

## Political Transition towards Federalism in Myanmar

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### Abstract

A Federal system divides power and responsibilities between the central government and local governments, but it is not allowed for secession. Myanmar had no opportunity to practice the democratic government and the federal system since its independence. According to 2003 seven roadmaps, a new constitution was drafted and approved through a public referendum in 2008 constitution. The elections were held in 2010, 2012, 2015 and 2018 as a process to democratize the country. Since 2010, the transition process has started with a series of decentralization reforms towards federalism. Myanmar is going to transform federalism; it requires peace through cooperation refrain from conflict, national reconciliation, reforming the some of the articles of 2008 constitution, sharing of power and responsibilities and equitable developments between states, regions and autonomous regions. Under President U Thein Sein, the eight Ethnic Armed Organizations (EAOs) have signed the Nation-wide Cease Fire Agreement (NCA) and further discussed the basic principles for building future federal state. Daw Aung San Su Kyi also continuingly transformed the NCA into 21<sup>st</sup> Century Panglong Conference. This trend has been apparent in the ongoing political transition and peace process. This paper focused on qualitative data methods with the process of peace and federal union. My research will approach with liberalism point of views. My research may be an applied research of policy analysis. It will analyze how to reform a democratic federal union and how to find out the peace between the government and ethnic armed groups. Yet, federalism-building in Myanmar has long been challenged by the country's specific state-building procedure.

**Keywords:** Division of powers, decentralization, resource sharing, liberty, cooperation and peace

### Introduction

Under Myanmar's political transition process, the first multi-party general election in 1990 was held to elect new parliament. The NLD won the landslide majority in Myanmar but the military government had not recognized the result. However, the democratic transition could not last long in Myanmar. The military government refused to hand over power to the elected civilian government after the election in 1990. The United States and western countries condemned the military government's actions and lifted sanctions. ASEAN and other countries pressured Myanmar to draw a new constitution for the establishment of democracy. In 2003, military government established the seven-step road map with the aim of national reconciliation. These seven-step road map are: reconvening the National Convention, step-by-step implementation of the process of disciplined democratic state, drafting a new constitution, adoption of the constitution through national referendum, holding free and fair election, convening of the Parliament and Building modern, developed and democratic nation.

The constitution was adopted by the military government without the will of opposition parties and also the public mostly. The government formed commission on draft constitution with 54 members and ratified in 2008. The 2008 constitution was not perfect for establishing a federal state in Myanmar. The ethnic groups argued to transform some of the articles of federalism in the constitution because of strong hold power of central government. As a result, there is no clear significant separation of power in the interpretation of the constitution. The constitution transforms into the democratic government partially. The new constitution was adopted with the support of 92.48 percent of voters and thirty-seven parties contested in 2010.

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Myanmar became largely visible after the 2010 election held under 2003 roadmap to democracy and transfer of power to the elected government in 2011. Union of Solidarity Development Party (USDP) won with landslide victory and the Republic of the Union of Myanmar was established on 31 March 2011. U Thein Sein was elected as President and he focused on the political unity and poverty reduction. There are three phrases of reforms under the transition period such as political reform, economic reform and administrative reform or public administration.

### **Materials and Methods**

In doing this research, descriptive analytical approach is used to find out the political transition towards federalism in Myanmar. It collected quantitative data including primary sources such as documents, reports and secondary sources such as books, journal, articles and newspapers. It used the expert interviews and cooperative approach and new facts on the relevant fields of respective departments.

### **Research Questions**

This study focused on how to analyze the political transition towards federalism. How does Myanmar try to unify a democratic federal union? How does the government find out the common interests of the peace towards Union? How many problems does Myanmar face to get the true democracy and how to overcome these challenges?

### **Results and Discussion**

The civilian government under USDP government prioritized not only political unity but also development towards political liberalization and national reconciliation. U Thein Sein invited the political parties to participate in the political process of nation development. He announced the suspension of Myitsone Dam and Copper mine Project because of many people who protest the establishment of Myitsone Dam project in Myanmar. Due to the suspension of Myitsone dam, China- Myanmar relations was temporarily destroyed. U Thein Sein met with Daw Aung San Su kyi to find out the national interest and she was elected by the representatives of Kawhmu in Pyithu Hluttaw in 2012. Many political prisoners were released to enable them to participate in the political process in Myanmar.

Hilary Clinton, US Secretary of State, first visited Myanmar and met with U Thein Sein. US President Barrack Obama visited Myanmar on 19<sup>th</sup> November 2012. The US praised Myanmar reform programmes and the improvement in relations, and it has founded the reestablishment of diplomatic relations at ambassador level. The suspension of almost all of US economic sanctions on Myanmar and the encouragement given by the US government for the US companies to invest in Myanmar.

### **Nationwide Ceasefire Agreement (NCA)**

The civilian government has attained some political achievements. It has signed ceasefire agreements with 10 major ethnic groups and out of 11 ethnic armed groups. The peace talks produced an agreement to hold a political dialogue. After taking office, the civilian government initiated a peace process to end more than 60 years of conflict in the country. As a result of the peace effort, Union Peace making working committee and ethnic groups released a joint statement for nationwide ceasefire.

Regarding the peace process, the eight Ethnic Armed organizations (EAOs) have signed the NCA under President U Thein Sein and made further discussions of basic principles for building future federal state. The 2003 seven-step road map for democracy is the first of

democratization in Myanmar. The 2008 Constitution is the second step for the democratization in Myanmar. After 2011 election and consequent transfer of power, reform processes towards democratization became visible.

U Thein Sein prioritized the political reform (first year), socio-economic (second year) and administrative reform (third year). Reviewing U Thein Sein's reform after coming to power, he met with Daw Aung San Su Kyi and the other opposition leaders for reconciliation, released thousands of political prisoners, relaxed media censorship, allowed NLD and other opposition leaders to run for parliament. He signed several peace agreements with ethnic minorities and increased budget spending for health and education. President U Thein Sein transferred power accordingly. The transfer of power to the newly elected government is part of the third step for the democratization process.

U Thein Sein also accepted "2015" election results and agreed to transfer power peacefully. Now, Myanmar is in a process of establishing multi-party democratic system and administrative structures. Thus, elections were held in 1990 and subsequently four more elections were held in 2010, 2012, 2015 and 2018 as a process to democratize the country. Myanmar is moving towards democratization. However, there are challenges which obstruct the path of democratization.

As politics and socio-economic development are closely intertwined as political reform process, the government is also carrying out economic reforms. The importance of public financial management reform is linked up with Myanmar economic and social reform process. Public financial management is all about fiscal and tax reform, national budget transparency, fiscal policy, investment budget and effective public expenditure management, state-owned enterprises reform, strategic resource allocation and resource mobilization. These facts include in the government's economic policy priorities regulated by the government. Thus, Political transition in Myanmar also needs four process of transition such as Transition to Democracy, Transition to Peace, Transition to Market Economy and Transition to Good Governance. To become a good government, it is needed to build the transparency, accountability and responsibilities to govern their people.

### **The 21<sup>st</sup> Century Panglong**

The National League for Democracy (NLD) government took office in the end of March 2016. Daw Aung San Su Kyi began to cooperate with the government by getting 43 seats out of 44 seats and became a member of parliament. After State Counselor Daw Aung San Su Kyi came into power, the NLD government prioritized the National Reconciliation and peace process. National League for Democratic (NLD) was formed with the objective to demand human rights, implementation of a democratic system and justice for minority groups. To implement the peace, NLD laid down the National Peace and Reconciliation Centre (NPR) to conduct peace negotiations with the ethnic armed organizations. To solve the root causes of armed conflicts which are the political problems, it is necessary to accelerate political dialogues.

State Counselor Daw Aung San Su Kyi transformed the NCA Conference into 21<sup>st</sup> Panglong Conference. The 21<sup>st</sup> Panglong is the great step for the democratization and peace process of Myanmar. This conference started on 31 Aug to 4 Sept, 2016 in Nay Pyi Taw. There are several meetings between insurgent groups and government, and they also signed in NCA. The Union Peace Dialogue Joint Committee (UPDJC) which has been formed in accordance with NCA has been conducting political dialogues. On 15<sup>th</sup> October 2016, the government announced "Seven Steps Roadmap for National Reconciliation and Union Peace the outcome of the reform diffusion.

At the Second Meeting of the Union Peace Conference, policy proposals of 21<sup>st</sup> century Panglong was submitted. These policy proposals were discussed sector by sector and stage by stage. Thus, agreement reached to incorporate these proposals as part of the Union Accord. It focused on the building up the Union in harmony with the Panglong spirit. It was based on democracy and federalism which guarantee democracy, national equality and self-determination. The reform processes of Union Accord are (12) political sector proposals; (11) economic sector proposals; (4) social sector proposals; and (10) land and natural environment sector proposals; all in-all a total of (37) points. In the political reform, the sovereign power of the union is derived from the citizens.

The third session of the Union Peace Conference was held from 11<sup>th</sup> to 16<sup>th</sup> July 2018. It is important to set up the fundamental principle of federalism by holding political discussions. At the third session, the ten EAOs have signed the NCA and Pyidaungsu Accord part two was successfully signed and submitted to parliament. There have been many arguments and controversies among the participants of each side.

A Union Peace Conference-21st Century Panglong meeting was held according to political dialogue framework, once in 2018 and twice in 2019. After the three conferences were held, the basic principles were related to democracy and federalism, which are the basic foundation of a Union based on democracy and federal system, which are to be established. So, the 21<sup>st</sup> Century Panglong therefore marks a historic mark on the peace process of Myanmar. If the 21<sup>st</sup> Century Panglong conference succeeds, Myanmar will achieve real federal union.

### **Findings**

Reviewing the history of Myanmar, the government faces ethnic insurgencies in border areas. The negotiation process of Myanmar is quite complex and difficult to forecast. The peace is ongoing controversies upon the formation of federation and the demands of EAOs and their attitudes upon future federation. To create good governance and clean government, it is needed to build trust in government and people's representatives.

Federalism in Myanmar is also concerned with the peace process to end the ethnic conflicts. To achieve the negotiation process, the most appropriate methods are to establish the trust, the rule of law, independent judiciary, legitimate parliamentary, regular elections, free and fair, combat against any forms of corruption and separation of power between the central government and local authorities. Among them, the establishment of trust is the vital role for the negotiation process. So, individual leader or good leadership needs to strengthen the trust. So, the Union Peace Conference is the important factor of federalism in Myanmar.

### **Conclusion**

Therefore, the 21<sup>st</sup> Panglong is the important factor of transition wave in Myanmar. Transition to democracy can be seen in the form of elections and people's participation. Myanmar is facing important challenges which need to be solved to democratize the country. Democracy is difficult in Myanmar because there are diverse ethnic groups demanding for separate autonomy. The true Democracy needs good governance and stability. But, in Myanmar, there are one hundred and thirty-five ethnic communities who live together and demand for different political status. It is difficult to sustain.

So, amendment is necessary to contest all the seats. All the seats not contested and Myanmar cannot be called true democracy. The role of Military remains the greatest challenge in democratic transition in Myanmar. If the military do not agree to amend the constitution, the 2008 constitution cannot be amended. More than 75 %of vote is necessary to amend the

constitution and 25 % of seats are reserved for the military in the national Parliament. So, full democratization is difficult and long way to go in Myanmar.

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