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# ACCOUNTABILITY AMIDST FRAGILITY, CONFLICT, AND VIOLENCE: LEARNING FROM RECENT CASES

Editor **Anuradha Joshi**

# Myanmar's Top-Down Transition: Challenges for Civil Society*

**David Brenner[1] and Sarah Schulman[2]**

**Abstract** This article historicises the nature of political transition in Myanmar to better appreciate the challenges faced by civil society. After Myanmar's political reforms in 2011, Western donors rushed into the country in support of what they misunderstood as a remarkable instance of democratisation. In 2019, escalating civil war, ethnic cleansing, and contracting civil liberties urge a rethink. This article argues that viewing transition in Myanmar through the lens of democratisation has always been misleading and problematic. Partial liberalisation was orchestrated by the military to safeguard its own power. Reforms have not only benefited civil society but also enabled the growth of *un*civil society, fuelling sectarian violence and bolstering military rule. Operating on the assumption of democratisation, Western donors shifted funds from grass-roots networks to militarised state bureaucracies that seek to co-opt peace-building and development projects for the purposes of ethnocratic state-building and counterinsurgency. Rethinking the nature of transition is pivotal for preventing inadvertently aiding authoritarianism and conflict.

**Keywords:** civil society, democratisation, civil–military relations, ethnic conflict, aid, Myanmar, transition, development, civil war, peace-building.

## 1 Introduction

The political landscape of Myanmar has changed significantly since former dictator Than Shwe paved the way for a series of wide-ranging reforms in 2011. A nominally civilian government was sworn in and political prisoners were freed. Most visibly, long-term opposition leader Aung San Suu Kyi has ascended to power after her long-banned opposition party – the National League of Democracy (NLD) – won the historic elections of 2015 by a wide margin. The country's vibrant civil society also benefited from the lifting of restrictive laws on media and public mobilisation. Despite these remarkable transformations, Myanmar's transition has seemingly slowed down and the space for progressive social and political action has contracted once again. Particularly worrying is the situation in the country's borderlands,



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where long-running sectarian conflicts have escalated since 2011. In order to understand the challenges that persisting authoritarianism, state violence, and civil war pose to civil society in Myanmar, this article situates contemporary social and political action within a historical analysis of political transition. It asks about: (a) the nature of political transition in Myanmar, (b) the challenges that the trajectory of political transition poses for civil society actors, and (c) the implications for international development and peace-building initiatives.

This article argues that Myanmar's political transition should not be understood as a process of democratisation that is driven by pro-democratic forces and which might eventually lead to liberal democracy. Viewing the country's transition through the lens of democratisation is not only misleading but deeply problematic. Political reforms were planned and executed by the country's military: the Tatmadaw. The emergent hybrid civil–military order safeguards authoritarian rule and military dominance. This top-down nature of political transition poses significant challenges for civil society. In combination with fragility and conflict, liberalising the public sphere has not only benefited progressive social and political action but has also enabled the growth of *un*civil society,[3] whose pursuit of exclusionary identity politics fuels sectarian violence.

Persisting conflict and instability in turn has benefited the army by playing to its self-portrayal as the guardian of the nation. Rethinking the history and trajectory of top-down transition is important for development and peace-building initiatives in Myanmar. The rush of Western aid donors to support transition without appreciating its intricate nature has in fact created additional challenges, including for civil society. The wholesale shift of funding from border-based civil society organisations (CSOs) to state-led projects has not only left established civil society networks struggling for survival. It has also played into the hands of a militarised state apparatus that seeks to co-opt development and peace-building initiatives for the purposes of counterinsurgency and ethnocratic state-building.

The article is structured in three parts. Section 2 will analyse the historic roots of fragility, conflict, and violence that lie at the heart of persistent authoritarianism in Myanmar by tracing how the country's protracted ethnic conflict emerged from militarised and violent processes of identity formation during the colonial and postcolonial era. Section 3 will explain why and how Myanmar's generals initiated wide-ranging liberalisation in 2011 and what this has meant for an increasingly fragmented landscape of civil society actors. Section 4 will analyse the challenges of top-down transition for civil society in the country's centre and borderlands, including donor engagement with Myanmar.

## 2 The roots of conflict, fragility, and authoritarianism

Analysing the root causes of conflict and fragility in Myanmar is important to understand the emergence and persistence of

authoritarianism and armed political orders, including the role of the military and the country's rebel groups, also known as ethnic armed organisations (EAOs). Contrary to an oft-heard narrative, Myanmar was not a relatively prosperous and stable nation at the time of independence from British colonial rule in 1948. In fact, the country laid in ruins after the Second World War and experienced significant tensions between its different ethnic groups. At the eve of independence, Myanmar indeed descended into what was to become one of the world's longest-running civil wars between ethnic minorities seeking greater autonomy or outright secession from Myanmar's ethnocratic central state. Contemporary fragility, conflict, and violence are rooted in this incomplete and crisis-ridden process of state formation.

Key to understanding persisting conflict and authoritarianism in Myanmar is the divide between the country's centre and its borderlands, which dates back to precolonial times. Despite complex interdependencies, both regions have developed distinct political orders throughout the country's history. Since the Bamar people established the Bagan Kingdom in 1044, various dynasties have ruled in the valleys of the Irrawaddy River basin, the heartland of what is nowadays known as Myanmar (or Burma). Similar to Southeast Asian kingdoms, the Myanmar polity has never fully extended its territorial reach into the far-flung and inaccessible mountains and forests on its fringes. Its frontiers have instead been home to a dazzling array of ethnic groups, including communities that today identify as Kachin, Shan, Chin, and Karen. Located far from the gravity of power, these communities have long governed themselves with overlapping and fluid systems of local authority (Scott 2009).

British colonial rule cemented the difference between Myanmar's population groups by ruling the Bamar-dominated centre of British Burma as 'Burma Proper' and the ethnic minority-dominated border areas as 'Frontier Burma' (Smith 1999: 40). Differential treatment of differently classified population groups contributed to the emergence of multiple ethno-nationalisms in Myanmar's borderlands that soon stood in direct competition with growing Bamar nationalism in the country's centre (Taylor 1982: 8). Preferential recruitment of ethnic minorities into the colonial armed service was the most important factor driving this development. This pitched the country's population groups directly against each other as ethnic minority soldiers were deployed to suppress the growing dissent among Myanmar's ethnic Bamar majority and its increasing aspiration to independence. The Second World War deepened this divide. While Bamar nationalists allied with Japanese forces invading British Burma in an attempt to rid themselves of colonial rule, many minorities allied with the British and their allies against the Japanese (Brenner 2019: 32–7). Majoritarian nationalism in 'Burma Proper' did, thus, not only develop in opposition to British colonial rule but also in opposition to the country's ethnic minorities (Walton 2013: 8).

This notwithstanding, independence leader General Aung San went to great lengths in his attempts to negotiate a federal settlement that included provisions for autonomy and power sharing with delegates from the Kachin, Chin, and Shan communities: the so-called 'Panglong Agreement' of 1947 (Walton 2008: 889–900). Tragically, Aung San was assassinated by ultranationalist Bamar paramilitaries shortly afterwards and Myanmar's constitution never incorporated any federal provisions (Smith 1999: 79). Civil war broke out shortly after independence in 1948 after Karen in the east and communist forces in the north started to rebel against the state. By the late 1950s, most of Myanmar was embroiled in war, which placed the military firmly in the driver's seat of postcolonial state-building (Callahan 2003). Seeing that the post-independence civilian government of President U Nu proved incapable of pacifying the country, the Tatmadaw developed a self-perception as guardians of the Myanmar state (Maung Aung Myoe 2009; Jones 2014; Egreteau 2016). After General Ne Win assumed power in a coup in 1962, all other political parties but the newly founded Burma Socialist Programme Party (BSPP) were banned and decades of authoritarian rule commenced.

## 3 Transition from above

Myanmar's generals surrounding former dictator Than Shwe initiated wide-ranging political reforms in 2011 under the leadership of President Thein Sein. While this surprised international observers at the time, the initial phase of transition was well planned from above. In fact, the junta's mouthpiece newspaper, *The New Light of Myanmar*, announced a 'roadmap' to 'a discipline-flourishing democracy' as early as 2003, calling for restoring the National Convention, redrafting and holding a constitutional referendum in 2008, and thereafter holding national elections (*The New Light of Myanmar* 2003).

Scholars of Myanmar point to several drivers behind the transition. Many highlight that the country's generals felt secure enough, not least after adopting a new constitution in 2008, in their own positions of power to liberalise parts of the political system (Callahan 2012; Jones 2014; Egreteau 2016; Taylor 2015; Ruzza, Gabusi and Pellegrino 2019). By 2011, the Tatmadaw (wrongly) thought that it had neutralised viable threats from ethnic rebels in the borderlands with co-optative mechanisms used since the early 1990s (Jones 2014). In addition, the military rulers defused any sizeable opposition in the country's centre after crushing the so-called 'Saffron Revolution' in 2007 (Pedersen 2014; Jones 2014). Moreover, it seems that Myanmar's military rulers were driven to initiate reforms by a desire to end the country's international isolation and to diversify its international relations, especially its dependence on China (Haacke 2010; Steinberg and Fan 2012).

Importantly then, scholarship suggests that the swift and wide-ranging reform process in 2011 was not the outcome of mounting internal pressure on the streets of Yangon or the trenches of rebel borderlands. Neither was it the result of international pressure, such as Western

sanctions. If at all, Myanmar's generals felt more secure after having successfully fended off interventionist calls in the wake of cyclone Nargis in 2008 (Bünte 2014; Egreteau 2016: 9). The ruling military elite initiated the political transition in Myanmar and it did so from a position of strength. To understand why and how Myanmar's military leaders would loosen their grip on power voluntarily and what this top-down nature of transition means for social and political action, it is important to analyse the country's long path to transition, which started in the late 1980s. Just before the end of the Cold War, international and domestic forces started to reorder in ways that empowered Myanmar's central state over its restive periphery.

Internationally, China's and Thailand's interests changed. Instead of providing covert support to various non-state armies, Beijing and Bangkok became increasingly interested in profiting from Myanmar's promising economic potentials to develop their own land-locked and marginalised peripheries. Myanmar's vast but largely untapped natural riches – including minerals, natural gas, and hydropower – and its undeveloped export market, presented ideal opportunities for this (Jones 2014: 791; Smith 1999). Conscious that ethnic rebels could not be defeated in light of the thriving smuggling economy, Myanmar's military leaders concomitantly pushed for liberalising foreign trade. This enabled Myanmar's state to erode the revenue base of EAOs, which tipped the power balance between the centre and periphery into the direction of the central state (Jones 2014: 794).

Domestically, Myanmar's generals have managed to marginalise EAOs with bilateral ceasefire agreements since the late 1980s. EAO leaders entered these arrangements out of a variety of reasons, among which war weariness and humanitarian concerns featured prominently. They initially hoped that ceasefire agreements would lead to political dialogue and eventually a negotiated settlement of their demand for greater autonomy. This did not materialise under the previous military-led regimes – the State Law and Order Restoration Council (SLORC) established in 1988 after the student revolution and renamed the State Peace and Development Council (SPDC) in 1997. Yet, the ceasefires allowed rebels to retain their arms and govern pockets of territory in newly established special administrative regions. Moreover, leaders of ceasefire groups were rewarded with opportunities to partake in an unregulated 'ceasefire capitalism': the mutual exploitation of their area's natural resources together with foreign and domestic businessmen as well as Tatmadaw generals (Woods 2011; Brenner 2019: 40–6).

These ceasefire politics enabled the Tatmadaw to establish itself as the most powerful military, political, and economic actor in Myanmar's border areas. Militarily, the Tatmadaw has rapidly expanded its troop size and firepower in the country's rebel borderlands. Overall troop size increased from 200,000 troops in 1988 to 320,000 troops in 1995, most of which were stationed in the country's border areas and outfitted with US$2bn worth of modern Chinese weaponry (Smith 1999: 426;

Jones 2014: 792). Bureaucratic reforms established the military's regional commands as the *de facto* government in border provinces, implementing the so-called 'Programme for the Progress of the Border Areas and National Races Development' (Smith 1999: 426–27). First introduced in 1989, this top-down development programme was later renamed as the Ministry of Border Affairs and is locally known as Na Ta La. Its stated objective is to develop ethnic minority regions, mainly through the expansion of physical infrastructure and the state bureaucracy itself (Lambrecht 2008). A major part of 'development' funding has been extorted from local communities as so-called 'people's contributions' in forms of forced labour, cash, and material (*ibid.*: 158). Top-down economic development, state territorialisation, and counterinsurgency have since merged into a highly securitised development agenda under direct control of regional Tatmadaw commanders. The latter have used political and economic powers to establish their own fiefdoms (Lambrecht 2008; Meehan 2015).

Importantly, the ceasefire politics of the 1990s and early 2000s weakened EAOs and enabled the Tatmadaw to encroach into previously off-limit territory to an unprecedented extent (Brenner 2019: 40–46). Beginning in 2008, this emboldened the military to attempt to bring ceasefire movements under direct Tatmadaw control as Border Guard Force (BGF) militias. This plan largely failed and instead contributed to a new round of escalation with movements that previously signed ceasefires, including the Kachin Independence Organisation (KIO). Yet, it signified that the power balance between rebel borderlands and the state centre had effectively changed in favour of the latter. The marginalisation of opposition has created a sense of security among Myanmar's military rulers that was crucial for their decision to initiate reforms in 2011 (Jones 2014). Despite its withdrawal from day-to-day politics in central Myanmar, the military has remained the country's most powerful institution.

Per the 2008 constitution, civilian authorities have no oversight or influence over the military. Its statutes cement the role of the military as the guardian of the nation and enable the Tatmadaw to 'participate in the national political leadership of the State' (Constitution of the Republic of the Union of Myanmar 2008: 6f). The constitution also gives the Commander-in-Chief excessive authority to intervene in case of a state of emergency that could 'cause disintegration of the Union, disintegration of national solidarity and loss of sovereign power or attempts therefore by wrongful forcible means such as insurgency or violence' (*ibid.*: 40c). Military institutions are granted excessive autonomy both with regard to budget, the appointment of military personnel, and of drafting their own defence and security policy through the powerful National Security and Defense Council (Maung Aung Myoe 2017: 262). Crucial ministerial portfolios of defence, home, and border affairs are delegated to the Tatmadaw and 25 per cent of the seats in both the Union parliament and the state and regional legislative assemblies are reserved for Tatmadaw delegates, thereby preventing constitutional

amendments to pass as such amendments require more than 75 per cent of the votes (Constitution of the Republic of the Union of Myanmar 2008: Art. 60biii, 109b).

The limited powers of Myanmar's civilian authorities have, indeed, been frequently exposed. Civilian authorities, including the NLD have, for instance, struggled to strike a balance between market liberalisation, the interests of the military-industrial complex, and the sanctioning of social and political action. This was illustrated in the case of the Letpadaung copper mine conflict. Since 2010, the project has been operating as a joint venture between the military-owned company Mining Enterprise 1, the military-controlled holding Union of Myanmar Economic Holdings Limited (UMEHL), and the Chinese firm Wanbao Mining. Since the inception, mining operations were accompanied by human rights abuses, including land-grabbing and forced evictions, as well as severe environmental pollution (Amnesty International 2017). Although criticism was raised against Aung San Suu Kyi for not taking a stronger stand against human rights abuses, others pointed out that her hands were tied in light of Tatmadaw interests in continuing the mining operations (Schearf 2013).

Despite the continued military dominance in the political and economic sphere, there is scope for change. This was best illustrated by the NLD's surprising move to bring Myanmar's main public administration body – the General Administration Department (GAD) – under civilian control in January 2019. The GAD has traditionally operated under the military-controlled Ministry of Home Affairs (MoHA). Described as the 'bureaucratic backbone of the country', it directly controls all state bureaucracy on the local level, including in the districts, townships, and village tracts. Its 36,000 staff members, many of which are transferred military personnel, are responsible for issuing licences, handling land management and disputes, and collecting taxes (Kyi Pyar Chit Saw and Arnold 2014: iii). Since April 2011, the GAD has also been tasked to handle the increased engagement from international aid donors.

Development aid and humanitarian relief has since been funnelled through the GAD (Kawasaki *et al.* 2017). Placing the GAD under the civilian Ministry of the Office of the Union Government seems like an important step to break the military domination of bureaucracy. While its new supervising ministry is nominally civilian, the Ministry of the Office of the Union Government is headed by a former air force colonel (*The Irrawaddy* 2018). At the time of writing, it remains to be seen how far the GAD will transform into a genuinely civilian agency. This persisting entanglement of Myanmar's military in the everyday politics of the country poses significant challenges for civil society.

## 4 Challenges for civil society

Myanmar has a long history of social and political action, both in the centre and the periphery. Up until the military coup in 1962, a vibrant civil society existed, especially in urban areas. Anti-regime

strikes and protests regularly emanated from Yangon University, whose students first protested against British colonial rule in 1920. Despite the suppression of civil society under Ne Win's authoritarian rule, disastrous and erratic economic policies led to further protests throughout the 1960s, 1970s, and 1980s. The most important of these was the 'People Power Uprising' in 1988 when hundreds of thousands of people joined students in Yangon to protest against the unbearable economic conditions and authoritarian military rule.

Initially, the 1988 uprising appeared successful. When the protests began, the Tatmadaw remained in the barracks, while the police cracked down on protesters. By mid-July, dictator Ne Win announced that he would resign from his position as Chairman of the BSPP, a referendum on a multiparty system would be held, and economic reforms would be implemented. However, a month later, the Tatmadaw violently crushed the protests in what has been described as a 'self-coup', establishing a new military regime: the State Law and Order Restoration Council (SLORC) (Farrelly 2013: 2). Thousands of civilians were killed or imprisoned. Martial law was declared, public participation banned, and political opposition supressed. In 1990, the Tatmadaw surprisingly called for elections, convinced that the result would benefit SLORC, seeing as the opposition movement had been severely repressed. When Aung San Suu Kyi, the daughter of General Aung San and the appointed leader of the democratic movement of 1988, registered her new party, the National League of Democracy (NLD), and won a landslide victory, SLORC refused to acknowledge the result and placed her under house arrest (Maung Aung Myoe 2009: 4).

In the wake of the 1988 uprising and the 1990 election, many members of the NLD, as well as NLD-affiliated political activists and civil society actors, fled to the Thai side of the Myanmar–Thai border. They did so at a time of a deepening humanitarian crisis in eastern Myanmar, where the Tatmadaw concentrated its firepower on its arch enemy, the Karen National Union (KNU), after it had concluded ceasefire agreements with most ethnic armed groups in the country's north. This was particularly so as Myanmar's army has indiscriminately targeted civilians since the 1960s when it came to adopt the so-called 'Four Cuts' counterinsurgency doctrine that aims to 'cut' rebels from their four basic support needs from local communities: recruits, finance, intelligence, and food (Human Rights Watch 2005). In regions such as Karen State, where EAOs have embedded themselves in local communities, this meant that the army was displacing local communities on a large scale.

Violence in eastern Myanmar escalated even more after internal fragmentation within the Karen rebellion pitched several Karen armed groups against each other. Most importantly, the increasing dissatisfaction of Buddhist members of the Christian-dominated KNU led to a major split of the movement in 1994, which contributed to the fall of the Karen headquarters at Mannerplaw. This sparked an exodus of Karen people fleeing to Thailand, where they joined tens

of thousands of other civilians that have fled the war since the 1980s. In 1995, the Thai government merged various dispersed refugee settlements into nine major refugee camps. These have since become increasingly dependent on foreign aid from the United Nations High Commissioner for Refugees (UNHCR) as well as a dazzling array of international non-governmental organisations (NGOs), many of which established their offices in Mae Sot or Chiang Mai.

The influx of Bamar political activists, ethnic minority organisations, and international human rights, relief, and development organisations, quickly established the Thai border as the main hub of CSOs from Myanmar, both from the Bamar-dominated centre and ethnic border areas of the country. With the help of international donor money, diverse projects came into being, from health clinics to anti-trafficking and poverty relief, as well as funding of both ethnic minority organisations and NLD-affiliated networks. Ethnic CSOs, such as the Mae Tao Clinic, have since focused on health and education to refugees as well as communities trapped inside eastern Myanmar's conflict zones. NLD-affiliated democratic activists established independent media outlets such as *The Irrawaddy* and have campaigned extensively for the release of political prisoners.

The Thai–Myanmar border also became the cradle for Myanmar's women's movement through the establishment of the Burmese Women's Union (BWU) in 1995, followed by the umbrella organisation the Women's League of Burma (WLB) in 1999. The shared experience as refugees created an opportunity for the women's movement to overcome state-imposed ethnic divisions between centre and borderland communities (O'Kane 2018). The proximity to international human rights agencies on the Thai border provided funding and support for Burmese women's organisations to conduct research on gender-based violence committed by the Tatmadaw (Hedström 2016). When the Shan Women's Action Network (SWAN) together with the Shan Human Rights Foundation (SHRF) in 2002 published the report *License to Rape* about the military's systematic use of rape in the Shan State, the military regime appointed a committee to look into allegations of gender-based violence (SWAN 2002). This incident elevated the issue of sexual violence onto the overall political agenda for the exiled opposition movement and carved out a platform where women as political agents could be heard with the support of international advocacy. Women's rights groups have since flourished and pushed for stronger protection of women's rights and more political participation of women in a country where women accounted for about only 10 per cent of political representatives between 2011 and 2016 (Shwe Shwe Sein Latt *et al.* 2017).

Despite the successes in civil society mobilisation on the Thai border, this exile civil society emerged as highly dependent on continuous donor funding and interest. Since most international donors started to engage more actively with the Myanmar government in the wake of

President Thein Sein's reform agenda, they have gradually withdrawn funding from social and political action, including humanitarian organisations, on the Thai border. Unsurprisingly, many border-based CSOs have since struggled, relocated to Myanmar, or ceased to exist (Décobert 2016). With the relocation of aid funding and political liberalisation, civil society in central Myanmar has flourished to unprecedented extents. Yet, space for social and political action has contracted severely since Aung San Suu Kyi took over power. Under her NLD government, persecutions of journalists and peaceful protesters have become commonplace again and inhumane treatment of political prisoners, including severe torture, remains to be a sad part of reality in Myanmar (Human Rights Watch 2019).

The top-down nature of transition in a context of protracted conflict and authoritarianism poses severe challenges for civil society in Myanmar. The following section will focus on: (a) the growth of *un*civil society that pursues exclusionary and violent agendas, and (b) the risk that peace-building and development initiatives are co-opted by securitised state-building and counterinsurgency.

### 4.1 Centre: civil and *un*civil society

While political and social action matured on the Thai border during the 1990s and 2000s, the situation for civil society groups in central Myanmar was dire after the 1988 uprising. Throughout the 1990s, SLORC expanded its intelligence apparatus, resulting in pervasive surveillance and mass imprisonment of pro-democracy activists. This resulted in increasing fragmentation of the NLD umbrella between NLD affiliates. In the mid-2000s, a new wave of civil disobedience campaigns challenged the military regime, organised by student leaders of the 1988 uprising that had been released after decade-long political prison sentences. The 88 Generation Students Group was founded in 2005/06 and has since become a civil society group with high moral authority.

In August 2007, the 88 Generation organised peaceful marches against a steep rise in fuel prices. After authorities re-arrested many of the student movement leaders, Buddhist monks joined the protests, which became known as the 'Saffron Revolution', due to the saffron-coloured monks' robes. The violent suppression of protests triggered a group of monks to establish the then-underground organisation All Burma Monk's Alliance (ABMA). The ABMA called for the junta to restore fuel subsidies, release political prisoners, and engage in national reconciliation. After the junta remained unapologetic, the ABMA excommunicated SPDC leaders and called for continued protests (Selth 2008: 283).[4]

The political mobilisation of the pro-democracy monks in 2007 dealt a severe blow to the legitimacy of the military regime, but also helped to create an international narrative referred to by Freeman as the 'good monk myth', i.e. the notion that the Buddhist monkhood in Myanmar is predominantly a grass-roots, human rights movement (Freeman 2017). In contrast to this, the Tatmadaw has co-opted parts of the monkhood,

or the Sangha. In fact, after 2007, the military worked to politicise, control, and undermine the Sangha, appointing pro-military monks to official positions and offering financial contributions to ultranationalist factions, many of which have since been on the forefront of fostering hatred against Myanmar's Muslim communities.[5]

That said, prejudices and structural racism against Muslims are not new phenomena in Myanmar. The school system has, ever since Ne Win's regime, been propagating a nationalist Buddhist curriculum that discriminates against religious minorities. The identity cards used today in Myanmar stem from the colonial era, and clearly state religious affiliations, which results in daily discrimination for Muslims applying for jobs or in any dealings with authorities. The rapid liberalisation of the telecommunication market has, since 2011, allowed millions of Burmese to access mobile phones and social media, primarily through Facebook, but has also opened up new propaganda channels perfectly suited to incite sectarian violence and spread fake news. The outbreak of sectarian violence between Buddhist and Muslim communities in Rakhine State in 2012 catalysed the growth of an ultranationalist Buddhist movement that was very successful in spreading hate messages on Facebook (Lee 2016; International Crisis Group 2017).

The biggest group within the ultranationalist Buddhist movement is known as the Ma Ba Tha, loosely translated as the Committee for the Protection of Race and Religion, although the state Sangha has forced it to change its official name to the Buddha Dhamma Philanthropy Foundation. The movement illustrates how both civil and uncivil society can incorporate social and political action in the context of state fragility and conflict. Ma Ba Tha is a grass-roots movement, which meets social needs that the state has addressed inadequately. Since the legal system is endemically corrupt, Ma Ba Tha has, for instance, offered a parallel legal entity to solve civil cases. Where the educational system is severely neglected, the Ma Ba Tha has offered schooling and vocational training. During natural disasters, the movement has efficiently organised disaster relief support. Although not all Ma Ba Tha members adhere to an anti-Muslim ideology, many have committed hate speech, violent acts, and lawless actions, instigating violence against Muslims on multiple occasions. Members of the movement have also demanded apartheid policies, such as the banning of Muslims from entering shops and restaurants, with little condemnation offered by the leadership (International Crisis Group 2017).

Ma Ba Tha illustrates the intricate relationship between state authorities and strong *un*civil forces. State authorities have sought to use movements like the Ma Ba Tha. The former military junta and the Union Solidarity and Development Party (USDP), for instance, strengthened these ultranationalist and racist elements amongst the monkhood by utilising the latter's extensive networks in order to mobilise supporters in the election campaign of 2015. In return for support, the then-President Thein Sein announced a plan to forcibly segregate

the Muslim Rohingya community residing in Rakhine State (Human Rights Watch 2014). Seeing the nationalist Buddhist movement as an ally against the NLD, Thein Sein also ratified a controversial marriage bill rendering marriage between Buddhist women and men of other religious faiths unlawful. *Un*civil society, similar to civil society, can also keep formal authorities on the run. Prominent sources from within the NLD, for instance, acknowledged that the NLD's decision to remove all Muslim candidates from their ballots in the 2015 election was due to growing pressure from Buddhist nationalist groups (Hindstrom 2015). Similarly, Aung San Suu Kyi's silence in the face of atrocities against the Rohingya Muslims is often explained with strong anti-Muslim sentiments on the Myanmar 'street'.

### 4.2 Borderlands: peace-building as counterinsurgency

The complex of relief, advocacy, and ethnic minority organisations at the Thai border has also shaped social and political action inside conflict-affected border regions. These include CSOs such as the Karen Environmental and Social Action Network (KESAN), which works for safeguarding the natural livelihoods of conflict-affected communities, and the Karen Human Rights Group (KHRG), which documents human rights abuses in eastern Myanmar. Both organisations received training and assistance from international organisations. International assistance and a comparatively liberal political condition on the Thai border have also enabled organisations such as the Kachin Women's Association of Thailand (KWAT) to advocate for the rights of ethnic communities in other conflict-affected border regions of Myanmar.

Many ethnic CSOs have developed within a particularly complicated web of social relations, which impacts on their actions and outlook. In a similar vein that they cannot be understood in separation from international aid on the Thai border, they cannot be dislocated from armed conflict inside Myanmar's border regions, including the politics of EAOs. This is primarily because EAOs such as the KNU have long been embedded within local communities. In fact, Myanmar's EAOs cannot be understood in separation from the wider society. This is not least because many of them have established reciprocal exchange relations through wide-reaching governance and welfare provision among parts of their claimed population in ethnic border areas. These governance arrangements have embedded ethnonational movements into the social lifeworld of ethnic minority communities in Myanmar's conflict areas. This is particularly true in areas where rebels remain in control of territory and operate relatively sophisticated administrative structures, including education provision (Brenner 2017, 2018b).

This historically grown context has two main implications for social and political action in Myanmar's conflict-affected border regions. Firstly, some of the administrative and welfare departments of EAOs are part and parcel of social and political action in Myanmar's borderlands. They cooperate with CSOs in the provision of services and advocacy work, for instance, in the development of curriculum and teacher

training programmes in Karen State or relief action in the internally displaced persons (IDP) camps of Kachin State. Secondly, social and political action in Myanmar's borderlands is often bound up with ethnonational politics (Kiik 2016). This is, for instance, expressed by KWAT stating that besides empowering women in war-torn Kachin State, it also 'seeks to preserve and maintain Kachin culture and history' (Peace Insight 2012). However, CSOs in border regions should not be understood as the agents of EAOs. On the contrary, they act as a form of public sphere and can be highly critical of EAOs (Brenner 2018b). Many CSOs have, for instance, repeatedly criticised ethnic armed groups for their involvement in unsustainable resource exploitation, such as mining and logging (e.g. KHRG 2015).

The pressure that social and political action exerts on EAOs can, for instance, be witnessed by looking at the ceasefire in Karen State (Brenner 2018a). Since the KNU signed a ceasefire in January 2012, an end of fighting has opened the door to improving the insecure livelihood of marginalised and war-torn communities. Nevertheless, the Karen ceasefire delivered neither long-term development nor human security. In fact, it created new insecurities and grievances for local Karen communities similar to the Kachin ceasefire (Brenner 2019: 100–2). Local rights groups document that the everyday lives of civilians in ceasefire areas are still dominated by militarisation, forced displacement, and uncompensated land confiscation, most often at the hands of army and militia soldiers, who forcefully clear the land for mining operations, agri-businesses, infrastructure development, and military facilities (KHRG 2014, 2015). Local communities and civil society complain that they are neither being consulted by the government nor by the KNU's new leadership (Brenner 2017).

In addition to struggling against the government, foreign investors, and armed groups, local CSOs have developed an increasingly critical perspective of international donors, since the latter have shifted large parts of their support from Thai border-based grass-roots organisations to Myanmar state-led development and relief programmes. Most aid in conflict-affected areas has since been delivered in agreement with militarised state authorities. In its first re-engagement with Myanmar, the World Bank, for instance, granted US$80m directly to the military-controlled Ministry of Border Affairs for so-called 'community driven development' (World Bank 2013). Unsurprisingly, international partners have been at risk of playing into the hands of military authorities to the detriment of local communities, an issue that has been flagged continuously by local CSOs (e.g. KCSN 2012; Karen Peace Support Network 2014).

One stark but telling example was a Finnish-funded project in Karenni State. It operated under the umbrella of the now suspended, Norwegian-led Myanmar Peace Support Initiative (MPSI), which sought to derive quick peace dividends in order to create a buy-in into the peace process among conflict-affected communities. The project

in Karenni State was meant to support returning IDPs after the rebel Karenni National Progressive Party (KNPP) signed a ceasefire with Thein Sein's administration in 2012. Karenni State has witnessed armed conflict since the late 1950s. A large-scale Tatmadaw offensive in the late 1990s led to mass displacement of civilians, many of which fled to the refugee camps on the Thai border or remained internally displaced. The MPSI project intended to resettle these displaced communities back to Karenni State in the wake of the ceasefire. Between September 2013 and June 2014, the MPSI project built ten so-called 'model villages' in the area of Shadaw Township to support 251 returning IDP households (The Myanmar Peace Support Initiative 2014: viii). According to the MPSI, this project was a success (*ibid.*: viii).

In contrast, the Karenni Civil Society Network (KCSN) – an umbrella group of Karenni CSOs – voiced strong concerns about the MPSI project (KCSN 2012). The CSOs argued that the Tatmadaw used the project for its counterinsurgency in ways that resemble the infamous 'strategic hamlet' programmes, in which the United States military tried to separate the Vietcong from its local support base by forcibly relocating local communities into highly securitised villages during the Vietnam War. According to the KCSN, Tatmadaw soldiers confiscated 3,000 acres of land from local villagers near the project site for the construction of training facilities. The military also maintained a heavy presence in the various model villages of Shadaw Township together with pro-government militias and military intelligence units. Along the road to Loikaw, posters propagandised the army with slogans such as 'March bravely, and attack bravely!' or 'Crush the enemy!' (KCSN 2012).

In an attempt to defend the project, the Finnish Ministry for Foreign Affairs stated that military installations in the village appeared unmanned when its diplomatic envoy visited the site. Moreover, it claimed that the CSOs confused the actual localities because its report cited different village names (Martov 2015). Its commentary illustrates the most dangerous shortcoming of international donor projects in Myanmar's conflict zones: limited knowledge of the lived experiences of local communities and the politics of conflict. It is of little surprise that the Tatmadaw welcomes Finnish diplomats differently than local villagers. The villages in the KCSN report are, moreover, the same as in the MPSI project. As common practice in Myanmar's border areas, the denominations differ as the KCSN report uses local Karenni language names when referring to the villages.

While not all international aid in Myanmar's borderlands feed counterinsurgency strategies, the MPSI case highlights significant pitfalls for international engagement in an authoritarian and securitised environment. Most crucially, channelling aid through government structures, in an environment where government and counterinsurgency are intrinsically linked and little knowledge exists on the side of the donors, is likely to exacerbate rather than alleviate problems for local communities and civil society.

## 5 Conclusion

Understanding Myanmar's political transition primarily through the lens of democratisation is misleading and problematic. The political reforms of 2011 were orchestrated by the country's military in ways that safeguard its own power interests. This explains the persistence of authoritarian rule and military dominance in contemporary Myanmar politics. The country's top-down transition poses severe challenges for civil society. On the one hand, transition has not progressed in a linear fashion towards liberal democracy as demonstrated by recent crackdowns on press freedom and other civil liberty rights. On the other hand, transition itself has created new challenges. While the rapid liberalisation of the public sphere has created space for civil society mobilisation, it has also provided a platform for *un*civil society: ultranationalist forces promoting sectarian violence on the basis of exclusionary identity politics. While this has erupted most violently against the country's Muslim communities, including the culmination in military-led ethnic cleansing of the Rohingya in Rakhine State, inter-communal conflict between different ethnic groups is simmering across Myanmar. This in turn strengthens authoritarian rule by playing to the self-portrayal of the Tatmadaw as the guardian of the nation.

At the same time, the rapid influx of the international aid community attempting to support what it misconceived as democratisation has created additional challenges for civil society. In fact, Myanmar makes for a rather cautionary tale of an aid industry crash-landing in a country without profound knowledge of its intricate politics. The very assumption that Myanmar's transition is a process of democratisation has not only proven wrong but deeply problematic. It has contributed to a wholesale shift of donor funds from supporting long-standing grass-roots networks based on the Thai–Myanmar border to state bureaucracies. This has not only left existing CSOs struggling to survive. It has also accentuated the danger that international aid ends up being co-opted by militarised power for the purposes of ethnocratic state-building and counterinsurgency. This is particularly so in the securitised space of the country's conflict-ridden borderlands where state apparatus and military authorities remain inextricably linked up until today. Unsurprisingly then, international aid has not always contributed to, but also undermined, progressive social and political action in Myanmar.

To find more constructive ways of supporting civil society in this challenging environment, both in central and borderland Myanmar, international donors and development agencies should focus on: (a) rethinking the nature of Myanmar's transition, including the legacy of protracted authoritarianism and conflict, as well as the ill-founded assumption that it was driven by democratic forces from below and is leading to a Western-style liberal democracy; (b) being more reflexive about the impact of international aid on the fragile politics of transition, conflict, and peace. Understanding the concerns of local civil society, including the inconvenient truths about the nature of transition and the state, in places outside of urban centres is indispensable in this

regard; (c) supporting comprehensive reforms of Myanmar's security and public administration apparatus by identifying and exploiting the limited political openings that top-down transition leaves. For the short-term, the key focus can rest on exploring creative opportunities that allow for change within the confines of the 2008 constitution, as demonstrated by the NLD's recent move to place the GAD under a civilian ministry. Simultaneously, however, international donors need to support alliances between CSOs and democratic politicians that push for constitutional change itself.

## Notes

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1 David Brenner, Lecturer in International Relations, Goldsmiths, University of London, UK.

2 Sarah Schulman, PhD candidate, Lund University, Sweden.

3 The concept of uncivil society emerges from the analysis of the public sphere in India by Muthiah Alagappa who highlighted the prominence of non-progressive forces that mobilise exclusive and primordial identity categories (Alagappa 2004).

4 Interview with ABMA, Mae Sot, Thailand, 15 December 2010.

5 Interview with ABMA, Mandalay, Myanmar, 6 June 2017.

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