

TRACKING THE TRANSITION

**The Path From Quasi-civilian
Rule to Fully Fledged Democracy**

SAI WANSAI

Mizzima Media Group

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PREFACE

IT HAS always been my wish to present an unbiased non-Bamar ethnic point of view on the contemporary political development of the country we all know as Myanmar or Burma.

Many tend to think that the struggle is just between the two Bamar stakeholders: The democratic forces headed by the National League for Democracy's (NLD) Aung San Suu Kyi and the Bamar-dominated military government. Often overlooked is the third party in this power equation, the non-Bamar ethnic nationalities.

While this oversight has now largely been corrected, due to the increased visibility of the non-Bamar ethnic nationality forces – armed or unarmed – their political grievances and rights as stakeholders in Myanmar's future, remain under-represented. And as a lifelong activist, and a person belonging to the Shan people – one of the biggest ethnic groups after the Bamar – I am inclined to fill in the gaps as much as I can, within my capacity. Thus my column for *Mizzima Weekly*, covering Myanmar's transition from a military state to a democratic one, has been compiled into book form that goes some way to satisfying my wish to tell the story from our side of the struggle.

Originally, the plan was to publish it as a sort of year book, compiling all my articles reflecting the contemporary, everyday politics of Myanmar, week-for-week, for the past year. But Julian Gearing, editor of *Mizzima's* English language products, came up with the brilliant idea to present my commentaries as *Tracking the Transition* to democratisation, a process which started in March 2015 and came to a conclusion with the transfer of power from the military regime's Union Solidarity and Development Party (USDP) to the National League for Democracy (NLD), led by Aung San Suu Kyi. This occurred following the latter's landslide win in November 2015, and the subsequent handover of power to the NLD in March 2016. And that is basically how this book came to fruition.

As for the book's objective, it is simply to serve as a record for scholars, researchers, students and interested people alike; tracing the democratic transition from March 2015 to April 2016, through my 52 commentaries – one for every week of the transition period.

There are, however, a few issues I would like to bring to the reader's attention:

First, I would like to touch on the usage of 'Myanmar' versus 'Burma' in the book. Although I personally have been inclined to use 'Burma' when writing or speaking in English, I have no objection to using the term 'Myanmar'. Furthermore, it is also the style directive of *Mizzima's* editorial team to use this moniker, with the exception being the use of 'Burma' in direct quotes, or in historical documents that were written prior to the announcement by the State Law and Order Restoration Council (SLORC) on June 19, 1989, that henceforth, Burma would be known as Myanmar.

There are two reasons behind the regime's decision to change the name: The first was to have English place names aligned with Burmese language place names and pronunciations, while the other – it was believed by the military – would more inclusively embrace the country's ethnic nationalities, rather than just the Bamar majority. The military regime wanted a name for the country in English language that would reflect this.

The shift in nomenclature from 'Burma' – which originates from the spoken Burmese name for the country, to 'Myanmar', the written literary name – was quickly recognised by the United Nations and by countries such as France and Japan, but not by the United States and the United Kingdom, as they considered the then military regime did not have the mandate to make the change. The democratic opposition parties were also staunchly against it.

But lately, Aung San Suu Kyi has said both names are acceptable; toning down her former position of only sticking to 'Burma'. Recently, while attending a gathering of ambassadors in her capacity as Foreign Minister, she said: "It's up to you, because there is nothing in the constitution of our country that says we must use any term in particular."

The second issue is that of honorifics and dealing with Burmese language titles, once they are translated into English. To a native of Myanmar, it might seem impolite to just use the name without putting 'U' or 'Daw' in front of the male or female name, but after deliberations between the editors and me, we resolved to stick to the international norm of leaving out honorific titles. So, for example: 'Daw Aung San Suu Kyi' becomes 'Aung San Suu Kyi' and 'U Thein Sein' changes to 'Thein Sein', in line with international reporting. The same goes for the honorifics of the non-Bamar ethnic nationalities, which are different from those in Burmese language.

The third challenge was how to cope with the numerous abbreviated names of political parties, committees and organisations, etc. that the reader will encounter in the book. In order to make it easier

to check them, I have included the abbreviated form in alphabetical order, followed by each organisation's full name, which I hope will help to guide the way through the country's complex political landscape.

One other issue that needed to be tackled, was how to reference the 52 commentaries and present them in a way that would make each one easily accessible to researchers, scholars, or students, who might not have time to read the complete text.

It was therefore decided to include a reference to the *Mizzima* publication issue, as well as the date of publication and volume series number, at the top of each commentary (for example: *Issue 13, Vol. 4, March 26, 2015*), so as to provide a clear timeline of when incidents occurred and when they were written about. It also enabled us to break the commentaries into manageable chapters, based on the 14-month period covered in the book, thus adding to its readability, so-to-speak.

This brings me to the book's Index, the names and other references of which, are not linked to their respective page numbers, but rather to the commentary in which they appear, thus highlighting the relevance of the time period to which they are associated. For example: *Arakan Army, Iss13/V4, Iss18/V4, Iss19/V4, Iss11/V5 (Iss – Issue, V – Vol.)*.

Sai Wansai

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I WOULD like to thank Julian Gearing for giving me the opportunity to voice my opinions in my regular column for *Mizzima Weekly*. A special thanks goes to the book's editor, Renford Davies, for painstakingly doing the final edition and structuring the book, as it is now presented.

My heartfelt thanks goes out to Khernsai Jaiyane, a patron of the *Shan Herald Agency for News (SHAN)*, and his team for giving me a permanent forum on their website; and furnishing me with current news – official and classified – so that I have been able to file my assessments subjectively.

I would also like to thank Paul Keenan for his insightful introductory article entitled, *A Brief History of Ethnic Conflict in Burma* that ensures a closer understanding of the complex ethnic struggle in Myanmar.

I am also indebted to many sources from various ethnic nationality organisations – armed and unarmed – which I am unable to name here, for their continuous sharing of statements and news, so that I have been kept abreast of developments, thus enabling me to file my reports.

My gratitude also goes to my wife Orn-Udom, my two daughters Daranee and Bernadine for supporting me, without reservation; to stay upright and steadfast in my political convictions in standing for truthfulness and oppressed peoples, without which I would not be able to produce my commentaries.

Finally, it goes without saying that the entire book's content is my own and the responsibility for it rests solely with me.

Sai Wansai

INTRODUCTION

UNDERSTANDING the contemporary politics of Myanmar or Burma is a big challenge for anyone, including those who are actively involved. Differing convictions and interpretations of the political and military spectrum have only added to the complexity, leading to discrepancies and contradictions in the reporting of recent historical events.

Thus, this introduction is an attempt to explain things as they really are – to document the emergence of present day Myanmar or Burma and the ethnic conflict that continues to this day – following independence from the British in 1948.

To help the reader better understand the recent political transition recorded in these pages, two articles have been included as part of this book's introduction, which outline as objectively as possible, the historical facts leading up to the general election on November 8, 2015.

The first article, *A Brief History of Ethnic Conflict in Burma*, by Paul Keenan, outlines the emergence of the ethnic political forces – starting with the post-World War II ethnic rebellion in 1947. The second article, *Bridging Conceptual Differences Vital to End Ethnic Conflict*, is penned by Sai Wansai, the author of this book, and explores the conceptual differences, with particular reference to the making of the Union of Burma, and the processes that led to the country's emergence as a nation, when it was colonised by the British in 1824.

I believe that the commentaries compiled in this book – covering the crucial one-year transition period from Thein Sein's quasi-civilian government to the seemingly fully fledged democracy under Aung San Suu Kyi's NLD party – offer valuable insight as a historical record for those who want to better understand the current political processes shaping the country.

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A brief history of ethnic conflict in Burma

POST-WORLD War II ethnic rebellion first emerged in Arakan State in 1947. The Buddhist monk Seinda, organised the remnants of the Arakanese Defence Army into a resistance movement, the Arakan People's Liberation Front, seeking an independent Arakan State. However, the Arakanese struggle was to be quickly eclipsed by so-called 'leftist' and other widespread ethnic uprisings.

Under colonial administration the country had been divided into two very distinct entities: Burma Proper or Ministerial Burma, consisting only of what are now the majority divisions of the country, and the excluded areas which were comprised of what is now Karen or Kayin State (then known as the Karen Salween Hill tracts), Chin State (Chin Hills), Arakan State (Naga Hills) and Shan and Kachin States (Federated Shan States).

Fighting in World War II had continued largely along the ethnic boundaries drawn by the British colonial government. Many of the ethnic groups, including the Karen, Kachin and Chin continued to support the British and fought against the Japanese and the Burma Independence Army. It was this support for the allies that led many of them to believe that the British would honour their calls for separation from an independent Burma under what was feared would be a Burman-dominated government.

After joining with the British to force the Japanese retreat, Aung San formed a provisional government, the Anti-Fascist People's Freedom League (AFPFL), which included among its members a number of ethnic representatives. Although being given some representation, many of the ethnic groups still believed that the British would support their calls for independence.

As far as it was concerned, the British government had already made allowances for the former frontier areas to be given special dispensation for self-rule in any future independent Burma. Aung San and a number of AFPFL representatives were invited to London for discussions with then Prime Minister Clement Attlee. Despite the fact that Attlee had received a cable from the Shan Sawbas stating that 'Aung San and his delegation did not represent the Shan and the frontier areas' talks continued. The result was that the Aung San-Attlee agreement, originally designed to give the country full self-government within the commonwealth, stated that ethnic states could decide for themselves if they wished to join the Union of Burma. It also stated that a conference to discuss ethnic representation

must be arranged by the AFPFL.

The subsequent conference, held at Panglong in Shan State on February 12, 1947, resulted in the signing of what became known as the Panglong Agreement. This agreement provided for autonomy for both the Shan and Chin states and the future demarcation for a Kachin state. However it was not inclusive. Karen representatives, under the political leadership of the Karen Central Organisation, refused actual participation in the Panglong conference due to the fact that its own AFPFL members had not been included in the London delegation. Although both the Karen and the Karenni sent observers to the conference there were no representatives from the Arakanese, Mon or other ethnic peoples.

A number of the ethnic minorities felt that they had been unjustly treated by the British and the Aung San-Attlee agreement, as did a number of members of the AFPFL. Former Prime Minister Saw and Thakin Ba Sein refused '...to associate themselves with the conclusions of the agreement.' In Yangon, then known as Rangoon, Thakin Than Tun and Thakin Soe also denounced it. The fact that the AFPFL was not united would soon see the country spiral into anarchy.

The ethnic issue was later addressed in Burma's 1947 Constitution which included a provision that ethnic states could secede from the Union but not within 10 years of the constitution coming into law. It also included a provision for an autonomous Karen State or Kaw-thu-lay based on the 'Salween district and such adjacent areas occupied by the Karens as may be determined by a special commission appointed by the President.' But this was to be decided after independence. The Karen issue was further complicated by factional in-fighting. A number of Karen groups had met to create the Karen National Union (KNU), led by AFPFL member Saw Ba U Gyi, in February 1947. In March 1947, in response to the AFPFL failure to include Karen representatives in its London delegation, Saw Ba U Gyi resigned his post. This was then taken by San Po Thin, leader of the Karen Youth Organisation (KYO), who quickly allied himself to the AFPFL. The KYO supported the creation of a Karen State as demarcated in the 1947 constitution while the KNU sought a much larger area including access to a seaboard. The KNU began to train its own defence force, the Karen National Defence Organisation (KNDO), which was inaugurated on July 15.

Two days later, on July 17, tragedy struck. Aung San and six members of his cabinet, including Mahn Ba Khaing of the KYO, were assassinated. Aung San was immediately replaced by Nu as leader

of the AFPFL and chief of the cabinet. Nu hoped that he would be able to solve the Karen issue with the provision for a future Karen State in the 1947 constitution. Although Nu was supported by San Po Thin and the KYO, the KNU refused to accept the areas given. The Karen leadership stated that it could not accept the constitution because '...[it] does not include the granting of a state to the Karen to satisfy their aspirations'. Instead they demanded the creation of a Karen State to include Tenasserim Division, Taungoo District, Irrawaddy Division, Insein District, Hanthawaddy District, and Nyaunglebin sub-district.

In addition to the Karen, Karenni leaders were also seeking to continue their own independence. On the September 11, 1946, the Karenni leader, Bee Tu Ree, had announced the formation of a United Karenni Independent Council (UKIC) comprising all four Karenni states. Less than a year later, in November 1947, Saw Maw Reh formed the Karenni National Organisation (KNO) and it wasn't long before they, like the KNDO, began military training in defence of their own Karenni State.

By December 1947, the first signs of open insurrection were seen in Arakan. The secessionist Arakan People's Liberation Front began to attack urban areas while various Mujahids – Muslim troops seeking to create a separate Islamic state – followed closely behind. In the Irrawaddy delta, red flag communists were also active, attacking police outposts and looting local treasuries.

It was against this backdrop that Burma became an independent republic outside of the commonwealth on January 4, 1948. The new Prime Minister, Nu, was soon faced with further rebellions from within the AFPFL. The White Flag communists split from the government in March 1948 and went underground. Three months later, in July, the People's Volunteer Organisation (PVO), the former defence force of Aung San which numbered between 80,000 to 100,000 troops, split and joined the various rebelling groups in the countryside.

Nu tried desperately to hold talks and bring the various disparate factions around the negotiating table but such attempts failed. The situation was also further exacerbated by a number of defections from the Union Military Police and the Burma Army. Ironically, Nu was forced to rely on the Chin, Kachin, and Karen regiments to defend the capital from the various armed bands and retake towns and cities lost to the rebels.

Although the KNDO had successfully defended Rangoon from communist attack, ethnic tensions between the Karen and Burman were still high. The Karen call for a separate Karen country had still not

been adequately resolved. In addition, Nu had openly accused the KNU of seeking to set up a parallel government in Karen areas and of attempting to buy large shipments of arms. The press seized upon the stories and their publication further stoked communal tensions.

The situation in the Karenni region was also precarious. A Baptist-Catholic split occurred in the Karenni leadership and the government seized on the opportunity to exert its influence. On August 9, 1958, the 13th Union Military Police (UMP) regiment attacked the village headquarters of Ba Tu Ree. The Karenni leader was captured and then brutally murdered. Karenni villagers took up arms and numerous attacks were made against the central government.

A month later, in what was ostensibly described as an attempt to restore law and order, KNDO units and a Karen UMP regiment seized Thaton, Moulmein, Shwegyn and Kyaukkyi. The seizure of Moulmein was also supported by local units of the Mon National Defence Organisation which had been formed in March 1948. After four days, Moulmein was returned to the government and the Second Kachin Rifles. However, the ability of the Karen to so easily seize such major locations caused great fear for the government in Rangoon.

With the prospect of communal violence and a fear that the Karen were preparing to take control of the capital, Nu began training local militia units, the Sitwundans, under the command not of the army Chief of Staff, an ethnic Karen, but the war office under Aung Gyi. The Sitwundans and local UMP units began to order the KNDO units to disarm. On Christmas Eve 1948, in the Karen village of Palaw, Sitwundans disarmed the local Karen UMP units and not long after threw grenades into the village church. Over 80 Karen villagers were killed in the first of many such incidents.

In Rangoon, in the majority Karen areas of Insein and Kemedine, random shootings and shelling were also frequently reported. In late January, an armoured car drove through Insein indiscriminately firing at local Karen civilians. This occurrence followed on events which had occurred a few days earlier. A former cabinet minister, Bo Sein Hman, had led PVO troops in the massacre of a hundred and fifty villagers in Taikkyi. In response, KNDO units raided the treasury in Maubin which in turn led to retaliation by the 4th Burma Rifles which razed an American missionary school. The prospect of inter-ethnic violence became even stronger.

Despite a number of talks between Nu and Saw Ba Gyi the situation continued to deteriorate as Sitwundans entered Karen areas and Karen forces began to seize a number of key cities including

Taungoo, Tantabin and Pyu. Government forces attacked the Karen areas of Thamaing and Ahlone with automatic gunfire and mortars shooting down innocent civilians as they fled their burning homes. Finally, the government declared the KNDO illegal and two days later Karen forces took Insein in what would be a 112-day stand-off.

The troubles in Rangoon, and the failure of the government to adequately deal with ethnic grievances, were to be further compounded by the rebellion of the 1st Kachin Rifles, on February 16, 1949, and the organisation, on November 15, of the Kachin forces into the Pawngyawng National Defence Force, by its leader, Naw Seng, which allied itself to the Karen. Soon the various ethnic groups joined together and city after city were taken across the country. It was estimated that in 1949 at least 75 percent of all the towns and cities in the country were under the control of ethnic or 'leftist' fighters.

By 1950, the Burma Army had been reformed and had begun to take back a number of previously lost towns and cities. In March they were able to take the Karen headquarters in the city of Taungoo, and in May the communist held city of Prome. In August the Karen suffered another disaster when their leader, Saw Ba U Gyi was captured and killed. It was estimated that by the end of the year the government had been able to recapture most of its lost territory and Nu felt confident enough to declare general elections, scheduled for June, the following year.

Although the government had been slowly able to retake much of the country it was to face another major problem to the east in Shan State. In the early 1950s large numbers of Nationalist Chinese troops (KMT), and their families had settled there. By 1953, the CIA was covertly dropping arms and flying out opium to fund a war against the Communist Chinese. The KMT, or Kuomintang, had taken control of Kengtung, Manglun, and Kokang and had become the de facto government in the area. In 1953, the KNDO contacted the KMT and a brief alliance was made. In return for arms, the KNDO would allow passage through Karen territory and also assist in attacks against Moulmein and a number of other targets in Karenni. However, the alliance was short-lived. After a number of operations against it, the KMT was finally defeated after Burmese and Chinese troops overran its base at Mong Pa Liao on January 26, 1961.

Throughout the 50s the Burma Army launched a number of counter-insurgency operations against various ethnic forces. These included 'Operation Sinbyushin' and 'Aungtheikdi' which successfully reconsolidated government control over large parts of Karen State, and

'Operation Mate-thone', which finally crushed the Mujahid insurgency on the eastern border of Arakan. Faced with the prospect of more strategic defeats in their territory, Mon and Karen representatives travelled to meet with the Thai authorities in Bangkok and were able to return with assurances that they could set up a number of bases on Thai soil and purchase supplies in Thailand.

While the military operations continued against members of the ethnic alliance a number of leaders in the Shan states began to call for the right to secede from the union as provided for in the 1947 constitution. At the same time, Prime Minister Nu was also faced with the split of the AFPFL government which separated into two factions, the 'Stable AFPFL' led by Ba Swe and Kyaw Nyein and the 'Clean' AFPFL which remained under the leadership of Nu. With the political situation deteriorating and calls for the Shan States to secede Nu turned to the military, and General Ne Win, to take control. On October 28, 1958, Nu resigned and Ne Win took over as caretaker until the former's re-election in 1960.

The ethnic, and what would become known later as the federal issue, continued to be left unanswered. In what the military considered a compromise, Nu arranged a federal seminar to take place on February 26, 1962 to amend the constitution and give greater rights to the ethnic minorities. Fearing the country's collapse, Ne Win seized power on March 2 and detained Nu and over thirty Karenni and Shan leaders. The 1947 constitution and the rights of the minorities to secede was suspended.

After seizing power Ne Win established the Revolutionary Council (RC) comprised of 17 senior officers which promptly replaced the federal parliamentary system with a military dictatorship. The RC then created its own political party, the Burma Socialist Program Party (BSPP), and published its ideology, *The Burmese Way to Socialism*, on April 30, 1962. To further establish control over the political processes of the country, the RC issued a decree entitled 'The Law Protecting National Unity' on March 23, 1964, whereby all political parties except the BSPP were abolished.

The BSPP soon embarked on a policy of nationalisation and the military assumed direct control of the economy. In 1971, the BSPP attempted to transform itself into a civilian administration; however, it was still primarily comprised of retired military officers. In 1974, a new constitution was adopted, which further entrenched the BSPP as the only legal political party in the country.

For many ethnic leaders, the 1962 coup is seen as the watershed

in ethnic relations. It was the year that military rule was fully entrenched in Burma and all hopes of a federal union were discarded. The Burma Army adopted a scorched earth policy, known as the 'Four Cuts', in ethnic areas and large parts of the civilian population were either killed or uprooted. By 1976, the armed ethnic rebellion had been cemented in the formation, on May 10, of the National Democratic Front (NDF), whose members represented all of the main ethnic nationalities in Burma.

In 1988, student-led protests were brutally crushed by the regime. This resulted in a number of students fleeing to ethnic areas and soon Burman student armies were organised and trained to fight against the regime. The arrival of the student movement led to the creation of the Democratic Alliance of Burma (DAB) which saw the creation of a joint ethnic-Burman front consisting of the ten ethnic resistance armies of the NDF and 12 Burmese opposition parties. The NDF and DAB would be joined by the government-in-exile; the National Coalition Government of the Union of Burma (NCGUB), formed in 1990; the National League for Democracy – Liberated Areas (NLD-LA), formed in 1991; in the creation – on the 22nd of September 1992 – of the all-inclusive National Council Union of Burma (NCUB).

By the 90s, the situation in the country had drastically changed. The collapse of the Communist Party of Burma (CPB) in Shan State resulted in a number of new armies – based along ethnic lines – signing ceasefire agreements with the government. These groups including the Wa, Kokang and some Shan, were able to gain limited autonomy. The Kachin and Mon would later join them and factional splits within the KNU would also see a number of Karen groups seek accommodation with the junta. The military regime was able to use these ceasefires and allied groups to great advantage, often using them to fight against ethnic opposition forces.

The earliest agreements with the Wa and the reasons for their acceptance were more to do with the unstable situation surrounding the CPB; later agreements with the ethnic groups had slightly different characteristics. The nature of the agreements with the regime was largely geographically based, and location and access to resources played an important factor in the reasons for ceasefire groups at the time joining the legal fold.

Financial, rather than ethnic preservation was one of the main reasons for the New Democratic Army – Kachin (NDA-K) joining the legal fold in 1989, although the same cannot be said for the Kachin Inde-

pendence Organisation (KIO), which had tirelessly fought against the regime since 1961. The KIO entered an agreement with the regime, which resulted in the organisation losing its main jade concession – and therefore cutting off the security of a dedicated source of income in an attempt to seek Kachin autonomy and development, through a process engineered by the regime.

The reasons for the New Mon State Party's (NMSP) capitulation was compounded by the fact that they were forced into signing an agreement with the junta after Thailand, looking to lucrative energy and trade agreements with the Burmese government, pressured the group to engage the regime. The NMSP's activities were heavily curtailed due to its insistence on larger ethnic representation and a federal system.

In Karen State, religion and societal prejudice were a major complication resulting in the split of the Karen resistance movement. The Democratic Karen Buddhist Army which in its initial stages was bound not only by a shared religion but also a deep feeling of injustice was not primarily a Karen nationalist force. However, since its inception, and perhaps with the encouragement of the Burmese regime, it increasingly assumed the mantle of fighting for Karen interests.

While larger groups were able to assume the roles and responsibilities of semi-autonomous administrations taking responsibility for the promotion of their individual ethnicity, smaller, less empowered groups sought to use their positions to advance their own wealth. Under the veneer of ethnicity and nationalism these groups, supported by the State Peace and Development Council (SPDC), strengthened their own positions – often at the cost of the population, which they purported to represent.

Most ceasefire organisations were able to initiate a number of development projects in areas under their control. With support not only from the Burmese regime but also International NGOs, these groups successfully embarked on a number of infrastructure projects and social and cultural organisations were set up to promote their own ethnic identity and language. However, such developments only had a marginal impact on abuses carried out in areas under their control. Whether such abuses were undertaken by the SPDC or their own units – taxation, forced labour, forced relocation, and extra-judicial killings were still carried out in ceasefire areas with impunity.

After the promulgation of the 2008 constitution which stated that 'All the armed forces in the Union shall be under the command of the Defence Services' the government attempted to transform all allied