

Democratic Deficits: Structural and Agency Factors in Myanmar's Ethnic Peace Process during Regime Transition

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Myanmar has undergone democratic transition since 2010 when the country introduced elections and a parliamentary form of government. The country has now had two successive governments, the first led by President Thein Sein and the second by Aung San Suu Kyi's National League for Democracy. Both governments have made the ethnic peace process, based on the 2015 Nationwide Ceasefire Agreement, a key policy issue. Nonetheless, only limited success has been obtained thus far, and important structural and agency factors inhibit greater progress. These factors, termed "democracy deficits" in this article, suggest that the peace process has limited scope for further success in the medium term, and that the interactions between these two factors has only worsened the situation. A postscript brings the article up to date.

Keywords Myanmar, democratization, Nationwide Ceasefire Agreement, Northern Alliance, National League for Democracy

Introduction

Myanmar began a domestically engineered democratic transition in 2010 with the country going through two elected governments in the following decade. The first government, led by President Thein Sein, was only partly democratic since leading personalities within it were drawn from the military, and the major opposition political party boycotted the election. By contrast, the second National League for Democracy (NLD) government, led by Aung San Suu Kyi, that took power in 2016, was far more democratic with a strong mandate and an overwhelming majority in parliament. Both governments sought to end the long-running wars with ethnic armed groups and regarded this an extremely important agenda item during their terms of office. There was optimism that democratization would yield an internal peace dividend leading to a cessation of

the armed conflict that has wracked the country since the late 1940s following political independence from the United Kingdom.

The 1990s was a celebratory period internationally following the collapse of communism in Eastern Europe and the implosion of the Soviet Union in 1991. Together with pronouncements that liberal democracy had triumphed over communism, there was also the recognition of a third wave of democracy that swept the world at large (Huntington 1991). Capitalizing on this sentiment, the United Nations, under the leadership of Boutros Boutros Ghali, sought to intervene and stabilize civil conflicts in order to transform them into peaceful political settlements that leveraged democratic norms. It was hoped that, with requisite international support and funding, feuding groups could be persuaded to form political parties and compete in elections so that differences between groups could be peacefully resolved. In the region of Southeast Asia, where Myanmar is located, the 1991 Paris Peace Agreements served as the precursor to the formation of the United Nations Transitional Authority in Cambodia (UNTAC) that eventually led to a national election in 1993, after feuding parties were placed in cantonments and disarmed. In order to attain a consensual and enduring peace settlement, following the election a national coalition government with two co-Prime Ministers, Hun Sen and Norodom Ranariddh, was established. The Khmer Rouge refused to abide by the terms of UNTAC and fled to provinces along the Thai-Cambodian border, but it was eventually defeated. Many of the fighters were also absorbed into the national army to facilitate the reconciliation process. Similarly, in the case of East Timor that voted for political independence following the downfall of the Suharto government in 1998, the creation of the United Nations Transitional Authority in East Timor (UNTAET) eventually led to the territory's independence as Timor Leste in 2002.

The onset of democratization has brought about a mixed outcome in the case of Myanmar. While the transition has brought the ethnic peace process out into the open and made it an important agenda item for incumbent regimes, progress toward conflict transformation has been rather limited. The peace process underwent a more significant transformation from 2011 when President Thein Sein, notwithstanding his association with the previous military government under Senior General Than Shwe, decided not to deal with ethnic insurgency as a simple internal security matter. This approach was in line with a slew of liberal reforms that included the freeing of opposition politicians in detention, right of return for political exiles, and the removal of insurgent groups from the political blacklist. These reforms and more liberal laws governing the media were in turn richly rewarded by the international community with the lifting of economic sanctions. In particular, the reestablishment of diplomatic ties by Western countries served to enhance the Thein Sein government's political legitimacy and contributed to even more reforms to capitalize on the positive momentum that had been created.

The process began in earnest under the Thein Sein government with the

establishment of the Myanmar Peace Centre (MPC), in October 2012, in order to centralize the negotiation process and bring it under executive political control. Prior to this institutional approach the process had been dealt with in a piecemeal fashion with individual groups and had lacked a cohesive national framework. Then the process was consolidated with the Nationwide Ceasefire Agreement (NCA) that was inaugurated in October 2015 with eight out of the sixteen ethnic armed groups with which the government was engaged in dialogue.¹ The NLD-led government has succeeded in adding two more groups to the NCA. Nonetheless, the process itself has been bogged down by disagreements with existing NCA signatories, the emergence of a broad coalition of non-signatories, and increased fighting and displacement of civilians in western Rakhine and northern Kachin and Shan states. Another interesting feature of democratization is how ethnic armed groups have also registered political parties to take advantage of elections and vote their members into parliament.

The obstacles to the Myanmar peace process can be broadly classified under structural factors and agency factors, and these appear to be rather firmly etched, suggesting inherent limits to the benefits of democratization. Structural factors broadly refer to organizations, their pattern of interactions, as well as to aspects of the system and its laws that in turn shape domestic political discourse, and they form a common frame of reference in comparative politics (Goldstein 1991, 29-34). Such factors are widely acknowledged to be extremely important in functioning democracies as well as in states that seek regime transformation in favor of democratic norms. Recent studies have noted the importance of ethnic fragmentation and state quality in particular as important variables for democratization (Robertson and Pop-Eleches 2015). Structural constraints are thought to inhibit the responsiveness of political elites during democratization, while strong leaders are expected to overcome such inhibitions in order to satisfy the demands of the electorate (Imbroscio 1999). Additionally, the prior existence of an authoritarian regime is thought to make structural remedies for the onset and consolidation of democracies much more important (Ruhl 1996).

Agency, on the other hand, refers to individual actors and their ability to fashion developments and introduce changes. While leading elites in the democratization process have the ability and power to transform the ethnic conflict in Myanmar, there appears to be little willingness to do so. In fact, agency factors willingly and sometimes inadvertently only embed the structural constraints that currently obtain. This article utilizes an admixture of local newspaper reports and elite interviews to substantiate this observation.

In terms of organization, the first section examines the progress of the government's peace initiatives and the success obtained thus far. The second section looks at structural factors that inhibit the process from further consolidation and gains, while the third section looks at agency factors that perform a similar function. Important actors within the peace process are leaders of

the major ethnic armed groups, military elite, state-appointed negotiators, and ranking members of government. Interviews indicate strong negative sentiments with regard to certain groups and issues that make reconciliation and mutual agreement extremely difficult. The fourth section details the interactions between structural and agency factors, while the fifth section examines the likely trajectory of the peace process going forward. The article is brought full circle in the conclusion. Finally, in order to bring the discussion more up to date, a postscript that details the February 2021 military coup and its impact on the process has also been added.

Democratization and Related Gains

Although the process of democratization in Myanmar that began in 2010 has neither led to the complete transformation of ethnic conflicts nor ended them, there is no question that the process has had a positive impact on the situation in a number of ways (Ganesan 2017a). Most importantly, the process has become a structured issue and part of the national agenda. While there have been differences in the approaches of the Thein Sein and Suu Kyi governments on how to engage the groups and structure the process, both elected governments have sought to contain the conflict and have tried to resolve it through negotiations. In this regard the process has been brought into the open and widely publicized. Such publicity has created some transparency to the process, which was previously shrouded in secrecy, and brought it into the public domain. This engagement involving regular meetings has also led to a measure of familiarity and occasional accommodation of differing views in the hope of narrowing differences over time. In fact, the NLD-led government publicly announced the ethnic peace process to be its most important agenda item when it took office (Ganesan 2017b). The appointment of Suu Kyi's confidant and personal physician, Dr. Tin Myo Win, to broker the process also indicates a degree of personal involvement and commitment. In the previous government U Aung Min, who was a confidant of President Thein Sein, performed a similar role, suggesting a measure of continuity in the approach.

At the beginning a more liberal political environment also resulted in a broader engagement with ethnicity as an important national issue. The media has had access to developments related to the peace process and, more recently, NGOs and political parties with representatives in parliament have also been included as observers to broaden the process. Another positive development is that the ethnic armed groups themselves have been able to appropriate the positive developments associated with democracy, such as political contestation and structured representation in local and Union legislatures (Ganesan 2020). Hence all such groups invariably have a registered political party to compete in

the elections in order to take advantage of the process as well. They therefore pursue a two-pronged approach with an armed group engaged in the protection of their interests and a political party to elect representatives to the regional and Union legislatures. And the inclusion of international sponsors and participants in important achievements in the peace process has also led to positive and independent outputs that help advance the process. The ethnic armed groups in particular are keen to include such representation since it is regarded as a form of international recognition of the gains they have achieved and which they hope will be legitimized on a cumulative basis. While elected governments have been willing to enable such international participation, the military generally regards the issue as an internal matter and is not always enthused with such attention. Nonetheless, it has grudgingly gone along with this development thus far.

Democratic Deficits: Structural Factors

While democratization has had a positive impact on the ethnic peace process in general, it is arguable that the full benefits of the transition have not been obtained. A good part of the reason for this observation is that elected governments have not always been able to function effectively in utilizing their political mandate and attendant power to deal with the situation. There are a large number of obstacles that are deeply etched into the structural aspects of the country's politics and the peace process that have to be taken into consideration and acknowledged. Many of these are embedded within the 2008 Constitution that was crafted by the military when the country was under a military authoritarian regime. Senior General Than Shwe, who headed the regime, sought the military's institutional preponderance and power for the long term. Other structural obstacles pertain to the structuration of the peace process and to the ethnic armed groups and their collective representation in and out of the NCA. And the most recent structural factor has been China's growing role in the peace process as the intermediary for the Northern Alliance, a group of six non-signatories to the NCA, in its negotiations with the government and the military.² This development is often regarded as an unwelcome one, especially by the military that is wary of China's motives and interests in the peace process. For Myanmar, its bilateral relationship with China is the most important of such relationships and one that has traditionally been strong in the wake of the country's isolation and poor diplomatic standing abroad (Ganesan 2017c, 2018). That was the case prior to the country's democratic transition in 2010 when it was subjected to wide ranging international sanctions. It also happened following the military's clearance operations in Rakhine state in August 2017 that led to the displacement of some 730,000 Rakhine Muslims into Bangladesh as refugees. The displacement was accompanied by widespread reports of systematic killing of civilians, torture

and rape that led to the country's renewed bad image and triggered targeted sanctions in the United Nations. The Gambia, representing the Organization of Islamic Cooperation, also brought a case against Myanmar for genocide against the Rohingya minority in the International Court of Justice (ICJ) at The Hague in 2019.

The Constitution and Role of the Military

Notwithstanding the positive developments, not all the benefits from democratization have been successfully harnessed. Part of the reason for this situation has to do with the 2008 Constitution that privileges the role of the military in domestic politics. The military is not subjected to parliamentary oversight and does not subscribe to civilian supremacy, thus allowing it to retain a good measure of political autonomy. The first such structural impediment is that the 2008 Constitution allows the military to appoint 25 percent of all Members of Parliament (MPs) in the Union and local legislatures. Additionally, it nominates one of the three Vice Presidents, one of whom goes on to become the President. It controls the three ministries that are often involved in the conflicts and the peace process; these are the Ministries of Defence, Home Affairs, and Border Affairs. For a long time under previous governments the Ministry of Home Affairs (MHA) also absorbed military officers who were given early retirement to start a second civilian career. Hence many senior appointees within the civilian bureaucracy, and in particular in the General Administration Department (GAD) that controls the civil administration, are ex-military officers. Additionally, the police force is subservient to the military general who is the MHA minister. And to further secure the longevity of the Constitution, the rules stipulate that any major changes to it must be obtained through an overwhelming majority in parliament of 75 percent of MPs, and changes must then be ratified through a simple majority in a general plebiscite. The former provision is especially difficult to achieve since the military always votes as a bloc and to preserve its own interests. It also has a majority representation of six out of eleven members in the National Defense and Security Council (NDSC) that allows it to maintain a majority if and when the Council votes. Finally, the military may also override the country's President and intervene in the domestic political situation to ensure sovereignty and compliance with the Constitution (Taylor 2009, 498). In light of these structural impediments to the exercise of political power by an elected government, it is arguable that maintaining control over the peace process is a daunting task.

This lack of control is especially true where active conflict obtains, as in Kachin, Rakhine and Shan states. In a related development the military announced a four-month ceasefire, in December 2018, in the northern and northeastern areas in order to move the peace process forward. However, this unilateral ceasefire only obtained after the KNU withdrew from participation in the formal peace talks in October 2018 citing a lack of progress (Ganesan

2019). And to raise the stakes it also withdrew from the Peace Process Steering Team (PPST) that brings together the eight original signatories to the NCA (Eleven Newsmedia 2019a). The KNU then went on to question the attitude and commitment of the government and the military towards the peace process (Min 2019). Since the KNU, as the largest armed group to sign the NCA, served to anchor the peace process, there was a very real sense that the process itself was becoming untenable. The Revolutionary Council of the Shan States (RCSS) was another signatory that withdrew from the formal peace talks, worsening its relationship with the military. One interviewee described the animosity between General Min Aung Hlaing and the RCSS leader Yawd Serd as personal.³ Additionally, the Karenni National Progressive Party (KNPP), that had earlier expressed interest to sign on to the NCA, has held back for some years, accusing the military of violence and encroachment into its territory. A senior official from the Joint Monitoring Committee (JMC) in Yangon recalled how the KNU's decision to withdraw from the formal talks had undermined the process and set it back, especially with the non-signatories, and with the KNPP in particular. The military has also refused to extend its unilateral ceasefire, that was first announced in December 2018 and subsequently extended till September 21, 2019, to western Rakhine state (Htet 2019a; Eleven Newsmedia 2019b). This was where the Arakan Army (AA), that was previously formed and headquartered in Laiza in northern Kachin state, had sought to establish bases in Chin and Rakhine states since late 2018.

Fighting in both these states has flared up and now constitutes the most serious case of political violence in the country. Both the military and the AA have taken heavy casualties and the ongoing conflict has created almost 200,000 new internally displaced persons (IDPs) in Rakhine state alone, according to the Rakhine Ethnic Congress (Eleven Newsmedia 2020). The military is unprepared to accept the movement of the AA into new areas. And in the past, it has been reluctant to accept it and two other groups, Myanmar National Democratic Alliance Army (MNDAA, a Kokang ethnic group) and Ta'ang National Liberation Army (TNLA, a Palaung ethnic group), regarding these as being of recent vintage and not part of the original 16 groups that it had accepted. The three groups (AA, MNDAA and TNLA) are also part of a smaller sub-group within the Northern Alliance, called the Brotherhood Alliance, and they often jointly engage the military. However, in a seeming response to the military's unilateral ceasefire announcement, the smaller Brotherhood Alliance also announced an original month-long ceasefire in September 2019 (Swe 2019a). This ceasefire was subsequently extended until December 2019, albeit with little impact on the conflicts in Rakhine and Shan states (Nyein 2019). The Kachin Independence Organization (KIO) is formally a part of this alliance although its involvement in joint attacks against the military is often limited. Nonetheless, it was the KIO that helped with the creation and sustenance of the AA in Laiza where it is also

headquartered.

Elected Governments and Related Obstacles

It should be noted in the first instance that the negotiating process between the government and the ethnic armed groups is not a simple bilateral dialogue. The reason for this observation is that the military retains political independence and power as enshrined in the 2008 Constitution, and it also has operational control of areas that are subjected to political violence. Hence, the elected government and the military do not always hold a unified position on an issue and are often at odds. The government of President Thein Sein and the military had far greater strategic convergence on issues than the current NLD-led government and the military. While the former is keen to exercise its power obtained at the polls the latter is unwilling to cede control of an agenda item that directly impacts on its position and political standing in the country. Additionally, the military feels it has been paying a heavy price and that it has had to absorb the loss of personnel during fighting with the ethnic armed groups—and these losses have been substantial lately, particularly in Rakhine state where it has regularly engaged the AA since late 2018.

The military has indicated that it wants the armed groups to formally renounce secession from the Union of Myanmar. This is a concession that was offered to some of the ethnic groups in the post-independence period by Aung San when negotiating the Panglong Agreement in 1947 should the union between the highlands and the lowlands fail. The military is also opposed to the armed groups expanding their presence from previously agreed upon areas of control, and it is for this reason that it is involved in intensive fighting with the AA in Chin and Rakhine states, insisting on the group's return back to Laiza where it was founded and based (Nay and Aung 2019). In fact, the military has made a similar demand of all members of the Northern Alliance to return to their original bases (Lawi 2019a). On this issue of dealing with the AA through military means there is some convergence of interests between the current government and the military. This agreement is at least in part because of the AA's coordinated attacks against a large number of border guard posts when its forays outside of Laiza first started. Additionally, in March 2020 the group was labeled a terrorist organization, with all the attendant enforcement mechanisms that could be applied against it and its supporters (Mizzima 2020). The increased level of political violence has also led to a large number of civilian casualties. This has attracted the attention of NGOs who have charged the military with indiscriminate firing, torture and deaths of civilians held in its custody (San 2019a). The military, on the other hand, has shrugged off these allegations and launched its own investigations over such complaints (Nan 2019). The NLD-led government has also had a testy relationship with the Rakhine state parliament where it does not have a majority. And Rakhine Buddhists have a long historically rooted

suspicion and hatred towards the Bamar majority. This historical animosity and the ever-widening conflict are part of the reasons for the AA's popularity at the ground level in Rakhine State (Khin 2019).

The Nationwide Ceasefire Agreement

The military is also keen on working within the framework of the NCA and has rejected alternative proposals like those previously presented by the Northern Alliance. Additionally, it is anxious to hasten the demobilization, disarming and reintegration of the ethnic fighters back into society. This can only be done in tandem with some absorption of the fighters into a unified command structure controlled by the military while rejecting the ethnic armed groups' demands for broader security sector reforms. Early on in the negotiations under the Thein Sein government structural and command issues were two of the major reasons why many of the ethnic armed groups flatly rejected the offer of a transition into a Border Guard Force. The elected government is far more willing to negotiate matters where there is disagreement with the ethnic armed groups compared to the military, but this position does not always prevail, much to the chagrin of the former.

The NLD and the 2008 Constitution

The second major structural impediment pertains to the NLD-led government's position on the 2008 Constitution. From the time of its election campaign in 2015, and after having achieved political power, the government has consistently wanted to amend the Constitution which it regards as undemocratic and privileging the military rather than elected governments. In fact, during its tenure in office it has tried unsuccessfully to amend the Constitution in a number of ways (Nanda 2019). Such attempts have in the past included the endorsement of an NGO-led signature campaign that collected five million signatures to petition changing the Constitution. This attempt was simply ignored by the military. More recently the NLD-led government created parliamentary committees that were charged with identifying the demands from the various political parties for specific amendments that were then tabled for parliamentary debate and a vote. And in this attempt, it submitted 114 proposed amendments to the Joint Committee for Constitutional Amendment of the *Pyidaungsu Hluttaw* (Assembly of the Union) in July 2019. Among other things the NLD proposed that the military's representation in parliament would be gradually reduced to 15 percent in the next government, 10 percent in 2025 and 5 percent in 2030 (San 2020a).

The military has been consistently opposed to any attempt to alter the Constitution and has indicated its unhappiness, often in dramatic fashion. Typically, this is done by the appointed MPs standing up in unison to express their displeasure and disapproval. Later on, after the committees were formed, they refused to participate in them, regarding them as illegal. The military bloc's

oft repeated and favorite phrase is that all parliamentary proceedings should take place “within the framework of the Constitution.” And any attempts to amend it are consequently unwelcome and illegal. As a result of this position the recommendations were easily defeated, since the requisite super majority of 75 percent of the vote is impossible without the assent of the military MPs (San 2019b).

While the government is aware of this technical impossibility, attempting to do it, notwithstanding the certainty of failure, provides the demonstration effect to all that the military is the party that is adamantly opposed to any changes to the Constitution. Sobering as the effect may be, for the ethnic armed groups it only serves to demonstrate that the elected government is unable to exercise power independent of the military and simply reaffirms their position that negotiations with the government have little utility unless the military is on board. And, as if to add salt to the wound, the military and the USDP submitted their own amendments and they included curtailing the powers of the President in states and regions, particularly in the appointment of Chief Ministers (San 2019c). And even more brazen was an earlier attempt to empower the NDSC further, including granting it the power to dissolve parliament (San 2020b). The most brazen act was the military MPs’ attempt to impeach the Speaker of the Union Assembly, Ti Khun Myat, a motion that was easily defeated by the NLD (San 2020c).

Competitive Approach of Elected Governments

Another major complication involves the elected governments themselves. While both the Thein Sein and Suu Kyi-led governments have attempted to work towards securing sustainable peace with the ethnic armed groups, there has been a measure of contestation between them reflected in the differing approaches, choice of structures and lead negotiators. And the reason for this development is simply because the NLD-led government placed itself in stark contrast to the previous military-led, quasi-democratic government. The NLD benefitted from the process of democratization that enabled it to compete in the 2012 by-elections that led to its preliminary presence in parliament after boycotting the original 2010 elections. The NLD then positioned itself in contrast to the Union Solidarity and Development Party (USDP) that was the military’s political party during the transition period. It also sought to distance itself from the military and its nominated members in parliament, highlighting its electoral mandate and the legitimacy that accrued from it. A senior adviser to the peace process noted in January 2020 during an interview how there is very little by way of communication between Suu Kyi and the military and that her informal security committee does not include Senior General Min Aung Hlaing or his Deputy. Consequently, even while furthering the peace process the NLD has sought to burnish the process with its own approach. Suu Kyi’s determination

to control the peace process, and not seek advice and cooperation with those previously involved in the process, was described by the interviewee as injurious. Additionally, she was described as being too powerful, unwilling to engage in robust discussions, and too focused on the 2020 election.

The early decisions indicating this changed approach was to revamp the Myanmar Peace Centre (MPC) that had been established by President Thein Sein through an executive decree in October 2012 (Ganesan 2014). The new NLD-led organization was renamed the National Reconciliation and Peace Centre (NRPC) and its headquarters was moved from Yangon to Naypyitaw where parliament and the government are located. Suu Kyi also replaced the previous lead government negotiator with her own confidant, Dr. Tin Myo Win. Additionally, she inaugurated a new process called the 21st Century Panglong Peace Conference to harken to the original meeting that her father Aung San had convened with the ethnic minorities in 1947. It was hoped that all the selected groups would meet twice a year and move the peace process forward through the NCA. Yet the Panglong name bore both promise and peril since Aung San had offered relatively liberal terms to some of the ethnic groups, including the right of secession should the Union scheme fail. And following the Third Panglong Conference in 2018 the process has been bogged down by disagreements, including the withdrawal of the KNU from the formal peace talks. The Fourth Panglong Conference was eventually held in August 2020, but no significant progress was made prior to the November election.

These changes in approach, leading personalities, and related organizations have had a deleterious impact on the peace process. While there has been continuity in the process, the terms of reference and major personalities have changed. While this development is understandable, given the new government's keenness on having its own stamp on the peace process, it has not furthered the process. Among other reasons for this development is the fact that the trust and goodwill that had been won between the interlocutors from the government and the ethnic armed groups rapidly dissipated. This capital had to be rebuilt anew, as noted by an interviewee from the Joint Monitoring Committee in January 2020 that oversees the implementation of the peace agreements. He also noted how there was currently no intermediary between the military and the government and there was no teamwork, leadership of the process, nor a clear chain of command. The process was also described as hampered by differences between the government and the military on the terms of engagement. Typically, the military was described as having very narrowly defined objectives and communicating very little with the government. And since the government has not displayed leadership over the process, the military was characterized as having taken control of the process and this could lead to future difficulty in wresting back control of the situation. Consequently, regime transition during the period from 2016 has negatively affected the peace process and, depending on

how the November 2020 election pans out, the process could be consolidated or further diluted. The general expectation is that the NLD would win the election with a narrower margin and consequently wield less power. It may even be forced to work with the ethnic political parties should they do well, given their recent consolidation and coordination.

The Ethnic Armed Groups and Related Organizations

The manner in which the ethnic armed groups are calibrated poses a structural constraint as well. Interestingly, notwithstanding the manner in which organizations related to the groups have morphed over time, one thing remains clear—there is a traditional bifurcation between them centered on signatories versus non-signatories to the NCA. In the early days, when the NCA first came into being in 2010, the groups were rather evenly split in number terms and the non-signatories were grouped in the United Nationalities Federal Council (UNFC).⁴ And during this early period there were a number of groups that the military refused to negotiate with including the AA, MNDAA and TNLA, as noted earlier, while the United Wa State Army (UWSA) always held the position that since its 1989 bilateral ceasefire agreement with the government was working well, there was no need for it to sign on to the NCA.⁵ Subsequently, when the New Mon State Party (NMSP) and the Lahu Democratic Union (LDU) signed on to the NCA under the NLD-led government the UNFC collapsed.

The two largest and most influential ethnic armed groups among the non-signatories were the KIO, whose bilateral ceasefire agreement had collapsed in June 2011, and the UWSA that remained aloof from the peace process. Notwithstanding these developments and differences, the remaining groups then came together in the Northern Alliance that was formed in late 2016. While the armed groups from the northern Shan states and Kachin state had always maintained a measure of familiarity and accommodation towards each other they had never before been formally welded together. In that regard it was a new development and one that was not smooth in the first instance. The KIO was not particularly enthused with the UWSA's leadership of the Alliance initially and appears to have grudgingly accepted it over time. The reason for the unhappiness was the fact that many of the fighters from the UWSA were from the Burmese Communist Party (BCP) that had collapsed in 1989. And notwithstanding the 2011 collapse of its bilateral ceasefire agreement, until then the KIO had been part of the earlier peace process.

The Brotherhood Alliance, which brings together the KIO, AA, MNDAA and the TNLA, is to all intents and purposes a subset within the Northern Alliance since the latter is a rather large group with internal differences. In any event, the consistent development throughout the peace process is the fact that the ethnic armed groups have always been clustered into two camps. This bifurcation has made negotiations difficult since the two make different demands, and the

Northern Alliance has quite bluntly indicated in the past its unhappiness with the terms of the NCA as currently constituted. Additionally, it has sought the help of China in serving as an intermediary in the peace process, much to the chagrin of the military in particular, since it regards the peace process as an internal matter. In fact, the Northern Alliance's preferred meeting venue for dialogues with the government negotiation teams is Kunming in China's Yunnan Province, while the NRPC prefers a venue within the country (Hsan 2019a).

The Influence and Growing Role of China

For Myanmar, China has always loomed large among all the immediately adjacent neighboring countries. In fact, Myanmar's relationship with China constitutes its most important bilateral relationship in recent times. Both countries share a common border that is over 2,200 kilometers long and have many independent as well as interdependent interests. Within the latter category economic and security issues take center stage. Myanmar offers China access to raw materials, like oil, gas and timber, and a gateway to the Indian Ocean that it has long coveted. It is also an important player in China's Belt and Road Initiative (BRI) that has been strongly endorsed by President Xi Jinping in terms of its connectivity to mainland Southeast Asia. For Myanmar, China has been the most important bilateral trading partner for a long time and especially when Myanmar was under international diplomatic isolation and condemnation.

In political and security terms, China has historically had an overwhelming influence on Myanmar. Early instances of such influence include the country's support for the BCP until the time of its collapse in 1989 and the spillover from China's civil war that led to a large detachment of Kuomintang nationalist troops being stranded in the Shan states. Both of these developments had unsettling effects on Myanmar's exercise of state sovereignty as well as territorial control and consolidation. Being a weak state with limited capacity in the post-independence period, and subsequently pursuing a foreign policy of passive neutrality obtained through isolationism following the military coup in 1962, did not help matters either. Consequently, political and security developments related to China have always been important considerations for the government and the military.

The ethnic armed groups in the Northern Alliance have always looked towards China for moral and material support. In the past this was done informally through an established political economy between these groups and the province of Yunnan in particular. In fact, so strong is the linkage that some of the groups like the Wa and the Kokang use Mandarin rather than the Bamar language and the Chinese Yuan rather than the Myanmar Kyat for currency. The Myanmar government's inability to exert control over the country's more remote highland areas from the colonial period worsened the situation and resulted in areas occupied by many of these armed groups becoming relatively independent. Early bilateral ceasefire agreements under very liberal terms with groups like

the Wa and the Kokang, negotiated by the military after the collapse of Ne Win's Burma Socialist Programme Party (BSPP) government in 1988, further entrenched this relative independence. Such terms included control of contiguous territory, retention of weapons, and the military's agreement to serve prior notice of movement in these areas. This confluence of developments emboldened the UWSA in particular which now boasts a regular army of some 30,000 troops and another 10,000 auxiliary troops. It is also known to possess sophisticated weapons, and in 2019 marked the 40th Anniversary of its regional autonomy with a widely publicized and lavish parade. These developments have irritated the military in particular which is opposed to them but powerless to intervene (Nanda 2019a).

Since 2016, China has significantly upgraded its involvement as an intermediary between the Northern Alliance and the Myanmar government in the ethnic peace process. This role was institutionalized when the country officially appointed Sun Guoxiang, Special Envoy for Asian Affairs, as the person in charge of the process. Since then, China's brokerage role has been unambiguous to the point where leaders from the Northern Alliance typically travel to Kunming in China and are then flown by a chartered aircraft, courtesy of the Chinese government, to attend the 21st Century Panglong Conferences. Even the Brotherhood Alliance has traditionally indicated that it favors peace meetings to be held in Kunming. In fact, the choice of venue has been one of the biggest stumbling blocks for these meetings and has caused their regular postponement. Eventually they were split between Kyaingtong in the eastern Shan states and Kunming (Swe 2019b; Nanda 2019b).

While the government and military have grudgingly accepted the role of China in the peace process it is not one that they are comfortable with. The military in particular has always been suspicious of China's motivations and often regards its involvement as a way of exerting pressure on the country and its leadership in a backhanded way. Coordinated and sustained attacks by the Brotherhood Alliance, in July and August 2019 in the northern Shan states, raised the question of China's influence on the groups involved (Aung 2019a). Not only is the military unhappy with having lost control over an internal matter and sovereign process, also it has more recently been openly critical of the flow of sophisticated Chinese weapons to these ethnic armed groups (Aung 2019b). So, when large caches of such weapons were recently intercepted it was widely publicized in the media that they had originated from China (Myat 2019). In an oblique reference to China, Senior General Min Aung Hlaing referred to "powerful forces" that were behind the ethnic armed groups (Irrawaddy News 2020).

Democratic Deficits: Agency Factors

While structural factors exert a powerful influence on the ethnic peace process and on democratization more broadly in Myanmar, it cannot be denied that agency factors also play an important role. For example, it may be remembered that it was Senior General Than Shwe's decision to step back and allow for the democratic transition under the Thein Sein government in 2010. Similarly, it was Thein Sein's decision to engage Suu Kyi in August 2011 that subsequently led to the NLD's registration for the April 2012 by-elections that propelled Suu Kyi into mainstream politics as the leader of the opposition (Kyaw 2012). It is fair to say that elite decisions have had a definitive impact on the trajectory of domestic politics in Myanmar since 2010. Given the previously closed nature of the political system, military elite were capable of initiating such changes. However, that early positive impact now appears to be thinning, and indications are that elite positions that thwart the ethnic peace process are becoming more deeply entrenched, at least for the medium term.

The NLD-led Government's Position

The NLD-led elected government will contest in the November 2020 election and Suu Kyi will lead the party into the polls (Moe Moe 2019). By all estimates the party is expected to secure another victory but with a reduced margin. And if that scenario obtains, then the ongoing structural constraints associated with the government will continue to obtain. This includes a likely testy relationship with the military and possible attempts to amend the Constitution again. It also means that the government will continue to be headed by Suu Kyi as State Counselor to bypass the rules that deny her the office of President. In line with previous decisions, she is also likely to appoint a close confidant to that position like the current President U Win Myint, who has also indicated that he will run in the same constituency as in the previous election in 2015. These developments mean that the current attempt to broker the ethnic peace process will continue under the framework of the ongoing 21st Century Panglong Conferences. While this process allows for some measure of continuity, it is hoped that senior negotiators and advisers to the peace process from the government side will continue in their positions. This situation is by no means guaranteed since there has been quite a lot of unhappiness with the ongoing process. Two senior advisers to the peace process whose roles spanned both the Thein Sein and Suu Kyi administrations intimated a return to the more informal Bangkok process that was utilized under the Thein Sein government, in order to secure greater trust with the ethnic armed groups and move the process forward. The general feeling among experts and observers is that formal meetings alone are too few and far between to allow for significant consolidation of the process and for enduring gains to obtain.

The Military's Position

Like the case of the NLD-led government, there is little likelihood of the military changing its position on the core issues associated with the ethnic peace process. Senior General Min Aung Hlaing is widely expected to make a foray into politics. In recent promotion exercises he has promoted many junior officers close to him so that not only will policy positions remain constant but that, like Than Shwe, he will have some measure of control over the military after stepping down from his current position as the Commander-in-Chief. Elite interviews suggest that he is especially unhappy with ethnic armed groups in the Brotherhood Alliance as well as the leaders of some other specific armed groups. This being the case, the ongoing violence currently occurring in the northern Shan states and Rakhine State is unlikely to stop anytime soon.

While there was an abrupt break in the power chain after Ne Win stood down in 1988, the military has generally acted as a corporate organization furthering its own collective interests. Thura Shwe Man from the USDP, who aligned himself with Suu Kyi from early on under the Thein Sein government, was the exception to the rule. Additionally, even General Khin Nyunt, who was removed as head of Military Intelligence and as Prime Minister in October 2004, was incarcerated for attempting to evolve an independent power base and for challenging the military's corporate structure, particularly in the case of the Northern Command that controlled the areas where he had successfully negotiated the early bilateral ceasefire agreements. Consequently, the military's presence in parliament to protect its corporate interests, independence and power is also likely to continue.

The Ethnic Armed Groups

The positions of the ethnic armed groups and their demands are also unlikely to change and, if anything, they are likely to harden. A number of developments point in this direction. The first and most obvious of these is the bitter enmity and ongoing political violence between members of the Brotherhood Alliance and the military. The military has made it very clear that it will not accept the AA's attempts to establish a foothold in Chin and Rakhine states, while the AA is determined to do so. The government's declaration of the AA as a terrorist organization in March 2020 now makes the possibility of a peaceful political settlement with the group more remote. The large number of casualties that both sides have suffered have also made it much more intractable. The AA has also expanded the scope of its attacks to target naval vessels on the Rakhine coast and has succeeded in causing casualties and damaging such vessels that are often used to provide supporting fire for military operations (Htet 2019b; Myint Moe 2019). And finally, the actions taken against the family members of the leader of the AA, Tun Myat Naing, has also made the situation much more personal. His brother and family were detained after being deported from Singapore and his own wife and children were detained in Bangkok for extradition until an agreement was

reached for their resettlement in Switzerland (Nyein 2020).⁶

As for the MNDA and TNLA, the other two members of the Brotherhood Alliance, the military is also not keen on dealing with them since the former's brazen attack on the Kokang town of Laukkaing in March 2015 and the group's collective attack on the border town of Muse in December 2016. Since 2019 there have been many more coordinated attacks by this group in the northern Shan states in Lashio, Kutkai, Kyaukme, Theinni and Muse townships including a brazen attack on the Defence Services Technology Academy in Pyin Oo Lwin township that was regarded as a safe "white area" (Swe 2019c). The military has taken heavy casualties in many of these engagements, and there was also much damage to infrastructure, in particular bridges (Hsan 2019b). As a result, the military is no mood for negotiations. This explains why the military initially refused to even deal with these groups within the framework of the NCA over and above their recent formation. It is also the reason why even meeting venues with these groups are a major obstacle in the peace process. To make matters worse, the TNLA has indicated that it is prepared to help the AA fight against the military in Chin and Rakhine states. The coordinated position of these groups and their clear alignment with China, together with the Wa, in the peace process are also regarded as treasonous by the military. As for the UWSA that formally leads the Northern Alliance, its leadership has clearly indicated its unwillingness to accede to the terms of the NCA and its preference to be left alone with greater autonomy (Min and Htoo 2019). The Arakan Army has been pushing for similar autonomy for Rakhine state as well (Chan 2019). In light of all these developments the ethnic armed groups are likely to remain bifurcated into two groups, the signatories and the non-signatories, even as they try to maintain some measure of consultation and coordination.

As for the signatories to the NCA, there have also been negative developments that do not augur well for the process. While the NLD-led government has managed to add on two more signatories, the initial euphoria of adding on five more groups from the UNFC came to naught. Similarly, attempts to woo the KNPP to sign on have also been futile thus far.⁷ In the middle of these developments the decision by the KNU to withdraw from the formal peace talks in late 2018, and the decision of the RCSS to do the same, has weakened the NCA and the peace process itself. The KNU is prepared for a long wait before the terms of the NCA are regarded as satisfactory, and its corporate position against the NCA has hardened.⁸ Its leadership has also undergone change and the current leaders are not as enthused about the NCA as its previous leader, General Saw Mutu Sae Po, who was often viewed as a poster boy for the NCA under the Thein Sein government.⁹ Similarly, senior military elite are not particularly enthused with the RCSS that seems to be expanding its territory and has clashed with the military despite being a member of the NCA. Such clashes have also taken place with the KNU around the town of Phapun where the military is attempting to build a

major road.¹⁰ Hence the number of signatories alone does not tell the full story and the details indicate disquiet and setbacks to the peace process even among the signatories.

Interactions Between Structural and Agency Factors

Clearly, there are interactions between structural and agency inhibitors in Myanmar's democratic transition. However, the evidence from the past decade reveals a hardening of views of leading actors from the government, military and ethnic armed groups that indicate a worsening of structural considerations. This is certainly true of the military which is intent on continued entrenchment of its pride of place that is guaranteed by the 2008 Constitution. The NLD-led government's attempts to amend the Constitution have come to naught, and this will not change unless there is a mindset change in the upper echelons of the military, and this does not seem to be forthcoming. The elected government continues to be wary of the military while maintaining the situation on an even keel and not alienating it. It has demonstrated its power through the appointment of the President and Ministers in government, and it has denied the military's calls to convene the National Defense and Security Council that privileges the latter. Additionally, it has refused to declare a state of emergency for entire states and regions for fear of losing control over local developments. Consequently, such declarations have been limited to the townships that are most affected by violent conflict. And going forward, the NLD has confirmed that it will identify the amendment of the 2008 Constitution as one of its election campaign priorities, setting itself up for continued confrontations with the military in parliament (Hein 2020).

The positions of the ethnic armed groups have also not changed with regard to the military and the government. They regard the elected government as powerless to change the Constitution and they continue to be suspicious of the military (Lawi 2019b.) They have refused to formally disavow secession and appear intent on revising the existing structural norms towards a more egalitarian power structure for all ethnic groups and ethnic states. In fact, groups like the UWSA and AA have openly spoken about the preference for a Swiss-style federation of states and regions (Kumbun 2019). One of the major issues that the next Panglong Conference will consider is the possibility of separate constitutions for the states and regions (Sai 2020). Additionally, the clustering of the groups into signatories and non-signatories has also continued even as both of these groups regularly meet in Thailand to consolidate their positions and obtain some measure of convergence. Similarly, the role of China in brokering the truce between the Northern Alliance and the government is also likely to continue, although it is eroding. Myanmar's diplomatic isolation following the Rohingya

exodus to Bangladesh, and related revelations and international developments, has only worsened over time. This situation will push the government into greater alignment and cooperation with China and to a lesser extent with India. There are also important economic considerations linked to China's BRI that will lead to a similar convergence of interests. Hence, agency considerations are unlikely to impact positively on the structural constraints that obtain thus far, and this situation is likely to continue into the medium term.

Likely Future Trajectories

After much stalling and posturing all parties have agreed to hold the Fourth 21st Century Panglong Conference in August 2020. While this agreement is an achievement in itself, it also indicates the fragility of the process and how the situation can be taken captive by any of the major parties. True progress will be indicated by a committed return to the formal process by the KNU and the RCSS as signatories to the NCA. Additionally, adding on new signees like the KNPP would also constitute credible progress. Structured and regular engagement with the Northern Alliance and over time persuading it to sign on to the NCA would be the ultimate achievement, but as the situation currently stands this is unlikely. Rather, a very slow and incremental engagement between all parties is more likely, and only if given sufficient political will on all sides. The fighting between the military and the AA and the TNLA looks set to continue and probably worsen, especially in Rakhine state.

Whether the more informal Bangkok Process is reinstated or not remains an open question. While senior advisers and the ethnic armed groups are in favor of it, the government has clearly expressed its opposition to it. Rather it intends to consolidate around the NCA, a position that is shared by the military. Interestingly, even China has publicly declared that it wants the Northern Alliance to sign on to the NCA, although this possibility appears weak now. The Northern Alliance itself appears to be pulling at the seams, with the Brotherhood Alliance engaging the military openly and the UWSA being only nominally in charge of the group. Perhaps the structuration of the non-signatories may well undergo change over time if sufficient convergence of views between the members of the group is not forthcoming. And in the meantime, all the ethnic armed groups are looking forward to strengthening their political parties for much stronger representation in the Union and regional parliaments. The United Nationalities Alliance (UNA), that was formed in 1990 and groups 15 ethnic political parties, has confirmed that it will avoid splitting the ethnic vote and will vote as a bloc in parliament after the elections in order to further democratization and federalism. It has also mentioned the plan to uphold the principles of the 1947 Panglong Agreement, including the right of secession (Khin 2020). If the process of con-

solidation that is now occurring among them leads to significant gains in the November 2020 election, then these groups may well be able to negotiate with the government from a stronger position. For them, the best-case scenario would be a situation where the NLD requires their collaboration in order to gain a parliamentary majority. Coalition governments always yield greater gains for smaller parties since these parties are often able to exact a greater representation in government than their elected numbers would otherwise justify.

The structural impediments deriving from the 2008 Constitution are unlikely to change anytime soon. As long as General Min Aung Hlaing heads the military there is little possibility of any substantive change occurring. The military's appointed MPs have always argued that their job is to stand united in defense of the Constitution and obstruct those who attempt to revise it and undermine the enshrined role of the military within it. Perhaps as the NLD's popularity at the polls continues while that of the USDP and military affiliated candidates declines there will come a time when the military will be forced to concede an amendment to the Constitution as being in the country's interest. This scenario is more likely to prevail if the ethnic armed groups and an NLD-led government are able to work towards more convergent interests and goals and attempt constitutional revision within the framework of a federal union. Barring such a development only an enlightened head of the military who is able to work with elected officials, like Thura Shwe Mann, will be able to attend to amending the 2008 Constitution to make it more democratic.

Conclusion

The process of democratization in Myanmar that began in 2010 has had a positive impact on the ethnic peace process in the country. The first parliamentary government, led by President Thein Sein, managed to persuade eight out of the 16 ethnic armed groups with which it was negotiating to sign on to the NCA. The peace process then became more structured and formalized and the NLD-led government that took office in April 2016 has been able to continue the process, albeit with different configurations, individuals and methods. The peace process is extremely complicated in the case of Myanmar on account of the large number of ethnic armed groups and the reification and politicization of ethnicity over time. Additionally, the elected government has had to cope with structural impediments contained in the 2008 Constitution that privileges the role of the military in domestic politics. Hence, examining structural impediments to democratization does provide a useful way of trying to categorize and understand some of the embedded domestic features that negatively affect the process.

As noted by Robertson and Pop-Eleches (2015), both ethnic fragmentation and state quality have negatively impacted democratization and, by extension,

the ethnic peace process as well. The impact of ethnic fragmentation is reflected in the long history of poor ethnic relations between the Bamar majority and the minority ethnic communities. This historical artefact has continued into the peace process and has divided the ethnic groups themselves. The 2008 Constitution and its privileging of the military in domestic politics also confirms Ruhl's (1996) observation on how an authoritarian past can go on to negatively affect attempts at democratic transition and consolidation. While Suu Kyi and the NLD-led government have displayed strong leadership in attempting to negate this structural constraint by attempting to amend the Constitution, these efforts have come to naught.

Apart from such structural constraints there are also agency factors that exaggerate the constraints to democratization. Such factors include the uneasy and often hostile relationship between the leaders of the elected government, the military, and the ethnic armed groups. And the longer such attitudes prevail, the less likely they are to be resolved. The interaction between structural and agency considerations has generally had a negative impact on the peace process, a situation that looks set to continue into the medium term.¹¹ As the country prepares for its next election in November 2020 it will be interesting to note how the dispersion of power in parliament affects the process of democratization in general and the impact of that process in turn on the ethnic peace process.

Postscript – The February Military Coup and the Evolving Political Situation

General Min Aung Hlaing staged a coup on February 1, 2021 and seized power. He then declared the formation of a State Administrative Council (SAC) of 11 members with himself and his deputy, General Soe Win, as leaders of the council. Both President Win Min and State Counselor Aung San Suu Kyi were detained. A number of flimsy charges including breaking COVID-related restrictions during election campaigning, possession of unauthorized telecommunications equipment, and corruption were subsequently levelled against them. The reason offered for the coup was that the NLD-led government had failed to address charges of electoral fraud in the November 2020 elections that the NLD had handsomely won. Since then, both civilian leaders have been held incommunicado at an unknown location.

There has been both domestic and international outrage at the turn of events in Myanmar. Domestically, the population and particularly the younger generation have mobilized robustly against the coup and announced the formation of a civil disobedience movement (CDM) that has attracted widespread support including from civil servants and members of the police and military. The country has come to a halt as a result of the regular and widespread demonstra-

tions against the coup. The military has responded in turn with indiscriminate and lethal force that has led to a large number of civilian casualties including children. By the end of April more than 700 persons had been killed and over 2,500 detained. Thuggish supporters of the military from the USDP and MaBaTha, the right wing and banned Buddhist organization that has promoted hatred and violence against the NLD-led government and the Muslim community, have also been involved in violence against civilians opposed to the coup.

In order to deny the SAC political legitimacy, the elected NLD MPs have set up a parallel government called the Committee Representing the Pyidaungsu Hlutaw (CRPH) and named Mahn Win Khaing Than head of this government. He operates from an unknown location and issues statements on behalf of the government while the NLD attempts to establish similar representatives all over the country. The most recent development is the enlargement of this organization and the resulting formation of a National Unity Government (NUG) that combines the CRPH, civil society groups and the ethnic armed groups (EAOs) opposed to the coup. Additionally, the NLD has named Dr. Salai Maung Taing San, also known as Dr. Sasa, as its Special Envoy representing the CRPH for international matters. This highly symbolic move has occurred in tandem with a number of high-profile NLD appointees in diplomatic positions abroad who have spoken out against the junta and called for international action to end the violence and restore the status quo ante.

The ethnic armed groups, including signatories to the NCA, have also become involved in the resistance to the military. The most notable of these groups is the KNU that launched coordinated attacks against military outposts and attracted aerial bombardment from the military, forcing some 2,000 Karen displaced persons to flee across the Salween River into Thailand. The RCSS, another signatory, has also issued a statement indicating that it will not stand idly by while the military kills unarmed civilians. Among the non-signatories, the KIA launched a major offensive and seized a military post close to its headquarters in Laiza. That raid, which led to the death of 10 soldiers and the detention of 8 more, also attracted aerial retaliation. And the Brotherhood Alliance has also indicated that it will fight against the military and alongside civilians. These developments mean that the ceasefire between the Brotherhood and the military in Rakhine state, that had witnessed much violent conflict in 2019 and 2020, might collapse and fighting resume. The NLD and CDM are naturally hoping for the ethnic armed groups to collaborate with them more broadly and resume fighting against the military. A number of youths have reportedly fled to areas under the control of EAOs for training in order to fight against the military together with civilian militia groups. If such developments continue the situation will quickly deteriorate into civil war and pose a bigger challenge to the military's ability to control matters. Judging from these recent developments it would be fair to note that the NCA has collapsed, especially since the KNU anchored the process.

At the broader regional and international levels, there has been much condemnation of the coup and in particular the military's indiscriminate violence against the civilian population. Such condemnations have been particularly harsh from the United Nations, the United States and the European Union which, together with Australia, Canada and other countries, have imposed sanctions on the military regime. More coordinated international responses have been stymied at the United Nations by China and Russia which remain sympathetic to the military junta. The northeastern states of Assam and Manipur in India as well as Thailand have borne the brunt of the refugee influx by civilians fleeing the violence.

At the regional level, strong condemnation against the violence inflicted on the civilian population has come from Indonesia, Malaysia, the Philippines, and Singapore; these states have also called for the return of power to the elected civilian government and the observance of democracy. Indonesia mobilized the ASEAN Chair, Brunei, to hold a joint meeting on the Myanmar situation and subsequently issued a joint communique calling for the halting of violence and the initiation of talks aimed at reconciliation. ASEAN has also offered to intercede with a mission to Myanmar to help ameliorate the situation. The Myanmar military has generally turned a deaf ear to international and regional criticisms, and the spokesman for the military actually noted that they are prepared to walk on with few friends. China has offered to intercede and try to resolve the situation. However, the local population is wary of China's involvement, given the country's previous support of the military during the sanctions regime, from 1990 to 2010, and its international resistance to stronger action from the United Nations. There was also a meeting of the four critical ASEAN foreign ministers, together with their Chinese counterpart, in Fujian. This meeting augurs the possibility of breaking the deadlock, given the importance of Myanmar for regional security and for China's ambitious Belt and Road Initiative (BRI).

Going forward, it may be noted that General Min Aung Hlaing, who is known to harbor intentions of becoming President, and who would have retired into oblivion in July 2021 at the age of 65, following an already unusual five-year extension of his appointment, probably felt he had little choice except to stage the coup. The resounding defeat of the military-sponsored USDP and the overwhelming victory of the NLD in the 2020 elections made that reality even more stark. What he perhaps did not envisage was the widespread revulsion of the general population to the coup and its dogged determination in opposing it regardless of the human cost. In this regard he probably underestimated the resistance to his plan. Additionally, technology has unleashed the potential for the civilian population to mobilize against the military and also to report its atrocities to an international audience. So, the situation is currently deadlocked. The military is known for its self-righteous claims to protect the country's sovereignty and integrity and has never hesitated to use violence on a large scale against

civilians, as it did in 1988 against the pro-democracy movement. The involvement of the ethnic armed groups and the collective intervention of ASEAN countries and China will determine how the situation unfolds.

Notes

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1. The eight ethnic armed groups that acceded to the NCA are the Chin National Front (CNF), All Burma Students' Democratic Front (ABSDF), Arakan Liberation Party (ALP), Restoration Council of Shan States (RCSS), Karen National Union (KNU), Karen National Liberation Army (KNLA), Democratic Karen Buddhist Army (DKBA), and the Pa-O National Liberation Organization (PNLO).
2. The groups that originally constituted the Northern Alliance are Kachin Independence Army (KIA), Myanmar National Democratic Alliance Army (MNDAA), National Democratic Alliance Army (NDAA), Shan State Army – North (SSA-N), Ta'ang National Liberation Army (TNLA) and the United Wa State Army (UWSA).
3. Interview with senior adviser to the NRPC, January 7, 2020, Yangon. I was told that there were misgivings about how the RCSS has expanded its fighting force from 4,000 to the current 12,000 soldiers and expanded its operational area from 10 to 20 townships in the Shan states.
4. Members of the original UNFC were the Karenni Army, Lahu Democratic Union, New Mon State Party (NMSP), Shan State Army – North (SSA-N), Arakan Army (AA), Kachin Independence Army (KIA), Ta'ang National Liberation Army (TNLA), and the Wa National Organization.
5. A senior adviser and previous lead negotiator noted how General Min Aung Hlaing is disinterested in dealing with these three groups. He went on to add that the military is simply going along with the government and noted how the General was especially angry with the MNDAA for its attack on Laukkaing just as the NCA was about to be signed in 2015. The interview was held on January 7, 2020, in Yangon.
6. During an interview on January 6, 2020, in Yangon, a major businessman observed that it was Chinese intervention that prevented the deportation of Tun Myat Naing's wife and children from Thailand to Myanmar before the Swiss resettlement.
7. A senior negotiator from the NRPC noted that the KNPP will not sign on to the NCA until the KIO does so. He also mentioned that the ethnic armed group still benefits from monthly barter trade meetings with the military and Kayah State government. Interview was conducted on January 7, 2020, in Yangon.
8. During an interview with two senior Karen leaders on January 10, 2020, in Yangon, they noted how the KNU had to wait for 28 years after initial negotiations with the military before signing on to the NCA. They then went on to cynically note that it may take as long as 70 years before their goals are achieved.
9. One interviewee who actively mediates between the KNU and the government went

on to note, on January 9, 2020, in Yangon, that senior negotiators from the KNU now seek the advice of more skeptical overseas Karen based in Europe and that this situation is also unlikely to move the process forward. Another Karen NGO leader noted how there is much factionalism within the KNU now and that some groups are attempting to mobilize an international coalition of Karen groups, although such groups are not recognized by the Myanmar Karen community.

10. A senior Karen leader informed me that Brigade 5, which controls the area, is testy and jealously guards the territory and its related resources and that the military's intrusion into these areas is always met with an armed response. The interview was conducted on January 8, 2020, in a Yangon restaurant.

11. A senior ceasefire adviser from the MPC who used to be in charge of drafting the NCA noted that there is little trust between the government and the military, although this is never acknowledged in public. He went on to add that this disagreement obtains over the military's approach to the AA in Rakhine state as well. The interview was held on January 5, 2020, in Yangon.

Abbreviation

- AA – Arakan Army
- ASEAN – Association of Southeast Asian Nations
- BCP – Burmese Communist Party
- BRI – China's Belt and Road Initiative
- BSPP – Burma Socialist Programme Party
- CDM – Civil Disobedience Movement
- CRPH – Committee Representing the Pyidaungsu Hluttaw
- EAO – Ethnic Armed Group
- GAD – General Administration Department
- IDP – Internally Displaced Person
- ICJ – International Court of Justice
- KIA – Kachin Independence Army
- KIO – Kachin Independence Organization
- KNPP – Karenni National Progressive Party
- KNU – Karen National Union
- LDU – Lahu Democratic Union
- MHA - Ministry of Home Affairs
- MNDAA – Myanmar National Democratic Alliance Army
- MPC – Myanmar Peace Center
- NCA – Nationwide Ceasefire Agreement
- NDSC – National Defense and Security Council
- NGO – Non-Governmental Organization
- NLD – National League for Democracy
- NMSP – New Mon State Party

NRPC – National Reconciliation and Peace Center
NUG – National Unity Government
PPST – Peace Process Steering Team
RCSS – Revolutionary Council of the Shan States
SAC – State Administrative Council
TNLA – Ta'ang National Liberation Army
UNFC – United Nationalities Federal Council
UNTAC – United Nations Transitional Authority in Cambodia
UNTAET – United Nations Transitional Authority in East Timor
USDP – Union Solidarity Development Party
UWSA – United Wa State Army

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