

CHAPTER 4

Myanmar Security Outlook: Coping with Violence and Armed Resistance

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Introduction

State-building in Myanmar is a contentious exercise with many ethnic “nations” challenging the unitary concept of the ruling elites, who are mainly from the majority *Bamar* ethnic group and resorted to armed struggle.¹ The Communists also did not accept the nascent government’s legitimacy and sought “regime change” through force of arms. Consequently, the army was wracked by mutinies and civil war erupted soon after independence. The government was fighting a multi-front against a multitude of ideological and ethnic insurgencies, some of which are still continuing.² Moreover, the defeated units of the Chinese Nationalist Army know as KMT (Koumintang) entered Myanmar’s Shan State in early 1950 from Yunnan, and built an enclave along the border with China. The military had to mount many campaigns over the next decade to dislodge them, while the government pursued diplomatic means to repatriate them to Taiwan.³ The incessant fighting in support of the government, and its legendary role in the resistance movement against the British rulers and later the Japanese occupiers in World War II, have resulted in elevating the military not only as an indispensable adjunct to state power, but as a fount of power itself. As such, the military’s perspective has had a domineering influence in shaping Myanmar’s security outlook since independence

¹ See, e.g., Tin Maung Maung Than, “Dreams and Nightmares: State Building and Ethnic Conflict in Myanmar (Burma),” in Kusuma Snitwongse and W. Scott Thompson (eds.), *Ethnic Conflict in Southeast Asia* (Singapore: Singapore Institute of Southeast Asian Studies), pp. 65-108.

² See, e.g., Chapter 5, in Mary P. Callahan, *Making Enemies; War and State Building in Burma* (Ithaca, NY: Cornell University Press, 2003). In fact, the country’s capital was under siege and almost fell to a Kayin ethnic insurgent army in early 1949. That bitter experience left an indelible mark in the psyche of the military leaders and state managers of the day.

³ See, e.g., Robert Taylor, *Foreign and Domestic Consequences of the KMT Intervention in Burma* (Ithaca, NY: Cornell University Press, 1973).

Myanmar is a multi-cultural, multi-racial, and multi-religious society. Officially, there are 135 sub-national (ethnic) groups under eight major ethnic communities. Population estimates (last census was in 1983) indicate that the majority Bamar (formerly called Burman) ethnic group constitutes over 60 percent, while non-native (mainly of Chinese and Indian origin) communities numbered around 5 percent of the total population. The aforementioned political, geographic, and demographic realities have heavily influenced Myanmar's ruling elites in their perspectives on national security, and the role of the military in political governance.

Myanmar's National Security Perspective: More of the Same?

For various reasons associated with Myanmar's historical experience with colonialism, World War II, the civil war and the Cold War, as well as the multi-ethnic nature of its polity, successive Myanmar governments have always adopted a state-centric national security policy approach with much emphasis on national sovereignty, territorial integrity, and national unity (of all ethnic nationalities). This is concomitant with the tendency to conflate national security with regime security.⁴ All along, Myanmar's security outlook has been preoccupied with domestic threats, the most serious being intra-state war characterized by violent challenges from a variety of ethnic and ideological insurgencies that weighed heavily on the military dimension.

At the present time, there is no evidence to suggest that the overall security perspective of Myanmar's government and the military has significantly deviated from the state-centric "realist" paradigm of the past.⁵ The National Defence and Security Council (NDSC) is the ultimate authority on national security. The 11-members NDSC is chaired by the President and also includes: the two vice-presidents, the speakers of the *Pythu Hluttaw* (People's Assembly) and *Amyotha Hluttaw* (National Assembly), Commander-in-Chief (C-in-C) of the Myanmar Defence Services (MDS) and

⁴ This section draws heavily from Tin Maung Maung Than, "Myanmar: Preoccupation with Regime Survival, National Unity, and Stability," in Muthiah Alagappa (ed.), *Asian Security Practice: Material and Ideational Influences* (Stanford, CA: Stanford University Press, 1998), pp. 390-416. See, also, Callahan, *Making Enemies: War and State Building in Burma* for the historical roots of Myanmar's state security concerns.

⁵ Personal observations in Singapore, Yangon, and Naypyidaw since 2011, and informal discussions with people close to relevant authorities.

Deputy C-in-C, as well as ministers of defence, foreign affairs, home affairs, and border affairs.⁶

Tatmadaw or Myanmar Defence Services (MDS)

Known in the Myanmar language as the *Tatmadaw* (literally meaning Royal Force), the MDS is the offspring of the national struggle for independence. Its founding members were first and foremost nationalists of socialist persuasion, rather than typical professional soldiers. As the most powerful and enduring institution in independent Myanmar, it has played a dominant role in shaping the political contours of the Myanmar State, and has developed a Praetorian ethos. The first generation military leadership who made their mark during the anti-fascist revolution against the Japanese fashioned a military tradition extending beyond national defence requirements and bordering on the political, thereby becoming the guarantor as well as the embodiment of state authority. This led to the MDS taking over the reins of power three times since independence, and in over six decades of sovereign statehood, it ruled Myanmar directly for almost half the period.

Meanwhile, the MDS' national security paradigm has yet to undergo substantial change. Continuing its primary focus on the long-standing (six decades old) domestic threat of armed insurrection though potential threats to its territorial integrity, national sovereignty as also been taken into consideration since the coup of 1988.⁷ A modern, strong, and patriotic armed forces is seen as imperative for fulfilling these objectives.

⁶ The foreign minister is a retired colonel and former ambassador while other three ministers are serving officers with the rank of lieutenant general. Apart from the civilian vice president (an ethnic Shan medical doctor) all other NDSC members are either military or ex-military.

⁷ See, e.g., Hseng Khio Hah, "Burma Army on alert after UAV invaded its air force," *Shan Herald Agency for News*, 6 January 2011, in *BurmaNet News*, 6 January 2011.

Constitutional mandate and military participation in politics

MDS continues to play a major role in the new political system and the management of security in the Myanmar state⁸ in accordance with the following provisions of the 2008 Constitution. MDS enjoys considerable autonomy in its internal affairs:

- “Enabling the Defence Services to be able to participate in the National political leadership role of the State” (Chapter I, “Basic Principles,” section 6-f).
- The military’s complete autonomy to manage its own affairs (Chapter I, “Basic Principles,” section 20); specifically, the MDS “has the right to independently administer and adjudicate all affairs of the armed forces” (section 20-b).
- Designation of the military Commander-in-Chief (C-in-C) as supreme commander of all armed forces (Chapter I, section 20-c).
- Reserved seats for the military in the form of C-in-C’s nominees amounting to 25 percent of the seats in both house of the national parliaments (Chapter IV, “The Legislature,” sections 109 and 141).
- Reserved seats for the military in the form of C-in-C’s nominees amounting to one-third of the elected representatives in the parliaments of the (14) States and Regions comprising the Union (Chapter IV, section 161).
- Military representatives slated for six out of eleven members of the national Defence and Security Council (Chapter V, “Executive,” section 201).
- Reserved positions for the nominees of the C-in-C as ministers and deputy ministers for defence, home affairs and border areas (Chapter V, sections 232 and 234).
- “All the armed forces in the Union shall be under the command of the Defence Services” (Chapter VII. “Defence Services,” section 338).
- The President, after coordinating with the National Defence and Security Council, may declare a national emergency and then hand over executive, legislative, and judicial powers to the C-in-C in situations, “if there is sufficient reason for a state of emergency to arise that may disintegrate the Union or that may cause the loss of sovereignty, due to acts or attempts to take over the sovereignty of the Union by insurgency, violence and wrongful forcible means” (Chapter XI, “Provisions on State of Emergency,” sections 417 and 418).

⁸ See, e.g., Andrew Marshall and Jason Szep, “Special Report: Myanmar Military’s Next Campaign,” *Reuters*, 15 November 2012.

In this context, the past outlook conflating national interest with the MDS' corporate interests will probably continue for at least one election cycle (5 years), given the overwhelming presence of retired and serving senior military leaders in the new civilian government, and the institutionalization of the military's leading role in politics as per the Constitution (see above). This is despite the changing of the guard at the top of the MDS hierarchy.⁹

The Ethnic Ceasefire Groups (CFGs): Resisting Demobilization

The institution of a constitutional arrangement allowing for pluralistic electoral participation could be interpreted as a means to ensure continuity and sustainability in realizing the military's vision of national security. However, the very constitutional provision (article 338) that was meant to anoint the MDS as the sole armed organization with a monopoly on the use of force, has created a security dilemma for the SPDC with respect to the armed wings of the ceasefire groups (CFGs). When they entered into ceasefires with the government, all CFGs except the Kachin Independent Organization (KIO) had verbal agreements allowing them to keep their arms and engage in business activities with some localized autonomy and authority. The larger CFGs like the KIO (Kachin Independence Army or KIA, its armed wing, has about 5-6000 troops) and those on the Chinese border (*Wa*, *Kokang* and *Mong La* groups comprising a majority of ethnic Chinese inhabitants) were allowed greater autonomy to administer and control their designated areas officially known as "special regions." Among them, the *Wa* CFG led by the leaders of the United *Wa* State Army (UWSA, over 20,000 strong and reputedly armed with heavy mortars, artillery, and modern anti-air weapons) was given wide latitude to run its area with almost no intervention by the central government. Even the MDS had reportedly refrained from entering *Wa* territory without prior arrangement. The three CFGs whose territories are adjacent to the Yunnan province of China have had extensive socio-economic and quasi-political links with China, set their own judicial and administrative rules, and are believed to have engaged in illegal border trade

⁹ This is because of the nature of military socialization throughout the careers of all senior officers, its culture of extreme suspicion of "outsiders" bordering on paranoia, and enduring legacy of the SPDC chairman whose *modus operandi* had been highly personal.

including drug production and trafficking.¹⁰

In accordance with the Constitutional rule forbidding armed forces independent of the MDS, in early 2009 the SPDC demanded that the CFGs either turn their armed forces into a border guard force (BGF) with reduced strength and a truncated command structure, or local militia (lower status and smaller units than the BGF) before the new constitution came into force. The BGF structure reportedly consists of smaller, lightly-armed infantry battalions under MDS' tight control, as opposed to the previous formation of larger CFGs (Wa, Shan, and Kachin) whose autonomous units comprise of brigades with heavy weapons.

This goes against the grain of most CFGs, which had repeatedly expressed their preference to keep their forces intact and negotiate the terms and conditions of the demobilization with the new elected government after 2010. The SPDC, on its part, had also refused to change the terms of its demands for transforming the CFG's armed wings into units under its direct command. Consequently the larger CFGs, the KIA, USWA, MNDAA (Myanmar National Democratic Alliance; popularly known as the Kokang group estimated at 2,000 strong) and NDAA (National Democratic Alliance Army; popularly known as the Mong La group with several thousand troops) all refused to comply. In fact, the BGF format requires the CFGs to downsize their combat formations (brigades and even divisions in the case of Wa) into smaller units, apparently devoid of heavy weapons, and embedded with MDS personnel in key command and staff positions. Tensions had been rising between those four major CFGs and the military on account of this BGF issue. These tensions were exacerbated when the MDS subdued the defiant Kokang group in August 2009 by supporting an internal revolt by pro-junta leaders, following violent clashes as the army enforced the indictment against the group leader Pheung Kya-Shin for illegal weapon production. Though these four CFGs had formed an alliance called Myanmar Peace and Democratic Front (MPDF) in March 2009, the alliance failed to act in support of the Kokang group. Nevertheless, the remaining three CFGs pose

¹⁰ See International Crisis Group (ICG), "China's Myanmar Dilemma," Asia Report No. 177, Brussels, 14 September 2009, pp. 0-13; and Mary Callahan, *Political Authority in Burma's Ethnic Minority States: Devolution, Occupation, and Coexistence*, East-West Center Policy Studies 31 (Washington D.C.: East-West Center, 2007). For an in-depth report on developments along the Sino-Myanmar border, see Hélène Le Bail and Abel Tournier, "From Kunming to Mandalay: The New 'Burma Road,'" *Asie Visions* 25, Paris, Centre Asie Ifri (March 2010).

a formidable challenge to the MDS if it had to use force to make them comply with the SPDC's plan for transforming them into a fragmented BGF under direct MDS control. The New Mon State Party (NMSP), with a few thousand men-at-arms, also declined the military's offer to demobilize its troops into a smaller BGF.¹¹ Even the DKBA (Democratic Kayin Buddhist Army; a breakaway Buddhist faction of the Christian-dominated KNLA), seen as the military's staunch ally against the KNU, was at times sending mixed signals indicating that it would maintain the *status quo* instead of conforming to the military's BGF scheme.¹²

Up to five deadlines beginning with October 2009 had passed, and the impasse continued during the SPDC rule.¹³ In late 2010, the junta stopped pressing for immediate transformation, and apparently decided to defer the issue until after the elections.¹⁴ All in all, the problem of the CFG's intransigence in refusing to play by the SPDC's rules to demobilize their armies became the most acute security challenge for the SPDC and the successor regime that came to power after the November 2010 elections.¹⁵

The traditional security problems brought about by insurgency and recalcitrant CFGs have serious implications through insecurity and instability of border regions, and the occasional spillover effects of fighting along the border. The problem of refugees and illegal migrants have not been resolved with Bangladesh (the ethnic Rohingya issue) and Thailand (ethnic minorities and the Bamar majority from Myanmar), and these issues are compounded by long standing border disputes with both countries that had previously led to confrontations between the armed forces of the neighbouring states. In the case of China, it is even more complicated with

¹¹ See, e.g., "The Kachin's Dilemma-Become a Border Guard Force or Return to Warfare," EBO Analysis Paper No.2/2010, Brussels, Euro-Burma Office, 2010; Lawi Weng, "Mon reject militia plan," *Irrawaddy*, 23 April 2010, in *BurmaNet News*, 23 April 2010; and Brian McCartan, "Myanmar ceasefires on a tripwire," *Asia Times*, 30 April 2010, in *BurmaNet News*, 30 April 2010.

¹² See, e.g., Lawi Weng, "DKBA, KNU held secret peace talks," *Irrawaddy*, 2 July 2010, in *BurmaNet News*, 2 July 2010; and Saw Thein Myint, "DKBA Brigade 5 refuses to toe junta's BGF line," *Kachin Information Center*, 23 July 2010, in *BurmaNet News*, 23 July 2010.

¹³ McCartan, *op. cit.*

¹⁴ See, e.g., Hseng Khio Fah, "Junta sets no new deadline for BGF program at latest meeting," *S.H.A.N.*, 24 June 2010, at www.shanland.org/index.

¹⁵ See, e.g., "The Kokang Clashes-What Next?" EBO Analysis Paper No. 1/2009, Brussels, Euro-Burma Office, September 2009; Maximilian Wechsler, "No united army for us, rebels vow," *Bangkok Post*, 13 December 2009; and "No kowtowing by dissident ceasefire armies," *S.H.A.N.*, 28 December 2009, at www.shanland.org. For a summary, see Smith, "Ethnic Politics," pp. 217-220.

the Yunnan provincial government's politico-economic relationship with the CFGs along its border (Wa and Mongla group), as well as concerns over the security of large infrastructure such as mining and energy projects located in ethnic minority areas of Myanmar. In fact, China's restraining hand is probably the most significant factor in preventing the MDS from using force to subdue the Wa CFG and perhaps also the KIO/KIA.¹⁶

Peacemaking with Ethnic Armed Groups

After the Constitution came into force in January 2011, the military indicated that the ceasefire agreements made with the ethnic ceasefire groups (CFG) during the 1990s had lapsed, but did not move against the armed ethnic groups who refused to join the border guard force (BGF) scheme.¹⁷ Meanwhile, the five CFGs (KIO, NMSP, SSA-North, KNPP, CNF) who had rejected the BGF scheme along with the KNU, together with five smaller armed groups (representing the *Lahu*, *Arakan*, *Pa-O*, *Palaung* and a splinter Wa group), formed the 11-member coalition named the United Nationalities Federal Council (UNFC) in February 2011, to collectively work for a federal solution to the problem of ethnic conflict. However, the government did not recognize the coalition as a representative organization for its members. To break the impasse, the Union Government announced on August 18, 2011, an offer to all armed ethnic groups to enter into peace talks based on a two-step process.¹⁸ Though initially skeptical toward the government's peace overture, most major armed ethnic groups entered into talks over the next 15 months at both the provincial and Union level.

Meanwhile, on May 3, 2012 the President formed the 11-member "Union Peace-making Central Committee," chaired by himself and comprising of the two vice-presidents, speakers of parliament, C-in-C of MDS, and security related ministers as well as the attorney-general. The Union Peace-making Work Committee" (52 members) chaired by Sai Mauk Kham, the civilian Vice-President, was also formed

¹⁶ See, e.g., International Crisis Group, "China's Myanmar Strategy: Elections, Ethnic Politics and Economics," Update Briefing, Asia Briefing No. 112, 21 September 2010.

¹⁷ For details of the BGF scheme and related developments, see Tin Maung Maung Than, "Myanmar's Security Outlook and the Myanmar's Defence Services," in *Security Outlook of the Asia Pacific Countries and Its Implications for the Defense Sector*, NIDS Joint Research Series No.7 (Tokyo: NIDS, 2012), pp. 96-97.

¹⁸ See *ibid.*, pp. 97-99; and Union Government Announcement No. 1/2011, in *NLM*, 19 August 2011.

with Minister U Aung Min (Railways Minister who later became the President's Office Minister), the Deputy C-in-C, seven other ministers, 10 chief ministers of provinces (State and Region), nine regional military commanders, a deputy minister (Border Affairs), deputy attorney-general, 18 members of parliament, and the Cabinet's director-general.¹⁹ Subsequently, with the assistance of NGO interlocutors from Myanmar EGRESS, U Aung Min virtually took on the role of the government's chief peace negotiator in reaching out to ethnic armed groups, as well as Myanmar exile groups.²⁰

Thereafter confidence-building measures with the armed ethnic groups were stepped up, and as a result, even the non-CFGs Karen National Union (KNU) and Restoration Council for the Shan States (RCSS) entered into ceasefire negotiations with the central and provincial governments. By September 2012, 13 ethnic armed groups had reportedly signed "peace contracts" and were in various stages of negotiations for a lasting peace and political participation. They are shown in Table 1 below.

¹⁹ See, Euro-Burma Office "Political Monitor" No. 14 (5-18 May 2012), Annex A and B.

²⁰ Personal communications and observations, Yangon and Naypyidaw.

Table 1
Armed Ethnic Groups That Accepted the Government's Ceasefire Offer

No	Ethnic Group (year founded/est. troop strength)	Initial agreement date
1	United Wa State Party/Army (UWSP/A) (1989/20-30,000)	September 6, 2011
2	National Democratic Alliance Army (NDAA), Mong La (1989/3,000)	September 7, 2011
3	Democratic Karen Benevolent Army-Kalo Htoo Baw (2010/1,500)	November 3, 2011
4	Restoration Council of Shan State (RCSS)/Shan State Army South (SSA-S) (1996/5-6,000)	December 2, 2011
5	Chin National Front (CNF) (1988/200)	January 6, 2012
6	Karen National Union (KNU)/KNLA (1947/4-5,000)	January 12, 2012
7	Shan State Progressive Party (SSPP)/Shan State Army North (SSA-N) (1964/3-4,000)	January 28, 2012
8	New Mon State Party (NMSP)/MNLA (1958/800+2,000)	February 2012
9	KNU/KNLA Peace Council (KPC)* (2007/200)	February 1, 2012
10	Karenni National Progressive Party (KNPP)/Karenni Army (1957/600)	March 7, 2012
11	Arakan Liberation Party (ALP)/ALA (1968/60-100)	April 5, 2012
12	National Socialist Council of Nagaland - Khaplang) NSCN-K (1980/4-500)	April 9, 2012
13	Pa-O National Liberation Organization (PNLO)/PNLA (1949/200)	August 25, 2012

Note: *KPC is a breakaway group from the main Karen National Union (KNU)

Source: "Deciphering Myanmar's Peace Process: A Reference Guide 2013," Chiang Mai, *Burma News International*, January 2013.

Despite tangible progress in establishing ceasefire agreements and an enhanced level of trust and confidence between the central government and most of the armed ethnic groups, they are still highly suspicious of the MDS' motives. As the fighting continues in the Shan and Kachin states, KIO and even the RCSS (under ceasefire arrangement) troops claim to have been repeatedly attacked by the military over the last few months. Much of the dispute and discord has to do with a lack of political dialogue, and military encroachment into CFG territory. The government's sequencing of "ceasefire first" has been unacceptable to the Kachin Independent Organization (KIO) and Kachin Independence Army (KIA, the military wing), which had been fighting since June 2011.²¹

On the other hand, in reporting to the lower house of parliament, U Aung Min rationalizes the impasse with the holdouts as follows:

"Issues of national races armed groups and national races date back to the independence of the country. It is required [sic] bilateral efforts to clear the cloud of doubts between the two sides to uncover the truth. It is simply not easy to solve the six-decade old problems at one sitting overnight. . . . armed engagements in Shan State were because there has not been designated places for armies of the two sides. . . . Such problems would vanish after step by step implementation of peace-making policies adopted by the President."²²

Eleven rounds of preliminary meetings (four informal and seven formal) at both the State (provincial) and Union level did not yield any results, and in December 2012 the fighting escalated with the KIA attacking outposts and convoys as well as destroying public infrastructure like bridges, power lines, rails, and equipment. The military responded with heavy artillery and air strikes to capture KIA positions deemed essential to safeguard vital lines of communications.²³

²¹ See, e.g., TNI-BCN Conference Report, "Prospects for Ethnic Peace and Political Participation in Burma/Myanmar" (Bangkok, 8-9 July 2012), The Transnational Institute and Burma Centrum Nederland; Nany Mya Nadi, "Residents flee as fighting intensifies in northern Shan State," *Domestic Voice of Burma*, 4 September 2012, in *BurmaNet News*, 1-4 September 2012; and Hintha Ni, "KNU asks gov't to move military bases," *Mizzima News*, 7 September 2012, in *BurmaNet News*, 7 September 2012.

²² See, U Aung Min's report to the Pyithu Hluttaw on 20 August 2012, *NLM*, 21 August 2012.

²³ See Government Information Team, Press Release (1/2013), 4 January 2013, *NLM*, 5 January 2013. This had led to international concerns with the West and U.N. Secretary General urging the military to desist. See, e.g., Kocho Olarn and Jethro Mullen, "Myanmar airstrikes on Kachin rebels raise global concern," *CNN*, 3 January 2013, in *BurmaNet News*, 3 January 2013.

Concluding Remarks: Coping with the Ethnic Challenge

The armed resistance of the KIO/KIA toward government efforts to bring about a political dialogue through a ceasefire agreement is a vexing issue for the MDS. Constrained by the President's standing instruction (December 2011) to take only defensive action against the KIA²⁴ the military has had to contend with a tactical disadvantage against an aggressive adversary in the latter's backyard. The MDS has been repeatedly accused of using excessive force and mounting offensive operations, notwithstanding the fact that it had suffered huge losses in men and material to KIA attacks and ambushes.²⁵ The government has also been accused of a dual track policy of talking while fighting, and some even questioned the President's ability to control the military and enforce his instructions. In the international media front, the MDS has been vilified and subject to condemnations by ethnic activists and human rights organizations, some of whom are lobbying for a unilateral ceasefire. The military's top leaders need to handle these predicaments with finesse and patience, and perhaps embrace a new security mindset to enable the MDS to become part of the solution in the peace process, rather than a problem as portrayed by its detractors.

²⁴ See the "Statement by the National Human Rights Commission," 13 December 2011, *NLM*, 14 December 2011.

²⁵ "Kachin State fighting escalates as new front opens," *Irrawaddy Online*, 14 December 2012, at <http://www.irrawaddy.org/archives/21311>.