, EAOs also see themselves as having represented their ethnic communities for decades. Who, in the future, will represent the ethnic communities, and how? There has been no discussion on the topic. Perhaps it is deemed to be too sensitive.

The question, though, is can the ethnic communities whether represented by the EAOs or the EPPs make a difference? Will the EAOs be able to truly negotiate a federal Union without the EPPs? Or will the EPPs be able to bring about a Federal Union through elections without the EAOs? While the answer may be obvious – that they need each other, nobody has yet come up with an overall strategy that both EAOs and EPPs of every stripe and persuasion can endorse. Without that common strategy and an agreed practical way to achieve it, it is more than likely that the federal agenda will in the future be driven by the NLD, in their own image, so to speak. The ‘federalism’ that the ethnic community will get, will not be what they want but only what the NLD is willing to give them. And more importantly, only the kind of ‘federalism’ that the Tatmadaw is willing to tolerate.



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## Notes

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<sup>1</sup> The Northern Alliance consists of the United Wa State Army (UWSA), National Democratic Alliance Army (NDAA), Shan State Progress Party (SSPP), Kachin Independence Army (KIA), the Myanmar National Democratic Alliance Army (MNDAA), Arakan Army (AA), and the Ta'ang National Liberation Army (TNLA). The Three Brotherhood Alliance consists of the latter three.

<sup>2</sup> <https://www.irrawaddy.com/news/confederation-option-arakanese-people-aa-chief-says.html>, accessed 9 July 2020

<sup>3</sup> Email correspondence with ethnic consultant, 14 July 2020

<sup>4</sup> See 'A Concerted Effort - The need for a combined Ethnic approach in the 2020 election' EBO BP2/20