Sequencing democracy in Myanmar: A success story?

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Presenting a critical analysis of the democratization process in Myanmar and the conflict in Kachin State from 2010 to 2016.
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Abstract

Transitioning from one regime to another can be deeply destabilizing, especially in countries that are already struggling with civil conflict. Scholars in political science have long attempted to understand and explain the processes involved in a democratization process. This study questions one of the major democratization theories guiding transitions in the world today, and puts it to the test using empirical evidence from the democratization process in Myanmar. The following questions are addressed:

(1) what characterizes the democratic opening in Myanmar, and how can it be explained in light of major positions in democratization studies; and
(2) what, if any, are the links between the mode of democratization and the resumption of warfare in Burma/Myanmar and in Kachin State?
Preface

Along with the third wave of democratization from the 1970’s onward, there has been a new wave of theories trying to understand and explain the processes involved in such transitions. The liberal-oriented approaches gained popularity as many authoritarian states began opening up for popular participation and electoral politics, beginning the transition to democracy even in unfavorable circumstances. Researchers found that there is a positive relationship between democracy and peace. More specifically, consolidated democracies are less likely to be involved in international wars and are also less likely to experience civil conflict.

Deriving from this finding came a wave of democratization efforts where democracy promotion became a major part of the peace building missions in conflict areas around the world. The best known example of such foreign policy is probably George W. Bush’s grand vision of a democratic world, where the use of force was justified in the process of “helping” undemocratic countries build democracy. This approach had rather meager results in producing democracy, which is evident in the case of both Afghanistan and in Iraq (Paris, 2004). As a counter-reaction to the many unsuccessful attempts at democratization in the 1990s rose a new wave of theories attempting to rightly understand democratization processes.

This study is placed in the midst of the contemporary debate between two competing democratization approaches: democratic sequencing theory and the gradualist/transformative approach. Understanding the current state of democracy and the processes involved in a transition is an essential pre-requisite to democracy promotion efforts. Using the democratization process in Myanmar from 2010 to 2016, with a special emphasis on the ethnic conflict in Kachin State, this study assesses the usefulness of democratic sequencing theory as compared to gradualism/transformative democracy in guiding transitions.

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Chapter 1
INTRODUCTION

The third wave of democratization, which happened throughout the last quarter of the twentieth century, dramatically altered the political landscape of the world. The way the transitions took place varied considerably, but they all had one thing in common: movement away from dictatorship and towards more democratic forms of governance (Carothers, 2002, 5). In the last few decades there has been rising concern about the substance of democracy in recently transitioned countries. Carothers (2002, 9) points out that out of the nearly 100 countries deemed as “transitioning” in the world today, only a handful of them are clearly on a path towards successful democracy. Meanwhile, the majority of the transitioning countries seem to be settling into new forms of semi-democratic yet still authoritarian systems. Typically, the transitions lead to the establishment of systems with formal democratic institutions, such as elections, but which suffer serious democratic deficits (Carothers, 2002, 9-10; Levitsky & Way, 2010, 57).

Myanmar is one of the most recent democratizing countries in the world today. This study carefully assesses the processes involved in the democratic transition in Myanmar since the introduction of democratic reforms in 2011, and the simultaneous developments of the conflict in Kachin State. Using Myanmar and Kachin State as a crucial case, I attempt to test two main theories in the school of democracy and democratization; namely democratic sequencing and gradualism/transformative democracy. The analysis addresses the following questions: (1) what characterizes the democratic opening in Myanmar, and how can it be explained in light of major positions in democratization studies?; and (2) what, if any, are the links between the mode of democratization and the resumption of warfare in Burma/Myanmar and in Kachin State?

1.1 Background

In early March 2011, the formation of a newly elected government headed by President Thein Sein marked an end to five decades of military dictatorship in Myanmar. Only a few months into his term, the new President surprised the world by the sudden introduction of liberal and democratic reforms. Hundreds of political prisoners were released and new economic, social and political opportunities were opened for the people of Myanmar. The international community applauded the new government for taking steps toward establishing a more liberal and democratic society. Pretty soon sanctions that had been held against the Myanmar government for years were lifted, and diplomatic relations were normalized.
The democratization process in Myanmar arguably began in 2003 when the military government announced the “roadmap to a discipline-flourishing democracy”. The roadmap contains a set of stages with the aim of building a “modern, developed and democratic” nation (Nilsen, 2013, 119). According to democratic sequencing theory, a careful “institutions-first” approach reduces the risk of conflict and betters the prospects for substantial democratization. Taking a cautious approach when entering a transition seems particularly important in a fragile, high-risk environment such as Myanmar, where there has been ongoing violent conflict since before the time of independence. Contrary to the theory’s predictions, however, ethnic violence has increased dramatically in certain regions since the initiation of the reforms process in 2011. Furthermore, the transition is currently facing major hindrances to further movement towards democracy. Because Myanmar and Kachin State represents a crucial case in this analysis, these unfortunate developments raise questions about the usefulness of sequencing as a descriptive and prescriptive approach, both in Myanmar and in general.

Kachin State represents a crucial case because it is one of the ethnic regions in Myanmar where the conflict level has dramatically increased since the initiation of the reform process in 2011. The eruption of conflict happened only three months after the new government took its place, and was a breach to seventeen years of ceasefire in Kachin state. In addition to heavy casualties on both sides, the recent conflict has had devastating effects for the civilian population in Kachin State, and has led to the displacement of at least 120,000 people (Moe, 2014, 265-266). Because the democratization process in Myanmar closely resembles the democratic sequencing approach, the eruption of conflict contradicts theoretical expectations.

Though sequentialists would argue that the increase of violence since 2011 is the result of “premature” democratization and that it is a natural consequence of the inherent risks of political opening, a closer look at the Kachin experience might reveal a different story. Simply put, the findings show that democratic sequencing could in fact lead to more conflict, rather than less, and limited, rather than substantial, democracy.

The following discussion includes two main arguments: sequencing democracy, which gives priority to building strong state institutions, particularly the rule of law, before opening up for popular participation; and transformative (Stokke & Törnquist, 2013), or gradual (Carothers, 2007) democratization. This study aims to test the usefulness of these two theories using the democratization process in Myanmar, and the recent eruption of conflict in Kachin State, as a critical, most-likely case. While sequentialists would argue that the problem is too much and too rapid democratization, this study argues that the problem is rather too late and too limited democratization.
1.2 Relevance and purpose
The theories are shaped by and in turn shape the way we think about democracy and democratization, and each theory inhabits guidelines for achieving a successful transition. Because the theories have major implications for the way experts and policy-makers perceive democracy and democratization, and thereby also act accordingly, the theoretical arguments can and oftentimes do have real consequences in the world today. As such it is vital to test the usefulness of the theories, their main arguments and implications.

Most countries in the world today have formal democratic procedures and institutions. Even highly authoritarian regimes operate within a framework of democratic institutions, but manipulate these institutions in ways that secure their hold on power. Scholars have labeled such regimes “sham democracies”, “electoral authoritarian”, “semi-democracies”, amongst others, and a lot of work has been put into differentiating between these hybrid regimes (Carothers, 2002, 9-10; Levitsky & Way, 2010, 57. Along with the third wave of democratization came a new wave of scholarly debate concerning democracy, democratization, and peace and conflict. This critical analysis places itself in the midst of this debate.

On the one side, democracy, and consequently any movement towards democracy, is seen as conducive to peace. Findings show that democratic countries are much less likely to wage war against other democratic countries, and that democracies are much more peaceful internally (Hegre et.al., 2001). Thus, promoting democracy simultaneously fosters peace. On the other side, skeptics are voicing concerns about the inherent risks in regime transitions and the destabilizing, even counterproductive, effects of “premature” democratization (Mansfield & Snyder, 2007). While the first camp would support any movement towards democracy, the latter argues that democratic reforms in some cases need to be controlled, limited or postponed until the state has established the necessary institutional framework to deal with the turbulence that inevitably comes in a regime transition.

If the skeptics who favor a sequential approach to democracy are correct, then we should see that Myanmar is moving towards stable democracy. If we cannot see this development in Myanmar, questions are raised regarding the usefulness of the theory. The findings may have practical implications for democracy proponents, experts and policy makers, as they might need to adjust their approach to countries in transition. Assuming that the establishment of peaceful, stable democracies is the ultimate aim, it is vital to test whether the theories guiding the transitions are able to achieve the predicted results, whether they are ineffective, or even, as we might see in this case, counterproductive.
1.2 Theoretical framework

Consolidated democracies are generally more peaceful than both autocracies and semi-democracies (Mansfield & Snyder, 1995; Hegre, Ellingsen, Gates & Gleditsch, 2001). Democratic countries are less likely to engage in international wars, especially with each other, and they are also less likely to experience civil conflict. The correlation between democracy and peace is statistically significant, but does not establish causality, nor does it rule out endogeneity (Hegre, 2014, 162-164). The positive relationship between democracy and peace has led to the following assumption widely held by experts and policy makers worldwide: a more democratic world will also be a more peaceful world. Consequently, efforts at peace building and democracy promotion have become intractably linked in recent decades (Paris, 2004, 42-45).

The 90’s peace- and democracy-building missions proved that transforming an autocratic regime into a full-fledged democracy is difficult, and the process often leads to increased instability and even conflict. Although scholars debate this matter, there is reason to believe that transitional countries are more prone to both internal and international conflict (Mansfield & Snyder, 1995; Paris, 2004, 45). The many unsuccessful attempts at establishing peace and democracy has raised a new discussion concerning the high stakes inherent in the process of democratization, and how best to deal with the risks and challenges involved.

There are three main arguments in this debate: (1) the liberal argument, which interprets the flawed results of democracy-building efforts as being the result of the insufficiency of the democratic and liberal institutions. The solution they suggest would be to improve these institutions; (2) the institutions-first argument (e.g. sequencing democracy), which argues that, because of the inherent instability in a transition, strong state institutions and rule of law needs to be established before opening up the political arena for mass participation; and (3) the gradualist (Carothers, 2007) and transformative argument (Törnquist 2011; 2013), which advocates support for pro-democracy reforms, institutions and actors that will foster a gradual shift in power relations, and simultaneously increase popular capacity and substantial democracy (Paris, 2004, 6-7; Törnquist, 2011, 823-824; and 2013, 9-10).

The following study is placed in the midst of the current theoretical debate between the proponents of democratic sequencing on the one hand, and proponents of gradualism/transformative democracy on the other. The debate somewhat resembles the question of who came first – the chicken or the egg. The essential question is whether strong institutions and rule of law should be established before introducing electoral reforms (sequencing), or whether democratic opening can foster institution-building (gradualism/transformative).
The goal is to test the basic assumptions of democratic sequencing theory as well as the gradualist/transformative approach by carefully assessing the chain of events in the democratization process in Myanmar and Kachin State, and compare these to the theoretical expectations. Because Myanmar and Kachin state represents a crucial, most-likely case, a passing of the test will strengthen the theory’s credibility. However, if it should fail the test, serious doubts arise concerning the theory’s general usefulness in explaining democratic transitions.

1.2.1 Democratic sequencing

Democratic sequencing theory developed as a counter-reaction to the enthusiastic democracy promotion efforts in the 1980s and 1990s. The many unsuccessful attempts at combining democracy promotion with peace building in the 1990’s led many scholars (e.g. Paris, 2004; Mansfield and Snyder, 2007; and Sisk, 2013) to highlight the dangers of too rapid, or “premature”, democratization. Arguably, opening up the political space for public participation before the necessary institutional framework is established can enhance the risk of increased instability and conflict. Basically, initiating democratic reforms, especially open elections, can have unfortunate, even devastating, effects in countries that are not well prepared for it. To avoid undesirable outcomes such as increased conflict, it is important to establish certain preconditions – primarily rule of law and strong state institutions – before opening up for mass politics (Mansfield & Snyder, 2009).

Oftentimes, the conflict that arises in transitioning regimes comes from the new incentives and opportunity-structures that are created in the transition. Elites typically play on nationalism and identity politics in order to mobilize support, especially in ethnically diverse countries. The newly instituted democratic procedures are manipulated by those already in power in ways that ensure the maintenance of their powerful position. The abuse and misuse of democratic institutions not only put barriers to democracy in that respective country, but also downgrades the very concept of democracy (Mansfield & Snyder, 2009; Törnquist, 2013, 9-10).

In response to these issues, proponents of sequentialism advice democracy proponents to postpone the initiation of democratic reforms, especially open elections, until a strong institutional framework is in place. Opening up for political and economic competition without pre-establishing the necessary institutional framework could lead to higher tension in a state that is not equipped to deal with it in a peaceful manner (Paris, 2004, 6). Placing the reform process within a strong institutional framework reduces the risk of conflict because it places restrictions on newly empowered masses and rising leaders (Mansfield & Snyder, 2009).
Democratic sequencing suggests that pro-democrats should wait for the necessary institutional framework to be established by the sitting elite before pushing for democratic opening. The problem with this, as highlighted by Carothers (2007), Stokke and Törnquist (2009), and others, is that incumbents in authoritarian regimes have much to gain from staying in power, and much to lose in losing power, and thus have little or no incentive to pave the way for competitive democracy. Furthermore, sequentialism provides autocrats with arguments to justify their reluctance to open up for mass politics, while giving them the opportunity to claim a deeper commitment to democracy in the long run. The consequence could be that authoritarian leaders remain free to postpone substantial democratization indefinitely (Carothers, 2007).

1.3.2 Gradualism/transformation democratization

Like sequentialism, gradualism acknowledges the importance of a country’s structural conditions and historical context when considering the chances for successful democratization. However, rather than presenting these factors as preconditions like sequentialists would, they are presented as “core facilitators or non-facilitators,” forming a “continuum of likelihood of democratic success” rather than a dichotomous divide between countries that can be democratic and countries that cannot (Carothers, 2007, 24).

In contrast to democratic sequencing, gradualism does not advocate postponing democratization in terms of opening the political arena. The gradualist approach “involves reaching for the core element now, but doing so in iterative and cumulative ways rather than all at once.” Gradualism proposes a gradual process of democratization, where democratic reforms are introduced in a step-by-step manner rather than all at once. Furthermore, it is important to take into account the country in which the transition is taking place for each step of the process. For instance, countries ridden with violent conflict should perhaps put off elections for a few years (but a few years at the most) in order to allow for peace negotiations and settling of disputes before opening up for mass competition.

As with sequentialism, autocratic leaders can claim to be gradualist democratizers, really only aiming for economic development and self-enrichment while postponing open elections or limiting democratic freedoms in other ways. For this reason it is important to push for the introduction of strategic reforms that will actually strengthen civil society and open up for political competition. This is the core of the argument presented in Stokke and Törnquist’s transformative approach. Transformative democracy proposes the strategic introduction of democratic reforms that provide opportunities for, and strengthen civil society actors and pro-democrats who will be able and willing to push for further democratization (Stokke & Törnquist, 2009).
The transformative approach emphasized the interaction between actors and institutions, and the dynamic of their interaction in the reform process (Törnquist, 2013). While the gradualist and the transformative approach acknowledge that strong state institutions are important to ensure stable and successful democratization, they also emphasize the necessity of changing the relations of power in society in order to build these institutions in the first place (Törnquist, 2011).

By assessing the historical events in Myanmar’s democratization process and the conflict in Kachin State and comparing these to the theoretical expectations of democratic sequencing, the analysis provides a critical test of the theoretical assumptions. The gradualist/transformative arguments and assumptions are used to ask critical questions and provide a possible alternative explanation of the ongoing democratization process in Myanmar. If the process in Myanmar meets the expectations of democratic sequencing theory, the theory remains strengthened. On the other hand, if the theory does not find support in the analysis, serious questions can be raised about the theory’s overall validity.

1.4 Methodological approach

The following analysis is a hypothesis-testing case study. A case is “a spatially delimited phenomenon (a unit) observed at a single point in time or over some period of time” (Gerring, 2007, 19). In other words, a case is the phenomenon that inferences attempt to explain. Each case may provide a single observation, or several (within-case) observations. A case study is an in-depth study of a single case, with the aim, at least in part, of providing insight into a larger population of cases (Gerring, 2007, 19-20).

It is commonly assumed that case studies cannot be used for theory testing because the research design does not provide generalizability. A single case is never perfectly representative of the population, and so inferences about other cases cannot be made based on the results of a single case study (Gerring, 2007, 20). Thus, most case studies have the aim of exploration and theory-generation rather than theory testing. Flyvbjerg (2006), on the other hand, argues that it is incorrect to assume that one cannot generalize from a single case. The generalizability of a case depends on the given case and how it is chosen. Strategically selecting a case, such as a critical case, can greatly enhance the generalizability of the case study (Flyvbjerg, 2006, 226).

Testing hypotheses is directly related to the issue of generalizability, and because the generalizability of a case study can be increased through strategic case selection, some case study designs are useful for testing hypotheses. Eckstein (1975) even goes as far as arguing
that case studies are in fact better for testing hypotheses than for generating them (Flyvbjerg, 2006, 229). Although one is unlikely to fully reject or confirm a theory based on a single case, the crucial case study design can be used to confirm and disconfirm hypotheses (Gerring, 2007, 42).

1.4.1 Validity: external and internal

Internal validity concerns the validity of the results regarding the sample that is being studied; external validity questions whether the results of the study based on this sample can be generalized to the larger population. Case study research suffers problems of representativeness because it is, by nature, a study of one or a few cases of some more general phenomenon.

Although case studies generally exhibit less external validity than cross case studies do, their internal validity is stronger. It is usually easier to establish a causal relationship in a single case rather than for a larger number of cases. Thus, there appears to be a trade-off between internal and external validity – and case studies are stronger in regards to the former (Gerring, 2007, 43).

It is commonly assumed that case-study research and qualitative research in general maintain a verification bias – in other words, they have a tendency to confirm the researcher’s pre-established expectations. This is a serious critique indeed, because it raises doubts about the scientific value of the method. Arguably, case studies and qualitative studies in general are scientifically weaker because it allows more room for the researcher’s own opinions and arbitrary judgment than other methods. Flyvbjerg (2006) argues that this critique is false and based on lack of understanding of the case study method. The case study method has its own rigor, different from that of quantitative studies, but no less strict. “The advantage of the case study is that it can close in on real-life situations and can test views directly in relation to phenomena as they unfold in practice” (Flyvbjerg, 2006, 235). In fact, case-study researchers typically report that they were wrong about their preconceived notions and that the case material has convinced them to revise their hypotheses. This is because the case study imposes a type of falsification, which Ragin (1992, 225) describes as a “special feature of small-N research”.

Much experience of case study researchers show that it is falsification, not verification that characterizes the case study. Furthermore, the issue of subjectivism relates to all scientific methods, not just case studies. The benefit of the case study is that the researcher is continually investigating and getting a deeper understanding of the case at hand, and any preconceived notions are likely to be corrected as the study objects “talk back” (Flyvbjerg, 2006, 235). As Flyvbjerg neatly summarizes:
“The case study contains no greater bias toward verification of the researcher’s preconceived notions than other methods of inquiry. On the contrary, experience indicates that the case study contains a greater bias toward falsification of preconceived notions than toward verification” (2006, 237).

Another common criticism of the case study is that it often produces substantial, complex narratives that are difficult to summarize into neat scientific propositions and general theories. However, a “thick” narrative, which is hard to summarize, is not necessarily viewed by case study researchers as something negative. On the contrary, it shows that the research has “uncovered a particularly rich problematic” (Flyvbjerg, 2006, 237). Flyvbjerg (2006) questions the assumption that the ability to summarize and generalize the results is always the ideal in scientific research – especially if it is to the detriment of uncovering details that are relevant for the scientific investigation of a problem. According to Lisa Peattie (2001, 260), the very value of the case study lies in its ability to uncover complex, dense narratives (Flyvbjerg, 2006, 237-238).

1.4.2 Talking about causal relationships
A causal effect is almost always established on the basis of cross-case evidence. Causal effect refers to the size of the causal relationship, and the relative precision or estimate about uncertainty regarding that estimated size. However, causal arguments do not only rely on measures of causal effect, but also on establishing which causal mechanisms are at play. In order to establish whether the observed co-variation is truly causal in nature, there must be a plausible link between the dependent and the independent variables. Although cross-case studies are useful when it comes to measuring causal effects, case studies are more useful for identifying causal mechanisms (Gerring, 2007, 44-45).

Much criticism has been given to large-N cross-case studies for demonstrating correlations between dependent and independent variables without clarifying the reasons for those correlations. Case studies solve this problem, because they allow the researcher to open “the black box” and identify the intermediate factors that link together the supposed causes and effects. Investigations of a single case provide the opportunity of testing the causal implications of a theory, and thus provide evidence (or lack of evidence) for a causal argument (Gerring, 2007, 44-45).

Deterministic causal inferences are presented in terms of necessary and/or sufficient variables. A necessary and sufficient cause accounts for all the variation in the outcome
variable; a sufficient cause accounts for all of the variation in certain instances of the outcome variable; and a necessary cause accounts, by itself, for the absence of the predicted outcome. In all three instances, the variation in the dependent variable is supposed to be perfectly consistent – there are no exceptions (Gerring, 2007, 44-45).

1.4.3 The critical case study

There are a few ways in which single case studies can be used to provide evidence for causal arguments that are general in nature. This can be done by selecting cases that are particularly representative of the given phenomenon (typical case study), or by selecting cases that represent the most difficult or the most easy situation for the given argument (critical case study) (Gerring, 2007, 49). A critical case can be defined as one that has “strategic importance in relation to the general problem” (Flyvbjerg, 2006, 229). The logic of the critical case study is most easily understood by the famous quote from the Broadway hit, New York, New York: “If I can make it here, I’ll make it anywhere”, and the other way around, “if I can’t make it here, I can’t make it anywhere” (Gerring, 2007, 49).

In large-N research, case selection is usually done through a method of randomization. The logic is that, if a large enough number of cases are drawn independently and randomly from a population, the selected cases are likely to be fairly representative of the population on any given variable. In case studies, however, randomization becomes problematic because of the small sample. In case study research, the sampling procedure must be non-random (purposive) in order to maximize representativeness and provide variation along the dimensions of theoretical interests (causal leverage) (Gerring, 2007, 89-90).

The critical case is purposely selected because of it being a case that is most or least likely to exhibit a given outcome. It is used for hypothesis testing, and its representativeness is assessed by a priori knowledge about the case and the population (Gerring, 2007, 86-90). Harry Eckstein, the one who introduced the crucial case study method into the social sciences, describes the crucial case as one “that must closely fit a theory, if one is to have confidence in the theory’s validity, or, conversely, must not fit equally well any rule contrary to that proposed” (Eckstein, 1975, 118; Gerring, 2007, 115).

A case is crucial when it is most, or least, likely to fulfill a theoretical prediction. The critical case provides the most difficult test for an argument, and consequently also provides the strongest evidence to confirm or disconfirm it. A least-likely case is one that, on all dimensions except the one of theoretical interest, is predicted to not produce a
certain outcome, yet still does. This is a confirmatory theory-testing method. A most-likely case is one that, on all dimensions except the one of theoretical interest, is predicted to achieve a certain outcome, but still does not. The least-likely cases are used for verification of hypotheses, while the most-likely cases are well suited for falsification (Flyvbjerg, 2006, 231). Thus, the most-likely critical case is a disconfirming theory-testing method (Gerring, 2007, 115).

The case study is ideal when used to conduct Karl Popper’s (1959) falsification tests. Falsification is one of the most rigorous tests that can be used to test scientific propositions. Karl Popper’s famous example is the proposition “all swans are white”. The argument that follows is that even a single observation of a black swan would be enough to falsify the proposition. The case study is ideal for finding “black swans” that might look “white” at first glance because it provides an in-depth examination of the case (Flyvbjerg, 2006, 227).

This study is a crucial, most-likely case study, aiming to test the main theoretical arguments of two dominating theories in the current literature of democracy and democratization. In order to conduct a critical case study, the theoretical arguments need to be clear and specific. Only sufficiently precise arguments can be refuted by a single case. It is therefore important to specify and conceptualize the theory in a way that makes it testable (King, Keohane and Verba, 1994, 209-211). In the theoretical chapter, the main arguments of each theory will be outlined in the form of concrete propositions that will be tested in the analysis.

1.5 How is Myanmar and Kachin State a critical case?
Myanmar, and particularly Kachin state, represents a critical, most-likely case, here used to test the basic assumptions and arguments of democratic sequencing theory and gradualism/transformative democracy. Myanmar is a country in transition. It is also a country hosting one of the longest running civil wars in the world today. The approach to establishing democracy resembles that which is explained by democratic sequencing theory: before opening up for free political competition, certain preconditions must be established to ensure stability in the transition. In other words, democracy must be limited or put off until the elite has established the necessary institutional framework to control, or smoothen, the transition. This highly resembles what the old military elite in Myanmar has supposedly attempted to do over the last ten-fifteen years.

Democratic sequencing theory explains that the reason many democratizing states have failed to achieve genuine democracy is that the democratic reforms were introduced
prematurely – in other words, before the country was ready for it. Successful democratization necessitates that certain preconditions are in place. This is especially true for unstable countries such as Myanmar, with recent or current experience of civil conflict. In order to avoid increased conflict levels and failed democratization, the proponents of sequencing theory argue that it is necessary to follow a sequential approach – e.g. democratic reforms will be introduced only after peace and stability is ensured, and strong state institutions, including, and particularly, rule of law, are established (Mansfield & Snyder, 1995, 2007).

The democratization process in Myanmar has followed an approach that is in line with democratic sequencing. In 2003, the military regime introduced the “roadmap to a disciplined-flourishing democracy”: a carefully managed plan consisting of seven steps to a new form of governance (Nilsen & Tønnessen, 2012, 2). The democratization process has been elite-led and carefully staged, emphasizing the establishment of the “correct” institutions before opening up the political stage. About the democratization process in Myanmar, Stokke, Khine Win and Soe Myint Aung (2015, 6) argue that

“it appears to be an imposed transition whereby the ruling elite is defining the pace and agenda of reform. This strategy is facilitated by the regime’s position of relative strength in domestic politics combined with changing international relations that provide opportunities for a guided and sequenced transition to a hybrid form of rule.”

Because of the close resemblance of the sequencing approach and the democratization process in Myanmar, this case arguably represents a critical case of democratic sequencing theory. It thus makes sense to test the democratic sequencing theory by examining what has happened in Myanmar since the reform process started in 2011, and test the actual events against the theoretical expectations.

Similarly, Kachin State represents a critical, most-likely case. Prior to 2011, Kachin was in a different situation from most other ethnic minority regions because of the long ceasefire with the Burmese military. In 2011, when many other ethnic armed organizations (EAOs) began establishing ceasefire agreements with the state, conflict erupted in Kachin. Later there has also been increased conflict in northern Shan and in Rakhine State. In all these conflicts, it appears that the state military has been the aggressor (Transnational Institute, 2013; Keenan, 2013, 130). In Rakhine State, many argue that the military are also
behind the extremist movement of the Ma-Ba-Tha monks, the rise of anti-Muslim hatred and communal violence (Informant-14; -15; Min Zin, 2015). In all these cases it could seem as though the military’s sequentialist strategy corresponds with (and maybe even contributes to) the rise of conflict.

By conducting a careful process-tracing analysis of the historical events that have taken place from the announcement of the seven-step plan and up to this day, this study attempts to critically test the basic assumptions of the sequential approach as well as the gradualist/transformative approach. The study examines the timeline of historical events in Myanmar and Kachin State, primarily from 2011 up until the current situation as of 2017, and compares the outcomes to the basic assumptions and predictions of sequencing theory and gradualism/transformative democracy. If the democratic sequencing theory is correct, we should see the expected outcomes taking place; if we do not see the expected outcomes, there should be a plausible explanation for this. By the end of this analysis, we should be able to see which theoretical arguments are better able to explain the democratization process in Myanmar since 2011, and the simultaneous eruption and escalation of conflict in Kachin State.

1.6 Data collection

The analysis is based mainly on existing literature, supplemented with primary data collected through in-depth qualitative interviews with key informants in Myanmar. The interviews are important because they cover much information not otherwise available in existing literature. Most existing fieldwork conducted in Myanmar is done from the perspective of the central Burma, using informants from the Burmese majority. Because this study focuses on the ethnic minority regions, it was necessary to gather information directly from the perspective of the ethnic minority. For this reason, the qualitative interviews with Kachin informants make up a considerable part of the data, especially for chapter 4.

1.6.1 Literature

The literature includes research articles and books, contemporary news articles, reviews and policy briefs. The study is centered on the current sequentialism vs. gradualism debate. Therefore, a large part of the theoretical discussion is based on the literature of Mansfield and Snyder (sequencing) on the one hand, and Carother’s (gradualism) and Stokke and Törnquist’s (transformative approach) on the other. The articles that are most referred to are “The Sequencing Fallacy” (2007) by Thomas Carothers, “The Sequencing “Fallacy”” (2007)

In addition to the books and articles from the most central scholars in this theoretical debate, I have used a lot of different sources to present an overview and a context from which this debate derives. Some authors that are relevant in the theoretical discussion are, among others, Huntington (1965); Hegre, Ellingson, Gates and Gleditsch (2001); Jarstad and Sisk (2008); Collier (2009); and Cederman, Gleditsch and Hug (2014).

The conceptual discussion on democracy and democratization is mainly based on Stokke and Törnquist’s understanding of the terms, which are again based on Beetham’s (1999) conceptualization. While democracy and democratization remain contested concepts, Beetham’s definitions are widely accepted and used by both scholars and activists. As Törnquist (2013: 15) points out, distinguishing between the aims and means of democracy allows us to assess whether and to which degree the latter has fostered the former. Stokke and Törnquist provide the most thorough conceptualization of the term, and it is therefore useful to use this as the basis of the analysis.

Sisk’s book Statebuilding (2013) is used as point of departure for conceptualization of the state and state building. This section also brings in the conceptualizations of Tilly and Weber, as they are some of the main authors in the field, as much of the more recent literature is based on their work. The conceptual discussion about the nation in relation to the state is mainly based on the book, Plurinational democracy, by Michael Keating (2001), because it clarifies and problematizes some of the main contemporary issues on this topic. The section regarding the peace concept is based on Galtung’s famous conceptualization of peace in the positive and negative sense. We will see that differing understandings of this concept can be a hindrance in the attempt to find an agreement between conflicting parties.

Data for the empirical discussion is gathered from many sources; books, scholarly articles, policy briefs, reports and contemporary newspaper articles. The books that are mostly referred to are The State in Burma (1978) and The State in Myanmar (2009) by Taylor, Burma/Myanmar – Where Now (2014) by Gravers and Ytzen, and By Force of Arms (2013) by Paul Keenan. A lot of information was also gathered from PRIO policy briefs, the ALTSEAN election briefer (2015), and contemporary reviews from Human Rights Watch (HRW), International Human Rights Clinic (IHRC), Fortify Rights (FR), Amnesty International (AI),
International Federation of Human Rights (FIDH), Crisis Group, and others. Myanmar’s 2008 Constitution is also an important data source for the empirical discussion.

Because this is a study about a contemporary phenomenon, it has been important to remain updated on the current situation and changes that may be taking place during the time of writing. For that reason, newspaper articles, policy briefings and reports from organizations working on the ground has been a key source of information. Gathering data from diverse sources also provides a broader and more nuanced perspective to the analysis. Data gathered from briefings and reports from NGOs and newspapers have been checked with multiple sources, considering the ever-present risk of bias.

1.6.2 Interviews

In-depth interviews are used to generate data that will be used for analysis, as part of a mixed method strategy. The interviews involve a small group of strategically sampled participants, selected by way of the snowball-technique, who are able to provide deep and elaborated responses. The questions are open-ended and the interview is conversational in nature. The goal of the interviews is to test some of the core arguments in the sequencing theory and the gradualist/transformative approach. The interviews provide information about certain events, or how a sequence of events took place, as well the informants’ opinion on how and why this happened, and their interpretation of the current situation. In consideration of the informants’ protection and privacy, their names are kept anonymous.

Semi-structured interviews were carried out with local community leaders, religious leaders, politicians, internally displaced persons (IDPs), and civil society activists from ethnic minorities, most of which are from Kachin State. For a more nuanced perspective, some interviews have also been carried out with Karen and Shan informants as well as one political activist from the Burman majority. The results reveal that, parallel to the democratic reform process introduced in 2011, there has been increasing ethnic conflict in the northern region, which has further alienated the Kachin people from enjoying any benefits that might come from the democratization process.

1.7 Methodological challenges and drawbacks

The aim of observing causal mechanisms is at the core of case studies. Process tracing allows the researcher to carefully go through the process of the case in question to see the intermediate steps between an independent cause and dependent effect. Discerning which steps are important is a challenge, but it can be dealt with by having an awareness of the
historical sequences and context. Interview data can be useful for evaluating hypotheses about cause and effect. Furthermore, conducting open-ended interviews that allow the informants to formulate and express their own answers is useful when it comes to discovering causal processes (Mosley, 2013, 117-119).

Pure objectivity is not achievable. Mosley (2013, 68) advocates using a “rigorous subjectivity” to have a more reflexive and consultative approach to conducting interviews in political science. Arguably, this can help establish a more nuanced perspective, keeping in mind the biases and power dynamics involved in the interview process.

The first challenge related to the interviews was finding the informants that I needed for the research. For the purposes of the study, I wanted to use informants with a lot of knowledge about the topic in question – activists in civil society organizations, politicians, religious leaders, military officers and other society leaders. To some degree I managed to get in touch with informants from all these circles, using the snowball technique. The snowball technique can be useful for revealing networks or key networks that the researcher has no previous knowledge of. “Saturation” is reached when the informants keep restating the same causal processes as previous interviewees, when there is a certain level of agreement, and the recommendations for further interviews have already been gone through (Mosley, 2013, 90-91). Unfortunately, the limited time available in the field and the lack of resources hindered me from interviewing some of the informants that were recommended.

One of the risks with using the snowball technique is that the researcher can get trapped within one network of interlinked informants who has the same point of view (Mosley, 2013, 87). However, the aim of this study was to attain information about the situation from the point of view of the Kachin minorities. Furthermore, there was quite some variation in the type of informant, in regard to level of education, standing and role in society, and life situation. For instance, the IDP informants were likely to have a different viewpoint from the KIO spokesperson or the politician.

The interviews with local ethnic informants posed several challenges. First of all, it became clear that many of the concepts that were used to formulate the questions in the interview guide were too abstract for the informants. The informants often used concepts such as “democracy” and “federalism” interchangeably, and because of the language barrier it was difficult to get a grasp on what they really understood by these concepts.

A lot of difficulties also appeared with poor translation. Different translators were used for different interviews, and in some cases it was difficult to understand what the translator was saying. Furthermore, it was obvious that much information was lost in
Some on the interviews were spontaneous, leaving no opportunity to take notes or use the interview guide. Despite all these drawbacks, however, I was able to attain valuable information from the interviews, which could not have been attained in any other way.

Another issue is the bias that can occur when informants attempt to answer according to what they think I want them to tell me. According to Mosley (2013, 76), the researcher should be aware of its position of authority in relation to the informants, and how this may affect the answers. Although I used strict guidelines to avoid this as much as possible, such as giving as few hints as possible regarding what I would or would not want to hear, this proved to be more difficult in practice. Many times the informants did not understand the questions from the interview guide, which forced me to give more elaborate explanations, which could, despite my efforts, be more leading.

Furthermore, despite me introducing myself as a simple student, some informants seemed to think I was a representative of Norway. This could perhaps lead to them putting themselves in an even more favorable light than they otherwise would. Taking these methodological shortcomings into account and considering the biases the might have been involved in the processes, visiting the IDPs and talking with several informants from different parts of society ensured that I got a somehow correct impression of their situation and their narrative.
Chapter 2
DEFINING CONCEPTS AND THEORIES OF DEMOCRATIZATION

2.1 Relevance and introduction

“There is an emergent crisis of democratization. For although predominantly “pacted” or negotiated transitions at elite level, followed by top-down crafting of “good” rights and institutions have introduced important civil and political rights as well as general elections, they have not altered the dominance of the upper classes and their practices. Equally problematic is that none of the opposing popular oriented perspectives have evolved into forceful and viable alternatives. Civic activists have often played a crucial role in the initial dismantling of dictatorship and the introduction of democracy, but thereafter they have been coopted typically into clientelist parties or confined to direct practices in civil society at the periphery of the state, government and business. This calls for a method of investigation to assess the problems and options in such a way that different arguments may be put to the test while facilitating debate on improved agendas” (Törnquist, 2006, 227).

This study offers just such a framework in the context of Myanmar, the most recent of the world’s democratizing states. In the following section the important concepts and theories of democratization that are relevant for the analytical discussion are discussed, defined and clarified.

2.2 Operationalization of concepts

Many of the core concepts in this study, such as democracy, the state, and peace, are abstract and highly contested. Before continuing into a long discussion where these concepts play a central role, it is first important to clarify what they encompass when referred to here. The following section conceptualizes democracy and democratization, state and state building, nation and nation-formation, and peace and conflict.

2.2.1 Democracy and democratization

In the attempt to evaluate whether there is more or less democracy in Myanmar since the democratic reform process started in 2011, it is important to define the concepts of
democratization and democracy as understood by the theories that we are aiming to test: democratic sequencing theory and gradualism/transformative democracy. The study assesses the degree and quality of democracy in Myanmar, which is then one of the main dependent variables of the analysis. As Törnquist (2006, 234) points out, “the core elements of the dependent variable must be specified to allow distinctions of the key parameters and operational indicators”. Among the theories that are being tested, transformative democracy provides the most clear and elaborate conceptualization of democracy. Therefore, this study applies Stokke and Törnquist’s conceptualization of democracy as the basis of the analysis.

Stokke and Törnquist’s (2013, 9) critical assessment is based on a revised, more comprehensive conceptualization of David Beetham’s twofold democracy concept, which distinguishes between the aim of democracy (“popular control of public affairs on the basis of political equality,”) and the means of democracy (institutions). The institutions are evaluated according to how well they produce the aim, which is substantial democracy. By distinguishing between the aims and means of democracy, one can assess the extent to which the latter has fostered the former (Törnquist, 2013, 15).

There is broad agreement amongst scholars about Beetham’s definition of democracy. However, how we understand Beetham’s definition also depends on how we conceptualize “people”, “public affairs”, “control”, and “political equality”. Beetham’s democracy concept may be more or less narrowly defined, depending on extension (minimal or maximalist) and whether the definition is procedural or substantive (Törnquist, 2013, 1-4). Extension refers to (a) the conditions and institutions necessary for democracy to emerge; (b) what constitutes the “people” (demos) who shall control the public affairs; and (c) what do the “public affairs” consist of? Most contemporary dominant definitions of democracy are minimalist. Törnquist argues that many people believe they have more than just the minimal issues in common, and that there is a need for assessments, which are not biased in favor of the minimalist views. Furthermore, minimalist definitions tend to make the foundation for undemocratic politics (Törnquist, 2013, 2-3).

The second distinction that is being made is between procedural and substantive definitions. Procedural definitions tend to conceptualize democracy in terms of institutions, such as rule of law and free and fair elections. Such institutions are called democratic, because, arguably, they work to foster democracy. Substantive definitions of democracy, on the other hand, focus first on the values and principles that are needed in order for genuine democracy to develop. Secondly, they list the institutions that foster these values and principles, and thus also democracy (Törnquist, 2013, 3).
Beetham argues that the aim of democracy ("popular control of public affairs on the basis of political equality") presupposes seven principles: (1) everyone’s will and ability to participate; (2) the authorization of representatives and executives; (3) the representation of currents of popular opinion and social groups; (4) the governments’ continuous responsiveness to voters and public opinion; (5) accountability to the citizens for their actions, which requires; (6) transparency; and (7) human, national and international solidarity (Törnquist, 2013, 31-49; 2006, 234).

In order to make these principles/norms a living reality in a society, some institutions (rules and regulations) are needed. Törnquist (2006, 234) points out that the rules and regulations in each country tend to be contextual, so universal lists should be avoided. However, using a list of semi-universal outputs that the rights and institutions should generate is useful. Beetham’s list of institutions includes (1) constitutionalism, in the sense of judiciary, equal citizenship, rule of law, justice, civil and political rights, and socio-economic rights in terms of basic needs; (2) popular sovereignty by way of legislative and executive government, as seen by democratic elections, representation, and responsive and accountable government and public administration; and (3) civic engagement by way of civil society, measured by free and democratically oriented media, art, academia, associational life and other forms of popular participation, including consultation and other forms of direct democracy. It is commonly assumed that once the institutions are established, they will affect the way actors behave, which will in turn change the way the society functions (Törnquist, 2013, 31-49; 2006, 234).

The thorough specification of the various elements of democracy contrasts to the simplistic “black box” studies, which only looks at variables such as free and fair elections. Promoters of deliberative and direct democracy might object to the relevance of representative democracy, and other skeptics could object to the inclusion of “social and economic rights in terms of basic needs”. However, government and representation are unavoidable aspects of a modern state, and “basic needs” are necessary for the survival of all citizens and their ability to form opinions with some critical degree of independence from the elite. Moreover, Törnquist (2006, 235) adds one element to Beetham’s list, also relevant for the study of Myanmar, which concerns whether there is a correspondence between the official identification of the citizens and how people identify themselves in public matters – in this case as Myanmar citizens rather than as members of an ethnic or religious community (Törnquist, 2006, 235).
Stokke and Törnquist’s (2013) conceptualization of democracy is more comprehensive than that which is presented by Beetham; it includes more institutions, such as inclusive interest-representation, in addition to the constitution of demos/citizenship and the citizens’ capacity to use the institutions. These components are important additions to their reasoning about gradualism/transformational democracy. On other words, transformative democracy, in addition to the institutions commonly included in democracy assessments, also focuses on interest representation, citizenship and citizens’ capacity.

The degree to which citizens are using and promoting the democratic instruments is an important aspect in the assessment of democracy. Conventional assessments tend to neglect the dynamics between the instruments and the agents of democracy in the process of democratization. However, rights and institutions do not emerge or function by themselves. In order to make a careful assessment of democracy it is necessary to also assess the extent to which citizens are willing and able to promote and use the instruments (Törnquist, 2006, 236).

Assessing democracy by simply looking at the institutions or procedures in a given country does not tell the story of the actual situation for people on the ground. Institutions are often built and established by and in favor of the elite, which creates structural inequality and democratic deficiency. In order to get a realistic perspective when assessing democracy in a given country it is important to take into consideration the dynamic between the institutions and the citizens subject to and interacting with the institutions. If the so-called “democratic” institutions do not work to empower people in general, the democratic system is flawed.

This study concerns the process of transition from authoritarianism to democracy, or democratization. O’Donnell and Schmitter’s (1986, 8) definition of democratization is both inclusive and specific enough to serve the purpose of this analysis. Accordingly, democratization is

“the process whereby the rules and procedures of citizenship are either applied to political institutions previously governed by other principles (e.g. coercive control, social tradition, expert judgment or administrative practice), or expanded to include persons previously not enjoying such rights and obligations (e.g. nontaxpayers, illiterates, women, youth, ethnic minorities, foreign residents) or extended to cover issues not previously subject to citizen participation (e.g. state agencies, military establishments, partisan organizations, interest associations, productive enterprises, educational institutions, etc.).”
In other words, any movement toward higher inclusiveness, increased openness and accountability, or increased scope of matters defined as “public affairs” marks a transition towards democracy (Törnquist, 2013, 1). The democratization process in Myanmar is assessed according to whether and how we can see movement in this respect.

2.2.2 State and state building

All theories on democratization are based on certain assumptions regarding state and nation. In order to critically examine these theories, it is also necessary to take a deeper look into their underlying assumptions, and clarify what they mean when referring to the state, the nation, how it develops, and how it affects the process of democratization and democracy. After all, the transition process is taking place within and in relation to the established structure of the state.

A state is “an organization which controls the population occupying a defined territory…in so far as (1) it is differentiated from other organizations operating in the same territory; (2) it is autonomous; (3) it is centralized; and (4) its divisions are formally coordinated with one another” (Tilly, 1975, 70). Furthermore, the state is the only institution expected to determine its relationship with other institutions and to determine the relationships of other institutions with each other (Taylor, 1987, 8-9).

What historical and contemporary analyses of state building have in common is that they are based on the understanding of the state in terms of its “autonomy (or freedom for foreign influence or capture by narrow domestic interests), authority (as the sole, legitimate use of coercive force), capacity (the state’s ability to formulate and deliver governance services), and its legitimacy (its internal and external “right” to rule)”. These four concepts – autonomy, authority, capacity and legitimacy – are often interrelated and mutually dependent (Sisk, 2013, 46).

The Peace of Westphalia in 1668, which marked an end to the Thirty Years War, is typically referred to as the beginning of the modern state system. While today the states in Western Europe are commonly thought of as a natural division of national groups, they emerged out of aggregation, war, and conquest, oftentimes including internal revolutions and civil wars (Tilly, 1975; 1990; Sisk, 2013, 48-50). As famously stated by Charles Tilly: “War made the state, and the state made war” (1975, 42). Others argue that the modern state developed through the growth of trade and the merchants’ rising demands for security and clearer rules of governance, especially regarding taxation (Spruyt, 2009, 216-217; Sisk, 2013, 49). In any case, the success of state-builders depended in large part on the rulers’ ability to extract resources and accumulate revenue, whether through taxation or conquest (Tilly, 1985; Sisk, 2013, 49).
In the colonization era, existing borders and state systems were disseminated through conquest. While Western states after the Peace of Westphalia moved through the processes of state-building and nation formation in a slow and sequenced way, the formation of nation states after the breakup of the Iberian, Eastern European, Asian and African empires faced the challenge of having to deal with issues of national/cultural identity, participation, and economic inequality simultaneously (Flora, Kuhnle and Urwin, 1999, 134).

Furthermore, rather than being constructed from the inside, the new, post-colonial states were inherited from their respective colonial power. Colonial powers often worked through local institutions and actors rather than replacing them, and the existing institutions and leaders were often left intact after independence. In post-colonial situations, state formation has taken place through a dynamic between internal and external forces. Tilly points out three factors that were particularly important in this process: “(1) colonial possession, (2) governance structures determined by colonialism, and (3) by politics of external recognition” (Tilly, 1990; Sisk, 2013, 50-51). The limited time and the pressure from inside- and outside forces often resulted in the formation of weak and limited institutions of the state (Flora et.al., 1999, 134).

With the growth of prosperity in Western states over the last century, the state concept has come to also encompass the state’s responsibility to provide for the essential needs of its citizens, particularly universal primary education. Increasingly, the state is not only the provider of security for its citizens, but also the protector of human rights in society; individual rights as well as minority group rights, such as women, migrants, the disabled, and cultural and religious minorities. The state has a responsibility to be inclusive, both in a normative and in a practical sense. In the normative sense it has the responsibility to adopt international human rights standards; in the practical sense it should enable participation of the poor and marginalized in the society to foster conditions for sustainable stability and peace in society (Sisk, 2013, 59).

In other words, the role of the state today inhabits so much more than just securing its territory and establishing authority. It is also charged with protecting its citizens from human rights abuses, working for socio-economic development, and being the core provider of public goods, such as health care and education, for its citizens. Furthermore, the state should be the outcome of a voluntary social contract between the state and society, based on legitimacy (Sisk, 2013, 59-60). Thus, today’s concept of the state is closely intertwined with the democracy concept.
2.2.3 Nations and nation formation
Modern states and their respective national identities can be understood as what Anderson (1991) has labeled “imagined communities”. Elites involved in state-building projects tend to combine this with the production and spread of cultural traditions for the purpose of binding the people together and, consequently, enhance the legitimacy of the state. This process of developing rituals and events such as public holidays to build a “nation” strengthens people’s affiliation with and loyalty to the state (Sisk, 2013, 50-51).

Democracy requires a “demos”: a defined people that can claim sovereignty and engage in democratic government structures. It does not have to be a homogenous ethnic group, but it does need identity markers and a shared commitment to be together. This implies a voluntary arrangement of collective decision-making, in which there is freedom to exit at will. Such a system is dependent on trust between the social groups – they can accept losses on certain issues because they trust that they will win on other issues in the future. In order to sustain trust it is important to have a common language, common symbols and values, as well as an underlying social agreement (Keating, 2001, 8).

It might have been these features John Stuart Mill (1972, 392) was referring to when he stated that “free institutions are next to impossible in a country made up of different nationalities”, thus implying that democracies must be “uninational”. There is a large literature pointing to the nation-state as the framework for liberal democracy. Although not all nation-states have been democratic, all democracies have been nation-states (Habermas, 1998; Keating, 2001, 8). Hence it is important to define “the nation” when assessing democracy or the movement towards democracy.

Smith (2010, 17) uses the concept “state-nations” to explain situations where the state inhabits several ethnic groups, and aspire to form a unified, non-homogenous nation through measures of accommodation and integration. This has been and is still the situation of many post-colonial states in Asia and Africa, of which Myanmar is a good example. In multi-ethnic, multi-cultural, and multi-religious countries where the “state” and the “nation” do not coincide, a nation-building process based on one language, one culture and one religion always creates tension – especially when using coercive forces for assimilation. The ethnic conflicts in Myanmar are to a large degree related to this particular issue (Keenan, 2013, 6).

2.2.4 Peace and conflict
Since this analysis addresses the relationship between democracy-development and peace, it is necessary to clarify the peace-concept as well. Peace is an ideal concept. It is much used
and abused and lacks a common definition. Much misunderstanding derives from the fact that different groups, political practitioners and scholars use different definitions of peace.

Many peace researchers study peace in terms of Johan Galtung’s conception of negative and positive peace, where negative peace is “the absence of violence, absence of war,” while positive peace is “the integration of human society” (Galtung 1964, 2). In 1969, Galtung extended his definitions by stating that peace is not just the absence of direct violence (negative peace), but also the absence of structural violence (positive peace), meaning violence in the structure of the society, such as poverty, hunger, discrimination and social injustice.

The idea of dividing the peace concept into the two dimensions is inspired by health science, where health can be the mere absence of disease (negative) as well as the body being made capable of resisting disease (positive). The two types of remedies from health science is also a useful analogy for peace research, where curative remedies would be aimed at negative peace, while preventive remedies would be aimed at positive peace. Negative peace is the absence of direct violence, it is curative, and can be achieved by non-peaceful means; positive peace is structural integration, it is preventive, and is achieved through peaceful means. The two conceptions are viewed as two separate dimensions, where one can exist without the other (Galtung, 1964; 1969).

The negative and positive dimensions of peace are relevant for this analysis because the conflict in Kachin State inhabits different understandings between the groups involved on how peace is and should be defined, as well as how it can be attained. Because the outcome of interest for the discussion is sustainable peace, a more inclusive definition of peace, aka, positive peace, will be used.

2.3 Theoretical framework
This study connects peace literature with the study of democracy and democratization, and finds its place in the middle of the contemporary theoretical debate between sequencing democracy (Mansfield and Snyder) on the one hand, and gradualism (Carothers) or transformative democracy (Stokke and Törnquist) on the other. The essential question is whether strong institutions and rule of law should be established before introducing electoral reforms (sequencing), or whether democratic opening can foster institution-building (gradualism/transformative). By looking closely at a democratizing state with several ongoing civil wars, the study asks, first, what characterizes the mode of democratic opening, and how it corresponds to major positions in democratization studies; and, secondly, what, if
any, the links are between the mode of democratization and the resumption of warfare in Myanmar and in Kachin State? Before taking a deeper look into the two main theoretical approaches, the next section provides an overview of the theoretical context from which they derive. The context explains why understanding the transition of democracy is imperative.

2.3.1 The larger context

Many recently transitioned countries, though enjoying more democratic freedoms than they used to, have stagnated or even backslided, reestablishing some form of semi-democratic or semi-authoritarian system. The hindrances that these countries face in regards to further development towards democracy are oftentimes overwhelming. The wave of foreign interventions and global neo-liberalism accounts for some of this, by undermining the essential preconditions for democracy such as state institutional capacity. The result of this is that corruption, power abuse and under-development continues to thrive. There is oftentimes a disconnection between civil society and politics, which undermines the civic capital that is supposed to “make democracy work”. Furthermore, even if there are relatively free and fair elections, there tends to be lack of interest-representation. Simply put, “the main problem seems to be the persistence of elite dominance” (Törnquist, 2006, 228).

The democratic peace thesis states that that the spread of democracy will lead to a more peaceful world, because democratic states are generally more peaceful than autocracies (Hegre et.al., 2001, 33). This assumption was the guiding principle behind many of the peace-building missions of the 1990s (Paris, 2004, 41-42). Indeed, there were some initial success-stories in the post-Cold War period of transitions from war to peace through democratization. Examples include Namibia, El Salvador and Mozambique (Sisk 2013, 112-113). According to the theory, democracy can be introduced even in the most unfavorable circumstances, and introducing democracy simultaneously works to foster peace (Törnquist 2011, 823-824).

Describing the current state of democracy and understanding the processes involved in democratization is an essential prerequisite to democracy promotion efforts. It becomes even more important when realizing how high stakes are involved in a transition. For instance, Huntington (1991) finds that democratization also comes with increased political violence. Transitions are inherently risky, as they destabilize the current regime and replace it with a new form of governance. The country in question is at a heightened risk of conflict and social instability until the new form of governance is consolidated. Indeed, large-N statistical research shows that transitioning regimes and hybrid regimes have a much higher risk of conflict than both stable autocracies and consolidated democracies (Hegre et.al., 2001, 42-43).
The reason for which intermediate regimes are more conflict-prone could be that there are inherent contradictions involved in being neither fully democratic nor autocratic. A regime that is only partly open invites protests, rebellion and other forms of public unrest. Repression fosters grievances, which causes people to want to take action, and the slight openness allows them to do actually do so. These contradictions imply a level of “political incoherence”, which is related to civil conflict (Hegre et.al., 2001, 33-34).

Jarstad & Sisk (2008, 1) explain how the competition and opposition inherent in a democratic system enhances social and political tension. Democracy and peace might not always be mutually strengthening – advances in democratization can sometimes threaten peace, and the compromises necessary for peace can sometimes restrict or defer democratization (Jarstad & Sisk 2008, 1). Furthermore, Collier (2009) argues that elections in “dangerous places”, or states that already have a high risk of conflict, often precede violent outbreaks.

Cederman, Gleditsch & Hug (2012, 289-390) highlight two conflict-inducing mechanisms involved in a transition. First, it raises the question of the “demos” – who constitutes the people? The democratization process often involves attempts by the elite to make the demos coincide with ethnicity, which typically manifests through ethnic cleansing and other forms of active discrimination, intimidation, and nepotism. The aim of these efforts is usually to create more favorable circumstances for particular ethnic groups at the expense of others (Mann 2005). Ethnicity can easily become a bigger issue in a competitive political system because such a system relies more heavily on patronage and popular support. Public goods provisions and access to state resources are particularly contentious issues in the beginning of a democratization process in ethnically divided societies (Breton 1964; Cederman et al., 2012, 389-390).

The second conflict-inducing mechanism in a transition is that the new competitive politics may provide incentives for incumbents to “play the ethnic card”. This means that they might attempt to ignite between-group hostility by emphasizing group differences and allegiances in order to gain support. The result is often a surge of nationalism and deepening of ethnic/religious cleavages (Mansfield & Snyder, 1995; Cederman et.al. 2012, 389-390).

Horowitz (1993) shows that ethnic divisions reduce the prospects for democracy as well as peace. Arguably, regimes with deep ethnic cleavages are unlikely to seek full democracy because of the distrust that exists between the groups. This could explain why many states that start on the path towards democracy end up with some version of semi-democracy. Inherent in democracy is the issue of exclusion and inclusion, and there is a
strong tendency to resist inclusion of former enemies to seats of power. Particularly in countries with experience of civil conflict, the result of democratization is oftentimes some form of an ethnically exclusive semi-democratic arrangement, which is likely to enhance grievances, promote conflict, and reduce the prospects for further democratization (Horowitz 1993, 20-22).

The above-mentioned line of research shows that liberalization and introduction of democratic elections often lead to more, rather than less conflict and abuse of power. Although established market democracies are generally more peaceful than other regime types, the intermediate phase of transition is destabilizing, and leads to greater risk of civil conflict (Hegre et.al., 2001, 32-45). Elections, in particular, can have the unfortunate effect of making the society more vulnerable to ethnic discrimination and between-group hatred (Cederman et.al., 2012). The many setbacks of democracy- and peace-building projects have raised doubts about the usefulness of the liberal/democratic, peace thesis (Paris, 2004, 6-7; Törnquist 2011, 823-824).

The critique against the democratic peace thesis has received three main responses: (1) The liberal argument, which interprets the flawed results of democracy-building efforts as being the result of insufficient institution-building and liberalization, and that the answer lies in improving the democratic institutions that are being established; (2) the institutions-first argument (e.g. sequencing democracy), which argues that strong state institutions and rule of law needs to be prioritized before opening up the political arena for mass participation; and (3) the gradualist (Carothers 2007) and transformative argument (Törnquist 2011; 2013), which advocates support for pro-democracy reforms, institutions and actors that will foster a gradual shift in power relations, and simultaneously increase popular capacity and substantial democracy (Paris, 2004, 6-7; Törnquist, 2011, 823-824; Törnquist 2013, 9-10). This theory-testing case study is mainly concerned with the latter two.

2.3.2 Sequencing democracy

The proponents of sequencing democracy present a pessimistic, cautionary view, which warns against the inherent risks involved in a regime transition. This argument is backed by the fact that many “crafted” transitions has led to the consolidation of illiberal democracies. The understanding of the inherent risk of conflict in a democratic transition has led to a rising belief in the assumption that it is sometimes important, even necessary, to wait with democratic opening until strong state institutions, particularly rule of law, are established (Carothers, 2007, 12-13).
“Premature” introduction of liberal economic reforms and civil and political liberties, particularly popular elections, is likely to lead to the abuse of these institutions by ethnic and religious leaders and “bad” civil society. Hence, democratization must be restrained until strong and stable political, judicial and civil institutions have been well established (Törnquist, 2011, 825). These ideas have been brought together in the basic argument that there is a need for democratic sequencing (Carothers, 2007, 12; Mansfield & Snyder, 2009).

The institutions-first approaches were dominant in the US until the third wave of democracy started in the mid-1970s, at which point the liberal peace and “crafting democracy” took over. During the Third Wave of democratization, authoritarian regimes around the world were replaced by democracy, irrespective of level of development or other pre-conditions. More recently, the world has witnessed a rise of semi-authoritarian and other types of hybrid regimes. Many young democracies struggle to maintain their democratic practices and institutions. Consequently the institutions-first approaches have once again gained high ground in the democratization literature (Berman, 2007).

Introduction of open national elections and other democratic liberties is not always recommended because the process of democratization puts countries at greater risk of experiencing conflict and unrest. In some situations, elections are likely to cause more conflict, because of the losing parties’ unwillingness to give up power (Collier, 2009). Sequentialists argue that, when introduced prematurely, elections often result in bad outcomes, such as illiberal leaders or extremists in power, violent nationalism, ethnic and other types of civil conflict, and interstate wars. Hence, elections should be postponed until the state has reached a sufficient level of internal stability and has established strong institutions, which are capable of sustaining democratic politics (Carothers, 2007, 12-13).

The core argument of democratic sequencing theory is that certain preconditions, particularly strong state institutions and rule of law, must be in place before a state should open up for popular participation. Unless these preconditions are established prior to democratic opening, democracy can easily be manipulated in favor of a small elite and to the detriment of the society as a whole (Mansfield & Snyder, 2007). This not only has unfortunate consequences for the country in question, which is often increased corruption and violent conflict, but in the long run it also leads to the degradation of the concept of and belief in democracy itself (Zakaria, 2007, 255). In some cases it is therefore advisable to maintain the authoritarian rule until the necessary preconditions regarding state institutions, rule of law and stability are established.
The democratic sequencing theory is not only descriptive, but also prescriptive in nature. The theory implies that democracy promotion efforts should primarily focus on fostering rule of law and well-functioning state institutions. To maintain order and stability, democratic reforms opening up for mass political participation should be introduced only after the institutions are in place. In sum, peace and stability presupposes democracy. The sequential approach makes democratization less dangerous because, when democracy is introduced, there will be institutional restraints on potentially violent, unpredictable actions of newly empowered masses and rising leaders (Mansfield & Snyder, 2007).

The sequencing argument has gained wide support internationally, and, as a consequence, many Western countries’ foreign policy strategies in relation to undemocratic states have been altered accordingly. In order to help countries on their path towards democracy, the theory advices supporting moderate elites who aim at ending or limiting the authoritarian leaders’ monopoly on power, but who are also at the same times cautious about the dangers of opening up for mass politics prematurely (Mansfield and Snyder, 2007, 5).

The democratic sequencing approach is an elite-led, top-down approach which involves postponing elections; securing the former elite with “golden parachutes”, amnesty and certain privileges; continued regulation of news media; rule of law reforms starting with the bureaucracy and the economy; and reforming the elite institutions, such as the ruling party, to become more democratic (Mansfield & Snyder, 2007; Törnquist, 2011, 825).

The causal chain of so-called “premature” democratization (taking place where there is a lack of rule of law and well-functioning state institutions) would look something like this:

I. Introduction of democratic reforms/democratic opening (e.g. competitive elections)
II. Rise of nationalism, ethnic discrimination and/or between-group hatred
III. Violent conflict (communal violence, military crackdown on civilians/state violence, violent clashes between competing groups).
IV. “Illiberal democracy”, corruption, and civil unrest/conflict
V. Failed state

Thus, when steps towards political liberalization, and particularly elections, are introduced in a society that lacks strong state institutions and rule of law, we should expect to see incidents of conflict, civil unrest and violence taking place more frequently and/or more severely. Such state institutions include independent judiciary and police force (rule of law), state administrative capacity (ability to implement the decisions that are being made), autonomy
(in the sense that it functions above and beyond the influence of domestic or foreign actors), authority (in the sense that it has legitimate monopoly on coercive power), and legitimacy (in the sense that it has the internal and external “right” to rule).

In contrast, when state institutions have been strengthened without opening up for mass political participation, as in the case of Myanmar, we should see the development of increased stability and peace. We should also expect that these institutions lay a solid framework for a stable democratic transition. Giving priority to building state institutions establishes the framework for a more peaceful transition, and should effectively foster sustainable democracy as well as peace.

2.3.3 Gradualism/Transformative democratic politics

“Democratic gradualism is different from sequencing. It does not entail putting off for decades or indefinitely the core element of democratization – the development of fair and open processes of political competition and choice. It involves reaching for the core element now, but doing so in iterative and cumulative ways rather than all at once” (Carothers, 2007, 25).

Not all research paints the same gloomy picture of democracy as that which is being presented by the democracy pessimists. Some scholars find that elections might sometimes have a stabilizing effect in countries struggling with ethnic conflict. Furthermore, the stabilizing effect can be sustained through inclusive representation of all ethnic groups in the legislative and executive bodies (Birnir, 2007). Lindberg’s (2009) research on elections in Africa show that repeated elections can foster successful transitions. Cheibub and Hays (2009) argue that elections may sometimes be a response to anticipated conflict, and that elections can have a preventive effect in democratizing states. Furthermore, many institutions-first proponents seem to ignore the fact that those involved in conflict are oftentimes unwilling to negotiate peace and begin a state-building process before liberalization and democratization, and the legitimacy of the regime that comes with it (Sisk 2013: 132).

Gradualists emphasize the fact that democracy is a gradual process, with advances and retreats. In order to generate the conditions to strengthen the institutions, more democracy is needed, not less – even if the democratic elements are seemingly weak. While sequentialists assume that the problem is too much and too rapid democratization, gradualists contend that
democracy is too limited and comes too late (Carothers, 2007; Törnquist, 2011, 825). As Sheri Berman (2007: 39) points out:

“Many countries’ first or early experiences with democracy were not smooth, so why should today’s fledglings be any different?”

Gradualism confirms one of the key underlying assumptions of the sequencing approach: regime transitioning is inherently risky and should be dealt with cautiously. Gradualism differs from sequentialism, however, because it disagrees with the postponing of elections until the sitting regime has put in place strong state institutions and rule of law. Arguably, such an approach is not feasible because authoritarianism in itself is usually a hindrance to building such institutions. In most cases, autocratic leaders have fostered neither democratic governance nor rule of law. Rather, transitions are most often due to political activists and pro-democrats pushing for open elections and free competition. Thus, postponing democratic opening is neither feasible nor necessary in order to achieve successful democratization.

Stokke and Törnquist’s (2013) transformative democratic politics (TDP) builds on Carother’s gradualism (2007) and presents a critical alternative assessment of the main approaches to democratization. The transformative approach criticizes the liberalists for assuming that the introduction of liberal democratic institutions will inevitably lead to democracy, irrespective of contextual preconditions. Furthermore it argues that institutions-first or sequencing proponents are equally wrong in assuming that the perfect preconditions have to be established before it is conducive to make a move towards democratic opening (Törnquist, 2011, 825).

The alternative assessment argues that it is important to explore ways for countries with “unfavorable circumstances” to take steps toward political opening, while at the same time strengthening state institutions and the rule of law (Carothers, 2007, 4-5). Stokke and Törnquist (2013, 3) describes transformative democratic politics as

“political agendas, strategies and alliances that use formal and minimalist democracy to introduce politics that may enhance people’s opportunities for improving democracy and making better use of it.”
In other words, transformative democratic politics has to do with supporting reforms that can lead to further reforms (Stokke & Törnquist, 2013, 3).

In contrast to the liberalist and the sequencing theories, gradualism and transformative democracy advocates a bottom-up approach (Törnquist, 2011, 823). Transformative democratic politics assumes that existing elements of democracy can be used to foster a gradual change in power relations, and that enhancing popular capacity as well as democratic institutions will eventually lead to democracy and peace (Törnquist, 2011, 823; Törnquist, 2013, 11). In order to establish substantial and substantive democracy, the people must be involved in the process of forming and defining the democratic institutions in their country. Hence, there must be institutionalized spaces between the government and people where people can meet, discuss and participate as equals in the political processes. If the people are excluded from the institution-building process, we should expect that the institutions lack legitimacy and, consequently, do not work to foster democracy (Törnquist, 2006, 229).

The transformative approach emphasizes the importance of bringing the democrats back in. It combines an institutional and an agent-centered perspective, where the focus is on how potential agents of change and institutions mutually affect each other in a reform process. Consequently, existing power relations are changed rather simply being adjusted to the new system (Törnquist, 2006, 230; Stokke & Törnquist, 2013, 3).

The assessment presents four critical arguments: First, substantial democracy and peace can only be achieved when supporting “agents of change” as well as strengthening institutions. Genuine pro-democratic agents must work within the existing institutional order to push for advancement towards democratic reform. If this argument is correct, we should see that when pro-democracy actors have the capacity to push for further democratic reforms there are visible developments towards increased democracy. In the case of Myanmar evidence of this would include strengthened democratic institutions, such as the parliament, for more horizontal accountability, and increasingly “free and fair” elections for more vertical accountability. We should also see that the civil society has more freedom to organize independent movements and organizations. We should also see a decrease in media censorship. When pro-democracy actors do not gain this capacity within the institutional framework, we should also expect that there is no such evidence of movement towards further democracy.

The second criticism provided by the transformative approach refers to the exaggerated belief of mainstream democratization approaches in the ability of “moderate” elites to push for democratic reforms through negotiating pacts. The transformative approach
argues that such beliefs show lack of contextual understanding of how these pacts, alliances and institutions are shaped, sustained and broken. Furthermore, too little attention has been paid to the preceding bottom-up movement of grassroots’ activities and public protests that made the elite negotiations and subsequent reform process possible. If this argument is correct, we should see that when there is no bottom-up movement of grassroots’ activities and public protests beforehand, neither is there movement from the elites to establish democratic reforms. We should also see that, when there are grassroots’ and protests movements, they usually precede the initiation of democratic reforms by the elite.

Stokke and Törnquist (2013) contend that authoritarian rulers are unlikely to introduce reforms that strengthen rule of law and state institutions, because this involves the risk of losing their own hold on power. Thus, authoritarian elites have little or no incentives to lay the groundwork for democracy. They might have incentives for introducing limited freedoms and liberties, but only in order to legitimize and further consolidate their own hold on power and/or expand their economic opportunities. Holding off democratic opening in authoritarian regimes will not lead to the building of genuinely democratic institutions, and the outcome will be neither peace nor democracy. Thus, we should expect that, unless there is a preceding public protest movement of some kind, the elite does not initiate democratic reforms or put in place any institutions that pave the way for democracy. Furthermore, when elites do initiate reforms without a preceding bottom-up movement, we should expect that these reforms only provide limited freedoms and liberties for the people, and that they are beneficial, politically or financially, for the elite.

The third criticism is directed at the institutions-only assumption, which derives from institutional theory. The institutions-only theories assume that that the world, and democracy, is shaped by “the rules of the game”, aka institutions. The relevance and the impact of actors and power relations have been neglected in many institutions-focused analyses of democratization. Transformative democracy contends that establishing liberal democratic institutions does not in itself build substantial democracy – there also need to be a shift in the dynamics and relations of power. This implies enhancing the people’s capacity (education, economic development) to participate, and the state’s ability to implement (administrative institutions, state financial capacity) popularly decided policies (free and fair elections). If this critique is correct, we should see that, when liberal democratic institutions have been established without also empowering the masses, the institutions do not promote genuine democracy. Furthermore, when liberal democratic institutions have been established and people in general are also empowered by these, we should expect that there is movement towards democracy.
The final critique is directed at “the liberal bias”. Many analyses of democratization focus solely on the institutions associated with the liberal democratic model, while neglecting institutions that are related to other models, such as social democracy, participatory democracy, or custom-law-run communities. The liberal democratic model excludes institutions that might be more fitting in some circumstances (for instance, non-formalized institutions are very important in the Global South). The issue of who constitutes “the people” (demos) and what constitutes the “public affairs” must be addressed in each situation, especially since this is often the root of much conflict within states (Törnquist, 2013, 12-15). Accordingly, we should expect to see that institutions related to other models play an important part of the democratization process in Myanmar. Furthermore, we can expect that there are different results from an analysis with exclusive focus on liberal democratic institutions compared to an analysis that takes other democratic models into account.

Rather than strengthening state institutions and rule of law prior to democratic opening, Törnquist (2011) argues that a shift in power relations is necessary in order to do this in the first place. For instance, elite-established “free and fair” elections tend to be organized in such a way that they can be used to the advantage of the elites themselves, which often results in the legitimization and consolidation of existing power structures rather than substantial democracy (Törnquist, 2006, 228). Marketization and privatization tends to primarily benefit those who are already wealthy, and consequently increase the level of inequality. Economic reform often leads to more depoliticized societies, where the elite maintains their hold on power by limiting the sphere in subject to popular control. Rather than simply advocating liberal economic reform as many mainstream approaches do, it is important to have an open discussion about what should constitute “public affairs” in each context. Furthermore, in order to have genuine competition and vertical accountability it is necessary to strengthen people’s capacity to participate in organized politics as well as the state’s capacity to implement democratic decisions impartially (Törnquist, 2011, 825-826).

In sum, the gradualist/transformative arguments are strengthened if attempts to build rule of law and strong state institutions, without also opening up for public participation, have been unsuccessful in fostering stability and/or democracy in Myanmar. Rather than seeing the formation of a foundation conducive to democracy, we should expect to see the formation of structures that work to undermine democratic development. Furthermore, if there is actual political opening alongside efforts to strengthen institutions and rule of law, we should expect to see that this results in increased stability and/or democracy.
2.4 Putting the theoretical arguments to the test

How do the main theoretical arguments correspond to the developments in Myanmar/Burma, and particularly in Kachin State? For the sequencing argument to hold, liberal efforts of “premature” democratic opening should have led to more conflict and abuses of power. This is what the military of Myanmar claims happened during the period from 1948 to 1962, when Myanmar was ruled by representative government. The army justified their coup in the name of national unity, and it was considered an attempt to restore order in a political scene that appeared to be increasingly chaotic (Taylor, 2009, 293). We can also expect that attempts at building rule of law and other strong civil, state and economic institutions, while at the same time holding back liberalization and democratization, have been successful in fostering peace and solid foundations for democracy. Some would argue that the 2015 election and the new NLD government prove that the sequencing approach in Myanmar was successful. However, those who measure against stricter criteria of genuine peace and democracy might have a more negative conclusion.

The gradualist/transformative approach argues that gradual and combined improvement of the institutions and the popular capacity to use these is what fosters democracy. For this argument to hold, we should see that such measures have contributed to democracy and peace. Furthermore, because it is primarily a critical assessment of the other main democratization theories, there must be indicators that attempts to build state institutions and rule of law while holding back inclusive and participatory democracy have sustained rather than improved issues relating to governance and peace, and undermines rather than builds foundations for democracy (Törnquist, 2011, 827-828).

The reform process in Myanmar has clearly been a top-down, state-building, sequentialist process. The question of whether or not it has been successful in achieving its aim of stable democratization is still hotly debated. In the following section, we will take a deeper look into the democratic transition in Myanmar from 2010 until the new election in 2015, and the subsequent transfer of power in 2016. The structure of the study will be identifying how the process refutes or supports which particular aspects of the theoretical arguments. By the end of the analysis we should be able to see if the democratic sequencing theory remains strengthened or weakened, and if the gradualist/transformative arguments provide a more or less useful interpretation of the events.
Chapter 3

ANALYSIS PART I: DEMOCRATIC SEQUENCING IN MYANMAR

3.1 Myanmar: A critical case

At first glance the democratization process in Myanmar seems to be a success story of the democratic sequencing approach. Starting in 2003, the sitting military regime prepared a “roadmap to a disciplined-flourishing democracy”, presenting a carefully managed transition to a civilian, democratic government. Over the next decade, the roadmap was carefully followed through, step by step, until finally reaching the aim of establishing Myanmar as a “modern, developed and democratic nation” (Nilsen & Tønnessen, 2012, 2; Taylor, 2009, 491).

The announcement of democratic reforms made by Thein Sein in March 2011 was received with disbelief and surprise, both domestically and internationally. Optimism quickly spread among pro-democrats nationally and abroad. For many the reforms gave new hope for the potential end to military dictatorship, civil war, and persistent underdevelopment. Indeed, there was reason to hope. Signs of positive development could be seen quite soon after the announcement: political prisoners were released, media censorship was relaxed, reforms to liberalize the economy were introduced, and more freedom was given to unions and civil society organizations. The Thein Sein administration also managed to negotiate ceasefire agreements with various Karen, Shan, Mon, Naga and Chin ethnic armed organizations (EAOs), effectively stopping the long-lasting fighting in these regions (Ytzen, 2014, 28-29; Stokke et.al., 2015, 5).

In 2015, the main opposition party, the National League of Democracy (NLD), won a landslide victory in the first “free and fair” election in the history of Myanmar. Observers around the world held their breath as they waited to see if the existing regime would accept a peaceful transfer of power, and sighed with great relief as they did so. The question remains, however, if the movement towards democracy will also bring about peace in the country.

Although the sequencing narrative is undoubtedly convincing, a closer look at the democratization process in Myanmar might reveal a different story. At the end of the storyline, we should see that Myanmar is a peaceful, democratic country – at least more so than it used to be. However, rather than seeing more peace in the country, we see that certain ethnic regions, such as Kachin State, experience a dramatic increase of violent conflict. Some argue that the current acts of warfare are more comprehensive now than in a very long time.
Furthermore, the military has managed to maintain their hold on power as guardians of the constitution, while simultaneously enhancing their legitimacy and blocking further democratic progress.

What describes the sequence of events explained above, and what, if anything, might be done about it? The democratic sequencing approach argues that the top-down introduction of institutional reform strengthens state institutions and rule of law, which in turn fosters peace and stability. Furthermore, once this institutional framework is in place, it will ensure that the transition to democracy runs smoothly, and it is more likely to be successful.

The gradualist/transformative approach proposes that while strengthening state institutions and rule of law is important, it is equally important to open up for popular participation so that people can be involved in the formation of these institutions. Proponents of gradualism/transformative democracy emphasize the importance of introducing reforms that create new opportunity structures in society, so that people’s capacity to participate in politics is strengthened. This fosters a gradual process of democratization, which relies on bottom-up as well as top-down movements in order to develop sustainable peace and substantial as well as substantive democracy.

This study aims to critically test these two arguments by tracing historical events that have taken place in Burma/Myanmar and Kachin State over the last five years and comparing these to the theoretical expectations. Because Myanmar represents a critical case, the theoretical arguments should be able to explain the developments in order not to be fully or partially refuted. This chapter addresses the first research question, which is: what characterizes the democratic opening in Myanmar, and how can it be explained in light of major positions in democratization studies? After a short introduction to the background of the democratic reform process from 2011, the following section attempts to answer this question by taking a closer look at some of the major developments that have taken place in Myanmar over the last five to six years.

3.3 2010: A new era of civilian government

On November 7th, 2010, Myanmar held their first multi-party elections since 1990. The election marked the completion of the “roadmap” made in 2003 by the State Peace and Development Council (SPDC). The roadmap presents a carefully managed transition to a new form of governance in which the role of the military is reinvented and maintained by being constitutionally ensured before transitioning to a civilian government (Nilsen & Tønnessen, 2012, 2; Taylor, 2009, 491).
The roadmap consists of seven steps: (1) the reestablishment of the National Convention; (2) a “step-by-step process for the emergence of a genuine and disciplined democratic system”; (3) the drafting of a new constitution; (4) the endorsement of the new constitution in a national referendum; (5) elections for the national legislative bodies (“hluttaws”); (6) the convention of elected representatives according to the new constitution; (7) forming a government and other constitutional bodies, thus establishing Myanmar as a “modern, developed and democratic nation” (Nilsen & Tønnesson, 2012, 2; Taylor, 2009, 491).

The organization of the election in 2010 was carefully planned to ensure the continuation of existing power structures and ultimate military control (Skidmore & Wilson, 2012, 3-4). Many in the opposition parties were principally against the election because of the 2008 Constitution, which was widely seen as illegitimate. The question of whether or not to compete in the election caused division within some opposition parties, with some groups, such as the leading opposition party NLD, deciding to boycott the polls while others decided to contest the elections (Lidauer, 2014, 72). Because of the boycott and division of many opposition groups along with restricted opportunities for popular involvement, the elections were neither free nor fair. Even so, the election of a new civilian government marked a new era by ending the one-party system, which had dominated for over forty years, and restored a degree of representative government for the first time in over two decades (Skidmore & Wilson, 2012, 3; Transnational Institute, 2013, 1).

The USDP (Union Solidarity and Development Party) was formed by the military elite shortly before the 2010 elections, and consists mainly of former members of the military. After winning the election in 2010, the former Burmese Army General and new President Thein Sein formed the new semi-civilian government. Power was handed over from the military junta to the new semi-civilian government on the 30th of March 2011. Because all legislative and executive bodies were controlled by the ruling, military-dominant USDP, observers and experts expected no more than superficial changes under the new government (Hlaing, 2012, 197-198). Hence, everyone was more than a little surprised when one of the first things done under this new government was to introduce a line of liberal reforms and policy changes. Registration was offered to political opposition parties (Allard K. Lowenstein IHRC & FR, 2015, 13), and the President arranged meetings with businessmen and community leaders where he invited them to cooperate with the government. Civil society leaders were given the opportunity to express their opinions, and some of their suggestions were soon transformed into concrete policies (Hlaing, 2012, 206).
The government initiated dialogue with the USDP’s strongest opponent, NLD leader Aung San Suu Kyi, in order to start a process of reconciliation. Thein Sein also supported a number of practical measures, such as workshops and seminars, to facilitate public debate about more significant long-term changes for Myanmar (Skidmore & Wilson, 2012, 4). In October 2011 and January 2012, more than 500 political prisoners were released, and media censorship was relaxed (Allard K. Lowenstein, 2015, 13). The international community saw the long-awaited changes happening in Myanmar and responded by lifting their sanctions and reestablishing normalized diplomatic relations (Skidmore & Wilson, 2012, 4). The dramatic shift in international relations provides Myanmar with increased opportunities for trade, foreign aid and investment (Ytzen, 2014, 33).

The reforms that were introduced in 2011 undoubtedly provide new opportunities for the citizens of Myanmar, as civil society groups are able to assemble and express themselves more freely. In general, there has not been such a high degree of freedom in Myanmar since the military coup in 1962 (Hlaing, 2012, 197-207). Further progress developed in 2012-2013. Media censorship was gradually scaled back, and in January 2014, Internet censorship had also been abolished.

It is likely that China’s increasing assertiveness in the region influenced the military regime’s decision to open up politically. The sanctions imposed by the US and the EU made Myanmar politically and economically isolated and heavily dependent on China. Improving their relations with the West would increase their economic opportunities and reduce this dependence. In order to do this, there was a need to improve their human rights record, and indeed – the reforms have had real impact in the field of human rights. During 2012, the government released almost 700 activists, monks and artists, relaxed media censorship and legalized the right to form union. Meanwhile, the new government distanced itself from China, the former regime’s long-term political and financial ally (Ytzen, 2014, 33).

3.4 The opposition enters the formal political game

April 1st, 2012, by-elections were held to fill 46 vacant seats in the national legislature. The 2012 elections held a higher standard of credibility than that which was the case in 2010. The NLD were re-registered and won a landslide victory. For the first time in history, the main opposition party was represented in the legislature (Nilsen & Tønnessen, 2013). By the end of that year, the parliament in Naypyidaw had begun to play a more effective role in the political game. The NLD started using parliamentary committees to check ministries and policies and, after some time, this gave confidence to USDP members to do the same (Ytzen, 2014, 34).
After entering parliament, Aung San Suu Kyi was placed as head of the Rule of Law and Stability committee, which gave the NLD the ability to exert influence out of proportion to their actual numbers. The speaker and top USDP-MP at the time, Shwe Mann, also made efforts to use the parliament to challenge the executive. He presented himself as a reformist leader by calling on parliament members to pass laws that would modernize the government. He publicly criticized the government for their failures, and encouraged the MPs to bring about reforms and “modern concepts” rather than dwelling on the past. Furthermore, he was outspoken about corruption within the state system, announcing that government employees across the country are routinely involved in different forms of corruption (Ytzen, 2014, 34-35).

Evidently, Shwe Mann was determined to use his efforts to turn the parliament into an important institution in Myanmar (Hlaing, 2012, 205). He favored changes to the constitution that would curb the military’s power, and was viewed as a likely candidate presidency in the coming election in 2015. However, his efforts in the parliament ended abruptly one night in August 2015 when the military quietly removed him from his position as head of the USDP (Kurtenbach/Associated Press, 2015).

Since the introduction of democratic reforms in 2011 it is evident that more space has been opened for pro-democrats to work together for further democratization (Hlaing, 2012, 197). Since 2011, the government has allowed members of the parliament to talk about democratic rights (Freedom House, 2016), and since 2012 the parliament has been playing an increasingly important role when it comes to checks and balances. Yet the country’s most dominant and powerful institution is still the military, which is guaranteed twenty-five percent of the seats in parliament and retains the right to nominate the more important of the country’s two vice presidents (Ytzen, 2014, 35).

Although much progress had been made, by the end of 2013 there was no rule of law and no independent judiciary. Laws that had previously been used to jail dissidents were still in force. Among the most repressive of these laws is the Electronic Transaction Law, which can give up to fifteen years in prison for distributing information in digital form that is perceived as detrimental to the interest of or lowering the dignity of any organization or person (Ytzen, 2014, 33). In addition, the new government continued to commit severe human rights abuses against ethnic minorities (Allard K. Lowenstein, 2015, 13). Establishing rule of law and democracy in the current system will most likely be difficult, as the constitution itself lacks legitimacy and poses several hindrances to democratic development.
3.5 The Letpadan crackdown: infringement on freedoms of speech and assembly

On March 10th 2015 police officers violently cracked down on a group of approximately 200 protesters demonstrating against the recently passed National Education Law. The law was passed September 30th 2014, despite objections by students, activists and academics. Those who oppose the law argue that it encroaches on students’ rights to form unions, marginalizes the role of states and regions in determining academic policy, and fails to accommodate the particular needs of ethnic minorities. The student-led protest movement quickly formed after the passing of this law and, in January 2015, protesters from various locations across the country started marching towards Yangon to get their demands heard (Allard K. Lowenstein, 2015, 5-7).

A few days before the crackdown, the police imposed a blockade on the protesters and prevented them from continuing their march to Yangon. Tensions rose on the morning of March 10th until police officers charged the group of protesters with batons, severely beating unarmed protesters and bystanders. The crackdown resulted in the arrest of 127 protesters, bystanders and journalists. 77 among these were faced with charges that carry sentences of up to nine years and six months imprisonment. The government of Myanmar has taken no known disciplinary action against the police officers involved in the excessive use of force against unarmed protesters and bystanders (Allard. K. Lowenstein, 2015, 5; Human Rights Watch, 2016).

The violent crackdown on peaceful protesters in Letpadan shows that freedom of assembly and freedom of speech is still severely limited in Myanmar. The repression and imprisonment of peaceful activists was based on a set of laws containing provisions that prohibit, among other things, unlawful assembly, “disturbing state tranquility” and “insulting religious feelings”. The Peaceful Assembly and Peaceful Procession Law from 2011 requires protesters to apply for permission to demonstrate, which violates international human rights standards. The law also provides the authorities with the right to deny applications which pose a threat to “the security of the State, rule of law, public tranquility, and the existing laws” (Amnesty International, 2015). This law, amongst others, restricts freedom of assembly, freedom of expression and freedom of speech in Myanmar.

In 2015 the number of political prisoners was once again on the rise. By the end of the year, an estimated 112 people were imprisoned for violating the Peaceful Assembly Law and other political offenses, which was a notable increase since the large prisoner amnesties of 2012. An additional 486 people were facing charges. Land rights activists were also regularly arrested and charged with unlawful assembly and trespass for protesting land appropriation and displacement (Human Rights Watch, 2016).
Amnesty International’s report, “Going back to the old ways” from 2015 shows that the government has continued to spread fear by monitoring, harassing and surveilling activists. Interviews with political activists conducted by Amnesty International reveal apparent backsliding in the democratization process with regards to freedom of assembly and freedom of speech (Amnesty International, 2015):

“The authorities are targeting leading activists, media people – in particular people who could be doing election monitoring, people who are very active and will support campaigns for certain political parties” (Aung Myo Kyaw, a former prisoner of conscience and member of the Assistance Association for Political Prisoners – Burma (AAPP-B), June 2015).

Furthermore, the interviews also reveal total lack of rule of law:

“There is no rule of law in Myanmar and anyone can be arrested at any time. The laws used by the authorities to oppress political activities haven’t changed yet” (Aung Myo Kyaw, a former prisoner of conscience and member of the Assistance Association for Political Prisoners – Burma (AAPP-B), June 2015).

These events from 2015 show that there are still major restrictions on the freedom of speech and freedom of assembly, which are important and necessary institutions in a democratic system. The fact that the groups of protesters were protesting a law that was perceived as undemocratic only makes it clearer that the democratization process in Myanmar is still far from reaching its goal.

3.6 Rise of ultra-nationalism and religious extremism
Hate-speech, discrimination and threats against the Rohingya, a Muslim minority in Myanmar, intensified in 2015 with the increasing prominence of the Ma Ba Tha, the Buddhist-monk-led Association for the Protection of Race and Religion. The Ma Ba Tha successfully pressured the government to accept and implement four so-called “race and religion protection laws”: the Population Control Law, passed in May, the Buddhist Women’s Special Marriage Law, the Religious Conversion Law, and the Monogamy Law, passed in August. The four laws are discriminatory and violate religious freedom. In addition,
the parliament failed to pass the comprehensive Violence Against Women Law, which would have strengthened the women’s rights protections (Human Rights Watch, 2016).

While some political leaders voted against the four laws, many others promoted them with the argument that they protect Myanmar from Muslim threats. President Thein Sein boasted about the laws in a social media video at the beginning of the election campaign in September 2015. The Ma Ba Tha held rallies about the importance of the laws for the protection of Buddhist faith against an Islamic “invasion”, and announced the importance of supporting USPD for ensuring the protection of the nation from this “threat”. No public figures in Myanmar have openly criticized the rising discrimination and threats promoted by the Ma Ba Tha, nor its intimidation of civil society actors who dare to voice an opinion against them (Human Rights Watch, 2016). Ethnic minority groups, among them the Christian Kachin minority, have been very concerned about the “protection of race and religion laws”. The current movement of Buddhist and Burmese nationalism is more likely to exacerbate the already high level of violence in the northern region (Min Zin, 2015, 385-386).

Anti-Muslim hatred has been flourishing since communal violence erupted between Buddhists and Muslims in Arakan State in 2012. Since 2015, international observers have been raising concerns about what they argue has become genocide of the Rohingya Muslims (Min Zin, 2015, 385-386; Allard K. Lowenstein, 2015). In addition to the loss of life, physical destruction and political effects, the ongoing violence also creates deeper societal cleavages and distrust between ethnic and religious groups (Min Zin, 2015, 385-386).

3.7 2015 National Elections
All eyes were on Myanmar as nationwide parliamentary elections were held November 8th, 2015. Ninety-one parties and hundreds of independent candidates were part of the contest for over 1,100 seats (Human Rights Watch, 2016). Hopes and expectations were high as this represented the first genuinely “free and fair” election in decades (Nilsen & Tønnesson, 2014). The NLD, led by Aung San Suu Kyi, won an overwhelming victory with over eighty-five percent of seats in both national houses of parliament and regional and state assemblies. The Union Electoral Committee (UEC) was the body in charge of the conduct of the election, with the military retaining its constitutional right to intervene if it saw the need to do so. The UEC was largely criticized for its lack of both independence and impartiality in the lead-up to the election (Human Rights Watch, 2016; Freedom House, 2016).
3.7.1 The lead-up to the election

The UEC was formed in 2010 and consists of 16 members of the government, appointed by the President. There were originally only 8 members in the UEC, but after heavy pressure from activists, on April 3rd 2015 the personnel were doubled with eight ethnic nationalities members. The UEC is in charge of drafting the rules and regulations of political party and voter participation in the election. It is also responsible for handling disputes related to the election, arranging election observers, and taking care of all logistics related to the election (ALTSEAN, 2015, 4).

Critics argue that the UEC lacks transparency and tends to draft legislation which benefits the military and the USDP. There are no clear regulations as to how internal decisions within the UEC should be made. The media and observers are not permitted to attend internal meetings, and minutes from the meetings are not published. The close connection between the UEC and the government and the lack of transparency in the decision making process has led to a total lack of confidence from voters, political parties, civil society and media (ALTSEAN, 2015, 4-7).

To make matters worse, there was lack of communication of central UEC decisions to sub-commissions. Local staff was often not properly trained, and often lacked understanding and knowledge about key aspects of the electoral process. For instance, many sub-commission staff was unaware that a National Registration Card (NRC) was not necessary to vote. The distribution of such cards was flawed and discriminatory, and lack of knowledge about this particular aspect of the election probably caused a lot of voter errors. In general, the UEC has a bad track record when it comes to voter list errors (ALTSEAN, 2015, 4-7). One Shan informant explained:

“If your name, if the spelling is a little bit mistaken, you are not allowed to vote. Most of the staff of the Burmese state do not know how to spell our names right. So if they make a mistake, people cannot vote. There are a lot of issues. Also, the date, the birthdate, they make mistakes, and with household registrations. A lot of votes were cancelled because of these things. They ask people to stamp, but people don’t know how to use the stamp. So many votes were cancelled also because of this” (Informant-13).

Voter errors clearly have severe implications for the election process, as many people eligible to vote were not able to. The same informant also explained that many people living in
remote places do not know enough about the options before the election, and it can be difficult for them to understand whether to vote or not and for whom. Furthermore, reaching the polling stations requires expensive travel arrangements for some people who may not afford it.

### 3.7.2 Questionable campaign tactics

The campaign rules for the election were established by the UEC in July 2014, and were finalized and distributed on August 17\(^{th}\) 2015. Many observers raised concerns about the campaign rules being too restrictive. For instance, party members had to register or gain approval from the local UEC branch before speaking to the public or to the media. Furthermore, parties were only allowed to hold 15 minutes speeches for broadcast on television or radio, and all content first had to be approved by the Information Ministry, which could reject any statement criticizing the Tatmadaw or the constitution. Basically, the rules put forward by the UEC placed all campaign activity under their own censorship, which drastically reduced the freedom of expression and assembly in the election campaign (ALTSEAN, 2015, 8).

Contrary to the elections in 2010 and 2012, journalists were allowed to enter the polling stations on Election Day in 2015. However, media censorship was an issue in the time ahead of the election, and several journalists were charged for covering “sensitive issues”. International observers have reported cases of media intimidation, and many media staff claimed that they adopted a degree of self-censorship to avoid retributions (ALTSEAN, 2015, 9-10).

Throughout the campaign period there were many rumors about vote buying and obstruction and destruction of campaign posters. Religious extremist organizations, such as the Ma Ba Tha, played an important role in the campaign, and have had an increasingly dominant role in the political game. One of the clearest results of this is the implementation of four laws “for the protection of race and religion”, which were proposed by the Ma Ba Tha. The laws have been heavily criticized by human rights groups, both for violating women’s rights and for being discriminatory towards non-Buddhist religions (Penna/Eastwest, 2015; Human Rights Watch, 2016).

The Ma Ba Tha also played an important part in Thein Sein’s decision to nullify the Temporary Registration Cards (TRCs), which were primarily held by Rohingya Muslims (Penna/Eastwest 2015). The repeal of the TRCs (also called “white cards”) disenfranchised over 800 000 people who had previously been able to vote in the 2008 referendum and in the
Furthermore, many ethnic people were unable to vote because they lived in areas controlled by EAOs. According to one informant, this was the case for around half of the Kachin population (Informant-17).

The Ma Ba Tha, also called the Committee to Protect Race and Religion, was formed in 2014. Since its foundation it has fostered nationalism and ethno-religious tensions in the society, especially between Buddhists and Muslims. The organization openly supports the USDP, and during the election campaign it used nationalist and religious rhetoric to put the NLD in a bad light. Many are concerned that the Ma Ba Tha works closely with, and is even used as a propaganda machine by, the USDP and the military (Penna/Eastwest 2015). During the interviews, one Burmese informant argued that:

“The religious leaders are creating more tension and conflict between the religious groups. They don’t have a lot of support, it is only a small group of people. But actually, they [the Buddhist extremists] are under the military” (Informant-14).

The informant argued that the military are using the Buddhist extremists to fuel conflict and unrest, so that they have an excuse to interfere and maintain their hold on power (Informant-14).

Due to enforcement of the 1982 Citizenship Law and new laws regarding political parties, the application of more than fifty Muslim candidates was rejected during candidate eligibility screening, including USDP members of parliament who identify themselves as Rohingya Muslims. Neither the USDP nor the NLD put forward a Muslim candidate for the election anywhere in Myanmar, and no Muslim citizen was voted into parliament from any part of the country (Human Rights Watch, 2016).

3.7.3 Free and fair?

Despite these serious defects, the election campaign held a surprisingly high standard in regards to openness, with relatively few reports of intimidation, violence or irregularities (Human Rights Watch, 2016). There were fewer restrictions on party organization and voter mobilization than in 2010, and new political parties were allowed to register and compete. Interference from government officials was reported, but only sporadically. Ninety-one parties competed in the election (Freedom House, 2016), and many of them held campaign rallies freely across the country with relatively few significant barriers on freedom of expression and media. On Election Day, many international and national observers as well as political parties
were present to ensure transparency, both in the casting and in the counting of votes (Freedom House, 2016; Human Rights Watch, 2016).

The media played an important role during the campaign period. Several newspapers, online outlets and foreign or expatriate-based broadcasters provided high quality coverage of the competing parties, candidates and relevant issues. However, domestic television and radio, being the main channel of information for the majority of the population, remained under the control and censorship of the military, the USDP government or their allies, and the state-media was heavily biased in favor of the incumbents (Freedom House, 2016).

Though previous constraints on Internet access have mostly been lifted, Internet activity is still subject to criminal punishment under broadly defined laws. The Electronic Transactions Law is routinely used to criminalize political activism online. Since 2013, however, the penalties have been reduced to fines or prison terms of 3 to 7 years, rather than 10 to 15 years like it used to be. The law criminalizes “any act detrimental to” “state security, law and order, community peace and tranquility, national solidarity, the national economy, or national culture – including “receiving or sending” related information”. In 2015, at least five people were detained for Facebook posts that were deemed insulting to the military or Aung San Suu Kyi (Freedom House, 2016).

Despite many shortcomings with regard to transparency, freedom of speech and assembly, and discrimination and disenfranchisement of large people groups, the 2015 election has been deemed free and fair by international standards. When asked about whether he had seen any real improvements since 2010, a Burmese informant answered:

“Yes, yes, absolutely! No one can deny it. Especially when you see the parliament - over 100 former political prisoners are now MPs. That is a real improvement. The people see hope now that the NLD has won” (Informant-14).

3.8 A peaceful transfer of power and the way ahead
Myanmar’s status improved from Not Free to Partly Free on Freedom House’s index in 2016. The Thein Sein government accepted NLD’s grand victory, and the transfer of power was surprisingly smooth (Freedom House, 2017). The new government took their seats on April 1st 2016. The transfer of power to NLD is undoubtedly an important step forward in Myanmar’s democratization process. For the first time in over five decades a civilian and democratically elected government was formed in Myanmar.
Aung San Suu Kyi, who is constitutionally prevented from presidency, works closely with the new President, NLD’s Htin Kyaw. She has publicly announced that, despite of the constitutional hindrance, she will be “above the president”, and rules the country through him. In addition to being Foreign Minister, Suu Kyi takes on three other Ministerial posts: Education, Electronic Power and Energy, and Head of the Office of the President. Furthermore, as Foreign Minister she is also a member of the National Defense and Security Council, which is dominated by the military. Finally, the parliament appointed her as “state counselor”, a position specifically designed for her, which puts her in a similar position as a prime minister (Gaens, 2016, 1). The approval of the bill that put Aung San Suu Kyi in this position was condemned by the USDP as “an improper consolidation of power” (Freedom House, 2017).

Critics argue that, although she has gained political influence, Aung San Suu Kyi has not managed to strongly challenge the interests of the old elite or considerably alter state policy. This critique is especially related to the ongoing human rights abuses of the Rohingya (Freedom House, 2016). Suu Kyi’s new position gives her many challenges, one of which is the challenge of having to juggle four ministerial portfolios at the same time, while also seeking to steer the President. While the constitution states that a minister has to resign from their parliamentary post while being in government, Aung San Suu Kyi has a direct relationship with the parliament through her role as “state counselor”. Gaens (2016, 1) notes that:

“The vast concentration of power in the hands of one person, and the heavy reliance on relations of loyalty and power by proxy, is likely to prove both demanding and precarious.”

A second challenge the new government is faced with is how to achieve peace in an ethnically divided and turbulent state. The government struggles to reach a more comprehensive peace agreement between the hundreds of EAOs in Myanmar. One year into the NLD government’s term, conflict is once again on the rise in the northern Shan and Kachin States, with ongoing battles between the Tatmadaw and the KIA/KIO into the first months of 2017 (Lintner/Asia Times 2017). Activists continue to report military abuse against civilians in Northern Shan and Kachin States (Gaens, 2016, 1-2; Freedom House, 2017). In October 2016, armed men attacked police posts in Rakhine State and nine police officers were killed. Officials put the blame on the Rohingya Solidarity Organization (RSO),
a militant group that was active in the 1980s and 1990s. Violent reprisals were conducted against the local Rohingya population, including the use of torture and rape as weapons of war. This worsened the already tragic humanitarian conditions in Arakan State, and caused a new wave of refugee outflow on boats to Bangladesh (Gaens, 2016, 1-2; Freedom House, 2017).

Thirdly, the new government faces the challenge of dealing with the new involvement of foreign powers. Now that Myanmar has gained recognition and legitimacy in the region, there is increasing competition among Asian countries for influence and trade links. China stands out in this regard as Myanmar's most important economic partner. Large-scale contracts with Chinese businesses in the fields of copper-mining, hydro-power and oil and gas transport are contested subjects. Some of the contracts have been suspended due to large-scale protests from civilians living in areas that would be displaced as a consequence of the projects. The new government faces a difficult job of weighing the interests of local opposition, national interests, the military, and foreign relations (Gaens, 2016, 2).

Finally, the military is still a major actor in all spheres of Myanmar society, and plays a key role in the government as well as in the parliament (Gaens, 2016, 2). According to the 2008 Constitution, the executive power of the state will be “totally under the control of the armed forces” (Sisk, 2013, 21). The constitution grants the military three key ministerial posts: Defense, home affairs and border affairs, as well as twenty-five percent of the seats in the parliament, effectively ensuring that the military has veto power over any constitutional amendments. In addition, one of the vice-presidents is a military officer, and five other ministers in the cabinet are attached to the military (Gaens, 2016, 2). The constitution allows the military to dissolve the civilian government and parliament and rule directly if the President declares a state of emergency. The military also retains the right to be in charge of its own affairs, and members of the former junta have received blanket immunity for all official acts (Freedom House, 2016).

When asked about the changes that have been taking place over the recent years, one Burmese activist confirmed the difficulty of establishing democracy under such a military-dominant constitution:

“As for this moment, the constitution places the military above the government. This is not democracy. As long as they have such power, in the legislature, in the executive, in the business world, I cannot work with the system. They need to be placed under the civilian government, under the control of the politicians. But they do
not want this. The military have committed many crimes against the people, many war
crimes over the years. There must be justice, and they know this. So they are scared
and they hold on tightly to their power” (Informant-14).

Suu Kyi is very much aware that she needs the support of the military in order to maintain
stability (Gaens, 2016, 2). Despite this, some argue that the 2015 electoral results and the
subsequent dialogue between Suu Kyi and the old elite about ensuring a smooth transition
could be a sign that the military’s ability to influence electoral outcomes might be waning
(Freedom House, 2016).

The military remains a decisive player in civilian politics, and signs of constitutional
change are still not in sight (Gaens, 2016, 2). Despite calls from ethnic communities and
opposition parties, the Tatmadaw refuses to consider amending the 2008 constitution. The
proposed amendments regard section 59(f) on the eligibility for Presidency, and sections 261
and 262, which gives the President rather than state and regional assemblies the authority to
select the influential chief ministers of fourteen of the fifteen states and regions in Myanmar.
Because the Constitution guarantees the Army twenty-five percent of the seats in parliament,
and requires seventy-five percent majority from parliament to make any constitutional
amendments, the army has effective veto in this respect (Human Rights Watch, 2016).

In 2016, the government took several steps towards opening the associational and
organizational space. In April, the court ordered the release of 69 students who were arrested
in 2015 for violating the Lawful Assembly Act, and in October, the restrictive Emergency
Provisions Act, which had frequently been used by the military government to jail political
activists, was removed. The Electronic Transaction Law, however, which infringes on the
freedom of expression, is still active to this day (Freedom House, 2017). No doubt, the new
government and the country’s pro-democrats have a long way to go and several obstacles to
deal with on the road to democracy.

3.9 Sequencing or gradualism?
Prior to the election in 2010, the sitting regime had established an institutional framework
within which the new democratic system would function. Although the election caused much
division among the opposition groups, and was considered by experts as being neither free
nor fair, it resulted in a successful transfer of power from the old military regime to the new
semi-civilian government. The multiparty election in 2010 marked an end to nearly forty
years of one-party military rule, and the reforms that followed has provided citizens of
Myanmar with more freedom than they have had for decades. Equally important is the fact that the transition of power from military to civilian rule happened peacefully. Thus far, it seems that the top-down democratization process supports the democratic sequencing theory.

By 2013, however, the democratization process appeared to have stalled and even showed signs of backsliding. Laws that infringe on freedom of expression were used to jail dissidents and others who dared to criticize the government or the military. The reforms that were implemented in 2011 only provide limited freedom and did not structurally alter the relations of power in society. The political parties and CSOs that pushed for democratic liberties were still politically marginalized, which could be seen by the lack of substantive negotiations on constitutional amendments. Moreover, there has been increase in violent conflict, resource grabbing, and ethno-religious hostility and oppression in some regions (Stokke et.al., 2015, 5).

The rise of ultra-nationalism and implementation of discriminatory legislature in 2015 marked serious setbacks in the democratization process. The violent crackdown and arrests of peaceful activists shows that the old patterns of the military regime were still active. The disenfranchisement and discrimination of certain ethnic groups in the 2015 election, and the apparent lack of the new NLD government’s will or ability to confront this issue proves that Myanmar still has a long way to go. Recent developments have led skeptics to argue that the top-down elite controlled transition is carefully designed to maintain the oligarchs’ hold on political and economic power. The introduction of limited, rather than substantial, reforms effectively enhances the military elite’s legitimacy abroad and increases their economic opportunities, while still ensuring that they maintain their hold on power (Stokke et.al., 2015: 5).

The developments in Myanmar since 2013 speak in favor of the gradualist/transformative argument: autocratic elites have little or few incentives to establish institutions that promote genuine competitive democracy, because this puts them at risk of losing their power. However, they might, as in this case, have incentives to establish institutions that appear more democratic in order to improve foreign relations and increase their economic opportunities. China’s increasing assertiveness in the region, combined with the political and economic isolation from Western countries, put the government in Myanmar under a lot of pressure. The authorities in Myanmar were aware that they had to improve their human rights record in order to warm up to the West. The reforms that were implemented in 2011 have had dramatic implications for the country’s foreign relations and trade opportunities, and have lessened their dependence on China (Ytzen, 2014, 33).
Thus, the reforms have largely benefited the military elite and their cronies. Of course, regular people in Myanmar have also enjoyed benefits from the reforms. There have been large improvements, especially in the field of human rights. However, the reforms only provide limited freedom and have not structurally altered the relations of power in society. The military still dominates the political arena, as can be seen by the lack of substantive negotiations on constitutional amendments despite widespread support for this. The increase of violent conflict, land grabbing and ethno-religious hostility in certain regions also diverts from the theoretical expectations of democratic sequencing. Furthermore, the fact that it is the very institutions that were put in place by the military prior to democratic opening that are now hindering further democratic development clearly speaks against the democratic sequencing theory, and rather brings more support to the gradualist/transformative approach.

3.9.1 Understanding the 2011 reforms
The stagnation and backsliding that took place in Myanmar from 2012-2013 shows that the proponents of sequencing democracy might be mistaken in assuming that establishing an institutional framework by the old elite prior to democratic opening is conducive to democracy. Many opposition groups still refuse to participate within the framework of what they perceive as an undemocratic and illegitimate Constitution. New laws implemented in 2012 and 2013 withdraw freedoms that were given in 2011. Furthermore, the military’s dominance in the political process is constitutionally protected. The continued dominance of the military and their effective veto over any constitutional changes effectively further advances in the democratization process. In line with the theoretical expectations of gradualism/transformative democracy and counter to the expectations of sequentialism, the structures that were established by the old elite actually seem to undermine further democratic development.

There has been a rise of all kinds of civil society organizations, but these have to a very small degree managed to build alliances to political parties, the government and the state (Stokke et.al., 2015). To some degree, this is a question of capacity, but also to a limited political space – also under the current NLD government. The lack of meaningful relations between civil society and political institutions is particularly evident in ethnic regions, where many still cannot enjoy the benefits of liberalization because of discriminatory citizenship laws. In addition, warfare between the tatmadaw, and EAOs excludes large groups of people from the democratic process. In certain ethnic regions there has been a dramatic increase of
violence and instability paralleling the democratic reform process. Prospects for peace in these regions seem worse than ever (Lintner/Asia Times; Transnational Institute, 2013).

Without a doubt the reforms from 2011 have had a huge impact as they put the country on the path towards democracy. However, the stagnation and backsliding of the reform process in 2012 and 2013 shows that there is little willingness from the military elite to allow for further advances in the democratization process. The limited reforms have expanded the country’s economic opportunities and dramatically improved its foreign relations, especially with the West. Furthermore, the military enjoys enhanced legitimacy, both domestically and internationally, while still not risking losing its hold on power.

3.9.2 Understanding the events in 2015
Infringements on the freedom of the media, freedom of speech and freedom of assembly persisted throughout 2015. The lack of freedom of assembly was particularly evident at the crackdown at Letpadan, where over 80 protesters were arrested for violating the Peaceful Assembly Law.

The protesters were protesting against the National Education Law that was established on September 30th 2014. The law was passed despite objections by students, activists and academics, who argue that it encroaches on students’ rights to form unions, marginalizes the role of states and regions in determining academic policy, and fails to accommodate the particular needs of ethnic minorities. In short, they were demonstrating against a law which, among other things, limits their freedom of assembly. In turn, the protesters were arrested for violating another law, which also limits the freedom of assembly.

This event seems to oppose the theoretical expectations of democratic sequencing theory. While the theory argues that an elite-led and carefully managed transition is conducive to stability, peace and a successful democratization, the crackdown at Letpadan showed that, five years into the reform process, the old military elite had not changed their ways. Incidents of violence and limits to basic democratic freedoms are not in line with the theoretical expectations. Sequentialists would argue that such incidents are caused by premature democratic opening. Accordingly, Myanmar was not ready for the introduction of these democratic freedoms, and this is the reason for the violent event at Letpadan in 2015. However, the institutional framework was indeed established prior to democratic opening, so Myanmar should, according to the sequencing theory, be ready for public participation. Democratic sequencing theory thus fails to convincingly explain the crackdown at Letpadan in 2015.
Proponents of gradualism/transformative democracy argue that public protests and other bottom-up movements is a necessary precondition for achieving successful democratization. Furthermore, setbacks along the way are only to be expected, because democratization is a gradual process, with advances and retreats. In line with the theoretical predictions of gradualism/transformative democracy, pro-democrats in Myanmar are using the space that has been provided for them through the elite-led reforms in order to push for further reforms. Thus, the arguments of gradualism/transformative democracy seem better able to explain the crackdown at Letpadan in 2015 than does the sequencing argument.

The election campaign in 2015 was marked by hate-speech, discrimination and anti-Muslim rhetoric. All Muslim candidates were excluded from the election, and one million people, mostly Muslim Rohingya, were disenfranchised (Freedom House, 2016). The implementation of the four laws for “protection of race and religion”, which was pushed through by the ultra-nationalist Buddhist organization, Ma-Ba-Tha, effectively legalized ethnic discrimination and placed further restrictions on religious freedom. The failure to pass the Violence Against Women Law, which would have strengthened women’s rights protections, also shows that the democratization process, especially with regards to human rights, had come to a halt in 2015.

According to sequencing democracy, rise of nationalism and identity politics normally occurs in situations where there has been premature democratic opening. Unless placed within a strong institutional framework, the competition inherent in democratic politics tends to lead to an increase of between-group hatred and discrimination of some groups to the benefit of others. However, the democratization process in Myanmar is placed within such an institutional framework, it is elite-led and guided, and yet it still produces this undesirable outcome.

Gradualists, on the other hand, argue that public participation and inclusion of all people groups in the establishment and formation of institutions leads to more stability and more democracy. Thus, the failure of the institutions to foster stability and democracy could be caused by these institutions being defined by a small, powerful elite at the top. Accordingly, exclusion in the process of establishing institutions causes grievances and conflict rather than stability. Because the elite has little or no incentives to lay the framework for genuine democracy, as this would threaten their hold on power, it makes sense that they would restrict democratic freedoms that create such a threat.

The events of 2015 in Myanmar seem to go against the theoretical expectations of democratic sequencing: The limited democratic freedoms creates more rather than less
instability, and the institutional framework blocks rather than fostering further democratic development. Furthermore, the gradualist/transformative approach seems better able to explain what happened. The institutions place restrictions on any development that would threaten the power of the incumbents, while the people use the limited space they have to push for further opening. One informant put explained the democratization process this way:

“You can compare the whole country from the past to the present. In the past it used to be a small cage. The bird is perching there, waiting for you to feed it. It doesn’t go anywhere, it just stays there, perching. But now it’s a big cage, it can fly everywhere. But it’s still in a cage. However, this time it has some chance, some opportunity. With enough strength, force from both outside and inside, it can probably remove the cage” (Informant-12).

In short, successful democratization requires pressure on the established elite from inside and outside forces, as well as strategic use of the political space that is already given – a logic that highly resembles the gradualist/transformative argument.

3.10 Conclusion

Myanmar is no longer an authoritarian state, but neither is it a full-fledged democracy. According to democratic sequencing, we should expect that, as long as the transition remains under strict military/elite control, peace and stability in the country would be strengthened. The findings from this chapter show that this has not been the case in Myanmar. In fact, rather than seeing more stability, religious hostilities and civil conflict have increased in some areas during the transition process. The question is whether this is caused by the destabilizing effects of a regime in transition, despite the strict control of the elite, or if there are other mechanisms at play. According to sequencing theory, stability and peace should be enhanced by following this sequencing approach – so the question remains, why do we see the opposite?

The second expectation that derives from sequencing theory is that the elite should establish institutions that lay the foundation for building substantial democracy. Although we have witnessed efforts of building institutions and the establishment of a new Constitution before the election in 2010, these very institutions and laws inhabit serious hindrances to further democratic development. Furthermore, the findings show that there is no inevitability in the movement towards democracy – setbacks are both common and likely in such a process.
The transformative approach emphasizes the importance of “agents of change” to take use of institutions that are already in place in order to push for further democratization. The pro-democracy movement, which derives from student activists from 1988 and other civil society activists, is a typical example of such “agents of change”. Was it not for the pressure and activities of these groups combined with heavy pressure from foreign governments, it seems unlikely that the autocratic rulers would have introduced liberal reforms in 2011, and followed through with the transition of power in 2016.

Maintaining stability and peace is important in a democratic transition. However, this analysis casts doubts on the ability of the sequencing approach of promoting neither peace and stability nor substantial democracy. The pre-2010 military government established a Constitution in 2008 which effectively blocks further advances towards democracy. Furthermore, the Constitution lacks legitimacy and, as will be shown more clearly in the case of Myanmar, is at the root of much conflict. While state institutions and rule of law are important for maintaining stability and fostering democracy, it also requires inclusive participation and broad agreement in the establishment of these institutions.

Myanmar has come a long way in its transition towards democracy. Can the positive change be accounted to the “reformist” elite, who introduced and implemented a “roadmap to a disciplined-flourishing democracy” more than a decade ago? It clearly put the country on the right track, away from strict military dictatorship and towards civilian, representative rule. However, the process has been and is still far from peaceful, and there remain large roadblocks that need to be removed in order to move beyond what is now a democratically elected government under military control.
Chapter 4

ANALYSIS PART II: ERUPTION OF CONFLICT IN KACHIN STATE

4.1 Kachin State: A critical case

The conflict between the Kachin Independence Organization/Kachin Independence Army (KIO/KIA) and the Myanmar army, the Tatmadaw, is one of the most protracted ethnic wars in Myanmar (Transnational Institute, 2013, 3). The KIO was formed in 1961 as a reaction to inequality and discrimination, particularly the Burmese government’s attempt to make Buddhism state religion (Min Zin, 2015, 385-386). Soon after, conflict erupted between the KIA and the Tatmadaw, the Burmese army. In 1994, ceasefire was established between the two parties (Moe, 2014, 262).

After seventeen years of ceasefire, conflict broke out again in June 2011, less than three months after the new semi-civilian government had taken its place. The Burmese Army brought in troops to protect the building of three dams near the Chinese border, and the KIA viewed this movement as a breach of their agreement. The offensive since 2011 has been at a higher scale than that of the past. In addition to heavy casualties on both sides, the devastating effects for the civilian population in Kachin state have been massive, with more than 100 000 civilians displaced from their homes (Moe, 2014, 265-266; Transnational Institute, 2013, 2).

What explains the sequence of events as presented above, could it be related to the mode of transition in Myanmar, and if so, how? By tracing historical events that have taken place in Kachin State since the introduction of reforms in 2011, this analysis attempts to compare these with the theoretical expectations of democratic sequencing. Because Kachin State represents a crucial case, the events should somehow correspond to the theoretical expectations in order not to be fully or partially refuted.

The democratic transition in Myanmar has been carefully controlled and managed by the military elite. According to sequentialism, this approach should be the most conducive to achieving a peaceful, stable and successful transition. However, the recent eruption and escalation of conflict in Kachin State seems to divert from the theoretical expectations of democratic sequencing. At first glance, the eruption of conflict can easily be attributed to so-called “premature democratization” – the state institutions were not yet strong enough to sustain the instability inherent in a democratization process, and the introduction of democratic reforms should therefore have been postponed. By taking a closer look at what
has been happening in Kachin State since 2011, this analysis attempts to understand the reasons behind the eruption of conflict and how and if it could relate to the democratization process. This chapter addresses the following question: What, if any, are the links between the mode of democratization and the resumption of warfare in Burma/Myanmar and in Kachin State?

After taking a brief look into the historical background of the conflict in Kachin State and the 1994 ceasefire, the study analyses the major events since the eruption of conflict in 2011 and how it has evolved to this day.

4.2 Background
At the Panglong Conference in 1947, General Aung San promised the Chin, Kachin, Shan and other ethnic nationalities the “right to exercise political authority of administrative, judiciary, and legislative powers in their own autonomous national states and to preserve and protect their language, culture, and religion in exchange for voluntarily joining the Burman in forming a political union and giving their loyalty to a new state” (Silverstein in Lehman, 1981, 51; Keenan, 2013, 8)

Unfortunately, Aung San, who convinced the ethnic nationalities to join the Union as equal partners, was assassinated on July 19th 1947. His replacement, General U Nu, did not have the same perspective on the “equal partners” aspect of the deal with the ethnic minorities. The ethnic minorities had agreed to join the independent Burma in order to gain independence from the British colonial power, and were not prepared to bow under a new centralized Burman government. Yet the new policies that were implemented under the leadership of U Nu did nothing to accommodate the ethnic minorities. The Union Constitution, which had been drafted by Aung San and approved by the AFPFL Convention in May 1947, was quickly redrafted, and the new version dramatically altered the fate of the ethnic nationalities. Rather than becoming a federal union as originally planned, it became a semi-federal system, more closely resembling a unitary state, where one ethnic group (the Burman/Myanmar people) controlled the whole of the multi-ethnic and diverse society of the Union of Burma (Keenan, 2013, 1; 8).

While Aung San had promoted a secular state emphasizing pluralism and the “policy of unity in diversity” in which all the ethnic groups would live side by side in peace and harmony, U Nu presented a “confessional and exclusive policy on religion”, using cultural and religious assimilation as the main tool in the nation-building process (Keenan, 2013, 9).
Under U Nu’s leadership, Burma quickly moved away from Aung San’s vision of a secular state and pluralism.

This is an important part of history which was often brought up in the interviews with Kachin informants. The breach of the Panglong Agreement after the assassination of General Aung San is commonly referred to as the main root of the civil conflict in this region (Informant-2, -4, -5; -17):

“All the ethnics agreed on the Panglong Agreement. That is why we were going to be a federal united Myanmar…the country’s leader was assassinated and other leaders want to take over the area, and they don’t keep the promises in the Panglong Agreement. That’s why all the ethnics took up arms. Now it’s been going for 60 years” (Informant-2).

“They’re destroying the Panglong agreement. In the Panglong agreement, our countries used the federal system, state by state. And that’s how we put our country, combining all of our countries – in the Union of Myanmar… After ten years, in 1962, the Burmese military became offensive again. They took the State power, and we started fighting against them again. We are not terrorists, we are fighting for our rights” (Informant-17).

In 1961, Buddhism was adopted as the state religion in the Union of Burma. For the ethnic minorities who had been promised equality in exchange for joining the Union, this was a great violation of their agreement. The ethnic minorities saw the State Religion Law not only as a religious issue, but also as a constitutional problem. The Union Constitution was no longer seen as their protector, but rather imposing a “tyranny of majority”. For the ethnic minorities, the establishment of Buddhism as the state religion became a symbol of the tyranny of the majority under the semi-unitary system of the Union Constitution (Keenan, 2013, 9).

Some of the more radical groups among the ethnic minorities decided to start an armed rebellion against the central government. Their aim was to gain political autonomy and self-determination, as was initially promised them by General Aung San. The Kachin Independence Army (KIA) was the most serious armed of the armed rebellions that started after the state religion bill was passed in 1961. According to Graver (1993), the Christian Kachin perceived the new bill as further proof of “Burmanization” of the country from the central authorities. The Kachin were willing to prevent this by any means, even by armed rebellion (Keenan, 2013, 9-10).
The KIO, formed on February 5th 1961, was thus a reaction to the passing of the state religion law, as well as to the general discontent over perceived ethnic inequality, discrimination and neglect. Informants reveal that the Kachin attempted to solve their differences and regain their rights through political channels, but were unable to achieve anything that way (Informant-6). Resistance to the central government has continued from 1961 until this day, with the exception of the 17 years of ceasefire from 1994 to 2011. The KIO and its armed wing, the KIA, quickly became one of the most successful rebel organizations in the country. It became one of the most important players in the National Democratic Front (NDF)\(^1\), where early demands for separatism were replaced by demands for federalism. When the KIO/KIA signed the ceasefire agreement with the military government on February 24th 1994, the NDF, was very weakened (Keenan, 2013, 119; Transnational Institute, 2013, 13).

### 4.3 1994 Ceasefire

The ceasefire between the KIO/KIA and the Tatmadaw was signed in 1994. Throughout the 17 years of ceasefire, the KIO/KIA were armed and in control of the territory of Kachin state, which left them virtually independent. The ceasefire was a peaceful and prosperous time for the Kachin, who successfully administered areas under their control (Moe, 2014, 262; Keenan, 2013, 119-122). Although the ceasefire was beneficial for the Kachin people, the main beneficiaries were the Burmese military and its cronies. Through the ceasefire, they managed to gain control of major parts of the jade industry, as well as extending their control over trade and land. In addition to jade, regime officials and cronies took over many other lucrative but unsustainable business opportunities in Kachin State, including logging, gold mining, and agriculture (Moe, 2014, 262).

During the interviews with Kachin informants, they expressed that the Burmese Army strategically used the ceasefire period to strengthen their military presence in Kachin State (Informant-4, and -6). The massive land-confiscations, illegal trade and forced displacements that took place during this period are likely parts of the reason for the recent breakout of civil war in the region, and for the lack of trust between the KIO/KIA and the tatmadaw. It is also one of the main reasons why the KIO/KIA refused to sign the National Ceasefire Agreement (NCA)\(^2\) in October 2015 (Informant-5, and -6; Moe, 2014, 262-264). The government’s un-granted promise of political dialogue throughout the ceasefire further enhanced the distrust towards the central government in Kachin State (Transnational Institute, 2013, 4).

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1. The NDF is an alliance of EAOs founded in 1976 (Keenan, 2013, 119).
2. The Nationwide Ceasefire Agreement was signed in October 2015 between the government of Myanmar and 8 armed ethnic groups (Human Rights Watch, 2017).
From mid-2009 onwards, the relationship between the KIO/KIA and the Burmese government started deteriorating. In April 2009 the KIO and other ceasefire groups were ordered – without negotiations or warnings – to transform their troops into Border Guard Forces (BGFs) under Tatmadaw control. The KIO has consistently rejected the Border Guard proposal, even though some smaller Kachin ceasefire groups accepted it (Transnational Institute, 2013, 5). The KIO put forward alternative options but it soon became clear that the Burmese government was not prepared to compromise on this matter (Keenan, 2013, 124). Kachin informants report that their rejection of the BGF proposal, which they see as a “disarmament policy” without guarantees, was one of the main reasons for the resumption of conflict in 2011 [Informant-4, -5, and -6; Moe, 2014, 273). Indeed, on September 1st 2010, the regime announced that it:

“…would deal with KIO as it did before the ceasefire agreement in 1994, the communication and cooperation between the KIO and the Myanmar government have halted” (Maun Shwe, 2011 in Keenan, 2013, 124-125).

When the military staged the first multiparty election since 1990 on November 7th 2010, the Kachin were effectively excluded from participation. Even though other ethnic nationalities, including other ceasefire groups, were permitted to participate, ethnic minorities in Kachin State were unable to vote. Furthermore, the Union Election Committee (UEC) banned Kachin parties who wanted to register because of their assumed connection with the KIO. The result was that the political space in Kachin State was almost completely occupied by members of the USDP and Tatmadaw representatives. Even though the KIO did nothing to disrupt the elections in 2010, the state media began referring to the KIO as an “insurgent” group (Transnational Institute, 2013, 6; Farrelly, 2012, 63).

4.4 Breaking the ceasefire
The ceasefire was broken in June 2011, less than three months after the new semi-civilian government under President Thein Sein took their seats. The Kachin had shown willingness to solve issues through dialogue throughout the ceasefire, and were ready to participate in the new political era. The dramatic breach of the ceasefire therefore came as a major surprise to many, both in Burma and abroad. The scale of the violence that ensued made the shock even bigger, as it all happened under the new Thein Sein government who was simultaneously promising peace and reform with the NLD and other opposition parties as well as other ethnic minority
organizations in the country. The eruption of conflict in Kachin State countered all expectations at the beginning of this new era of government (Transnational Institute, 2013, 4).

An increasing number of Burma army units were being placed around Kachin territory from the beginning of 2011. According to Keenan (2013, 125), the newly elected semi-civilian government had to neutralize the resistance movement in Kachin in order to claim legitimacy and secure lucrative investment projects in the region, which were planned in cooperation with China Power Investment Cooperation (Keenan, 2013, 125). The business agreement with the Chinese had been signed in May 2007 and included a construction plan of seven large dams along the Irrawaddy, Mali, and N’Mai Rivers in Kachin State, the largest being the Myitsone dam. The dam constructions would impact millions of people who relied on the Irrawaddy for agriculture, fishing and transportation. The construction of the Myitsone Dam would also destroy the confluence between the Mali and N’Mai River, which many Kachin believe to be a sacred place. The dam construction project was an issue that certainly heightened the tension between the KIO/KIA and the Burmese army (Keenan, 2013, 125).

Early morning on May 17th 2011, Burmese forces fired three 75 mm mortar rounds close to the KIA’s Battalion 25 Headquarter, KIA Brigade 5 at Dum Bung Krung, west of the Taping River where a number of hydropower projects were underway. Shortly after, Burma Army troops were reportedly deployed around KIA Battalion 1 and Brigade 3 in Mansi. In reaction to the attack and the further deployment of Burmese troops, the KIO urged the Burmese Army to withdraw from around its base areas by May 25th 2011. Because no such withdrawal took place there was a small clash between the KIA and tatmadaw forces near Mansi Town on May 27th 2011 (Keenan, 2013, 126).

On the 9th of June 2011, Burmese troops started firing on the KIA outpost in Sang Gang village. The KIO returned fire and ordered its troops to withdraw from the area. It seemed that the KIA initially attempted to avoid heightened conflict with the tatmadaw, as it refrained from sending in reinforcements and rather attempted to withdraw from conflict zones (Keenan, 2013, 128). La Nang, a KIO central committee member stated:

“We’ve ordered our battalions to resist the government attacks. Their offensives are beyond the limit of our patience. During the past two days, we did not send reinforcement to Battalion 15 because we don’t want the fighting to spread. We remained patient…We tried to halt the fighting as much as we could, but they have launched a major offensive. We don’t want war. We have to defend ourselves, but we don’t like fighting” (Keenan, 2013, 128).
Despite the fact that the regime had been increasing its military presence in Kachin areas throughout the latter part of 2010, the *tatmadaw* refused to assume responsibility for the eruption of conflict. The renewed hostilities were explained as being caused by necessary counterattacks on KIA, for defense of its own members only, and without “even a single intention of aggression or oppression” (Keenan, 2013, 128-129).

As the conflict has been intensifying, many human rights abuses, including rape, forced labor and execution by the Burmese army against civilians have been reported (Keenan, 2013, 129). The conflict has caused many casualties on both sides, and, in addition to massive material destruction, the displacement of more than 100,000 people (Moe, 2014, 265).

### 4.5 Escalated warfare and failed attempts at reestablishing ceasefire

Although the military dictatorship officially ended in 2011, the *Tatmadaw* is still very powerful, particularly on ethnic issues. President Thein Sein announced several halts to army offenses in the Kachin region, but there was no change or reaction in the army’s approach. *Tatmadaw* offenses continue regardless, showing more force than ever before. This was most evident in the aerial bombardments against KIO positions around Laiza in December 2012 and January 2013 (Transnational Institute, 2013, 2). On 18th of January 2013, state television officially announced that there would be a ceasefire in the area starting at 18.00 on 19th of January 2013. The Burmese army’s offensives continued regardless, and, consequently, the *Tatmadaw* gained a strengthened position in the area. However, the Laiza headquarters remained under KIO/KIA control (Keenan, 2013, 130).

The KIO met with government officials for a discussion on February 4th 2013 in the Chinese Town of Ruili (Shweli). This was the first time the two parties had met since the escalation of conflict in December 2012, and the meeting was very important for defusing tensions. From the beginning of February 2013, the number of clashes decreased markedly (Keenan, 2013, 129-130).

The government and the KIO met again in Myitkyina, the capital of Kachin State, in April 2013. During these talks, the KIO reminded the Burmese army that they had already signed a ceasefire (referring to the 1994 agreement), which had been abruptly broken by the *Tatmadaw* overnight. For this reason they refused to sign a new one without further guarantees. The Kachin leaders argued that they did not wish to use the terms “ceasefire agreement” again until a genuine peace agreement was established. However, both teams agreed to set up a “Peace Technical
“Team” to resolve immediate tensions and conflicts, and work out details of the matters to be discussed ahead of the meetings between the delegations (Moe, 2014, 267).

On November 4th, 2013, negotiations were again held in Myitkyina between the Union-level Peace Making Committee (PMC) and the ethnic groups. The general secretary of the United Nationalities Federal Council (UNFC), Nai Hong Sar, drafted an outline of the conditions for a Nationwide Ceasefire Agreement, which all the ethnic groups agreed to. This included “genuine federalism” and the formation of a federal Union Army. In addition to presenting their five-point proposal, they called for the abolition of Article 17(1) of the Illegal Organizations Act, which is a law that until recently was used to imprison people belonging to, or attending the meetings of, banned organizations (Moe, 2014, 268).

The tatmadaw responded to this proposal by repeating the six policies on the peace process as articulated by the Tatmadaw commandeer-in-chief, Senior-General Min Aung Hlaing, which includes respecting and upholding the 2008 Constitution. The government delegation, headed by Minister Aung Min, brought forth their own draft of a new nationwide ceasefire agreement, but the ethnic leaders were not convinced. The only thing they managed to agree on at this point was the date for another round of peace talks later that year (Moe, 2014, 268).

Despite the ongoing rounds of peace negotiations, fighting continued between the Tatmadaw and KIA at different levels of intensity throughout 2013 and 2014, both in Kachin State and in northern Shan State. Most of the clashes between ground forces are over the control of natural resources and deployment territories. In March 2014, tensions increased because of the implementation of the first national census in over thirty years, in which Kachin representatives were not invited to the discussions. Furthermore, throughout the dialogue with the government prior to the census, the KIO got the impression that the government was using the census to create division within Kachin State. The exclusion of Kachin representative in the discussions coupled with the ongoing conflict made the KIO decide against the census (Moe, 2014, 270).

Government officials never publicly explained many of their decisions in the Kachin region after the ceasefire broke down in 2011. Kachin leaders have consistently argued that the military government, SPDC (State Peace and Development Council), the Tatmadaw and its business partners have from the very beginning been planning to marginalize the Kachin during the transition from military to civilian rule. There were a number of political and economic reasons for this that became increasingly urgent during the final years of the SPDC government. From early 2013 onwards, evidence strongly suggests that the Kachin region has been treated differently from the rest of the country throughout the democratization process (Transnational Institute, 2013, 4).
The Tatmadaw’s commander-in-chief, Senior-General Min Aung Hlaing, officially supported Thein Sein and the USDP government, but has acted contrary to orders of ceasefire from Thein Sein. While the government spoke of peace, the Tatmadaw appeared to have its own agenda in the transition. The contradiction between the words from Thein Sein and the actions of the military raises questions about the nature of the Thein Sein government, its strategies and who really is in charge (Transnational Institute, 2013, 7). Kachin informants believe that although there has been a transition to a civilian government, the Tatmadaw is effectively in charge of itself (Informant-4, -5, -6, and -8). Simply put, “the power is all in the hands of the military” (Informant-8).

4.6 Rise of extreme nationalism – discriminatory legislation introduced

Ethnic cleansing, or the fear of such, is one of the root causes of the ethnic conflict in Myanmar. Ever since the Union was created in 1947, there has been an issue of assimilation vs. accommodation, and centralization vs. decentralization. The various ethnic groups each have their own history and cultural heritage, and most have their own language(s) and religion. Because there is a lack of an overarching Myanmar identity (Gravers, 2014, 147), the members of each ethnic group define themselves in accordance with their ethnicity, not with Myanmar as a whole (Informant-17). The state-led “Burmanization” efforts have largely failed to create a unified national identity in Myanmar, and have rather had the effect of alienating ethnic minority groups.

As previously mentioned, there has been a new wave of radical Buddhism and extreme nationalism since 2011. This phenomenon in itself is not new, but the recent movement has been more organized and strategic than that of the past. After the 2012 by-election where the NLD won 43 out of the 44 contested seats, communal riots broke out between Buddhists and Rohingya Muslims in Arakan State. The incident resulted in over 200 deaths and at least 140,000 IDPs, the vast majority of which are Muslims. The displacement of the Rohingyas was formalized by government policies: Muslims whose homes were destroyed in the violence should only live in IDP camps (Min Zin, 2015, 389, Allard K. Lowenstein, 2015, 21).

Min Zin (2015) argues that the anti-Muslim hate speech is no longer simply random attempts to inflict pain or damage to the Muslim community, but is now politically targeted and strategic. The hate speech has been followed by coordinated attacks against Muslims all over central Burma/Myanmar. Furthermore, the spread of hate-speech has not been stopped or even challenged by the government or the mainstream opposition. The new wave of radical Buddhism is more organized than that of the past, and has the ability to influence politics.
Article 59(f) in the 2008 Constitution states that the President or the Vice-President cannot have a spouse or children who are foreign citizens. Leading monks in the Ma-Ba-Tha (969) have announced their opposition to amending this Article, for fear of getting a Muslim or other non-Buddhist President in the future. They also urged their followers to support Thein Sein rather than Aung San Suu Kyi, arguing that she is too weak in defense of nationalism and Buddhism. After learning about these radical monks, Suu Kyi decided to stop rallying for amendments of this Article in the NLD’s election campaign. This shows that the hate speech and propaganda of the Burmese nationalist movement have had some major impacts on the political development since 2011 (Min Zin, 2015, 385).

One Burmese informant that was interviewed argued that the extreme Buddhist organizations are strategically used by the military to cause unrest and conflict between groups. When asked about the ultra-nationalist groups in Myanmar, he answered:

“It is a military strategy to maintain their power. As long as there is unrest and conflict, they have the excuse to take this role, by claiming that they are protecting the people. Actually, they are not. The people don’t support them [the Buddhist extremists]. They are there to help the military” (Informant-14).

Another informant argued:

“The thing is that the Burma Army uses them (the extreme nationalist movement) as well… It causes distrust, so they can come back and say “see, you need us!”” (Informant-15).

And then later on in the same interview:

“I do believe that the Burman Army are behind a lot of what is happening there (in Arakan State) as well. In fact, you hear rumors… that they have hired people to come in and pretend they were Rohingya or Arakan to ignite problems, beat people and all this to cause problems. There’s a lot of tension. There’s a lot of hate for the Rohingya everywhere. Even amongst some Karen” (Informant-15).

Thus, the recurrent communal violence and the propaganda that has been spread by extreme nationalists over the last five years has to a considerable extent succeeded in changing norms, laws and practices in Myanmar. The Ma-Ba-Tha collected 1.3 million signatures
supporting four laws, the “protection of race and religion laws”, that are intended to protect Buddhism and the Burmese race (Min Zin, 2015, 385). The laws have been heavily criticized by human rights groups for violating women’s rights and for being discriminatory towards non-Buddhist religions (Penna/East West, 2015).

Ethnic minority groups, especially the Christian Kachin people, have been very concerned about the four “protection of race and religion laws”. The current movement of Buddhist/Burmese nationalism is more likely to exacerbate the already high level of violence, also in the northern region (Min Zin, 2015, 385-386). As pointed out by one of the Kachin informants:

“All assimilation and discrimination will happen simultaneously as they are implementing democracy” (Informant-4).

4.7. Achieving peace in Myanmar: a Nationwide Ceasefire Agreement

“All peace is not the outcome of the negotiation; but lack of conflict, lack of violence is the outcome of negotiations… Negotiations alone cannot produce real peace in Burma” (Informant-4).

According to spokesperson of KIO, the very concept of peace is contested in Myanmar. While the Burmese military would view a ceasefire (aka the lack of violence) as being equivalent to peace, the Kachin argue that peace will come only after all parties have reached a political agreement about the division of power between central Myanmar and the states. Thus, while the Burmese military aims for negative peace in Galtung’s understanding of the term, the KIO/KIA will not be satisfied until they attain positive peace. A Burmese activist argued:

“There is no use to the ceasefire if we can’t find a solution. The ceasefire is just a pause in the fighting, or the first step in a peace process. We need to find a real political solution. The military never wanted peace. The military plays the ethnic groups against each other, fighting first here and then there. They use this tactic to enforce their rule. They want to rule the whole country. And they think, as long as they have guns, they can do whatever they want” (Informant-14).
In 2015, the government attempted to conclude a NCA with 16 EAOs. Around half of them signed. At the same time in Kachin State, conflict escalated to higher levels than before 2013, when the KIO and the government had reached a preliminary agreement (Human Rights Watch, 2016). Kachin informants agree that the Myanmar government’s failure to initiate real political dialogue is the main reason why the KIA decided not to sign the National Ceasefire Agreement that was drafted in the fall of 2015 (Informant-1; -4; -5). When asked why the KIA did not sign the NCA, one informant responded:

“The Kachin people did not allow them to sign, because there is no promise, no guarantee” (Informant-17).

The lack of trust between the ethnic minorities and the central government is another major issue. Through the interviews, Kachin informants kept pointing out that the central government has never kept their word, or upheld their part of agreements that have been made (Informant-1; -4; -5; -8; -17). The KIO/KIA claim that if they were to lay down arms, the central government would not take into consideration any of their wishes. For this reason they remain unwilling to sign the ceasefire until it includes some political guarantees. Meanwhile, the central government and the Tatmadaw refuse to initiate political dialogue as long as the fighting goes on, which creates a deadlocked situation.

The conflict over union vs. federation is high on the agenda in the current peace process, but no one is claiming the right to secession as in 1947. While the Panglong agreement represents a vision of future autonomy for the ethnic groups, it is for the military a reminder of the colonial disorder and post-agreement political chaos. This reminder is one of the main reasons why they are against a federal solution (Gravers, 2014, 184).

The KIO has played a key role in the formation and administration of the United Nationalities Federal Council (UNFC)3. The ceasefire policy of the ethnic alliance is that negotiations with the central government should include all the affected EAOs, and that the emphasis should be on political dialogue rather than mere talks about ceasefire. The unity of the alliance was undermined in 2012 when the Karen National Union (KNU) decided to engage in unilateral peace talks with the government. This may be one of the reasons why the KIO still pursues individual alliances with other EAOs in addition to its activity in the UNFC (Moe, 2014, 274-275).

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3 Prior to 2011 the UNFC was the Committee for the Emergence of Federal Union (CEFU)3 (Moe, 2014, 274-275).
Some argue that the Burmese government has used a divide-and-rule tactic with the EAOs, and this presents an obstacle to real peace in Myanmar. The central government does this by providing better opportunities to EAOs who are at better terms with Naypyidaw, the political capital of Myanmar. Since 2011, relations with the central government have improved for two groups in particular: the KNU and the Shan State Army (South) (SSA-S). 

In January 2014, KNU’s chairman, General Mutu Say Poe was received in Naypyidaw by both President Thein Sein and Commander-in-Chief, Senior-General Min Aung Hlaing. It was after this meeting that the KNU changed their policy on the question of the NCA, so that it was different from what they had previously agreed to with the other ethnic nationalities at a meeting in Laiza. Initially, ethnic leaders had agreed that there should be genuine political dialogue before the nationwide ceasefire, but in a follow-up meeting in Chiang Mai they argued for signing the ceasefire agreement before political dialogue. Reportedly, the Karen leadership even threatened about leaving the umbrella group if others in the group disagreed. This was a direct challenge towards the KIO, who, from the very beginning, have insisted on achieving political dialogue before agreeing to a nationwide ceasefire (Moe, 2014, 274-276). 

Prospects for peace in Kachin State are rather dim at the time of writing. Conflict has been escalating throughout 2015 and 2016, with reports of government shelling and airstrikes against ethnic minority regions. Clashes between the tatmadaw and the KIA have continued sporadically, mostly concerning disputes over natural resource extraction (Human Rights Watch, 2016; 2017). In the early months of 2017, KIA troops are still engaged in heavy combat with the government forces. In a recent parachute-retarded bomb attack near and IDP camp, four thousand civilians attempted to flee into China, but were pushed back by guarder forces on the Chinese side (Lintner/AsiaTimes 2017). Unless the new government, with the military of their side, manages to initiate political dialogue concerning federalism and ethnic minority rights, it is unlikely that the Kachin will enjoy peace any time soon. 

4.9. Putting the sequencing arguments to the test

Myanmar has followed a sequential approach to democratization ever since the seven-step “roadmap to a disciplined-flourishing democracy” was introduced in 2003. The military government followed through with the seven steps, finally reaching its aim of establishing a representative, semi-civilian government in 2010. Although the election was flawed, with major opposition groups refusing to compete and many ethnic minorities being excluded from participation, it still represented a break from the past five decades of military dictatorship.
In a war-torn society such as Myanmar, it makes sense to be cautious when attempting to enter into regime transition and opening up for public participation and democratic competition. As previously mentioned, war-to-democracy transitions are particularly risky, as it risks destabilizing and early unstable situation (Jarstad and Sisk 2008). Following a sequential approach, in which important state institutions are established prior to democratic opening, should result in increased stability and successful democratization. However, counter to the theoretical expectations, we see that conflict erupted and escalated dramatically in Kachin state following the introduction of democratic reforms in 2011. The question raised here is why did this happen, and does the conflict have anything to do with the mode of transition?

4.9.1 Understanding the eruption and continuation of conflict since 2011
It is impossible to say exactly what the root cause of the current conflict in Kachin State is. There are many competing narratives that attempt to explain the recent developments in the region, and it is difficult to construct an objective fact-based explanation. In my interviews with Kachin informants, there was unanimous agreement about the tatmadaw being the main aggressor in the conflict since 2011. The state media in Myanmar, on the other hand, claimed that the tatmadaw has only ever responded in self-defense. However, the Burmese Army has been launching sustained offensives across the Kachin regions, resulting in the displacement of over 100,000 civilians, and their attacks have been at a much higher scale and with more advanced weaponry than in any previous conflict in Myanmar (Transnational Institute, 2013, 6). Indeed, Kachin informants commonly stated that the attacks since 2011 are at a much higher scale than those of the past (Informant-1, -2, -4).

The ceasefire was already starting to break down when the KIO/KIA refused to accept the 2008 constitution and the government’s BGF proposal from 2009 (Informant-4, -5). The Kachin see the BGF as a disarmament strategy without political guarantees. Other commonly mentioned causes of the war are the rich amount of natural resources in Kachin (Informant-2, -16), ethnic discrimination, and the government’s efforts at “burmanization” – forcibly assimilating Kachin into the Burmese language, culture and religion. Throughout the interviews, many Kachin informants described that they needed to stay armed in order to fight for the survival of their cultural inheritance, their language, religion and traditions (Informant-1, -2, -5, -8, -11, -17).
“The government pressures Kachin State by way of religion… Christian people cannot get a good position or representation. All the good and important positions are taken by (or given to) Buddhists” (Informant-1 and -2).

“If you are a Christian Kachin, you will never get a higher position” (Informant-5).

“Their target is Burmanization. No more Kachin talking, no more Kachin literature, only Burmese” (Informant-8).

“We are fighting because we want our rights. We want to keep our culture, our land, our language – this is our right!” (Informant-11).

“We, Kachin people who are living in Kachin, we have our own culture and our own literature and traditions. But now we do not have the right to sustain our tradition and our culture, because we are very restricted in the constitution… It is not fair that the Burmese people wrote the constitution for the Kachin. This is not democracy” (Informant-11).

Another commonly mentioned reason for the war in Kachin since 2011, which is also majorly related to the lack of resolution to the conflict, is the widespread and deep distrust between the Kachin and the central government. As one informant said:

“In the ceasefire contract [from 1994] there are a lot of promises that the government gave us. But the government never keep their promises… they cannot achieve what they want in the meetings. That’s why the ceasefire was broken” (Informant-1).

And another:

“They [the Burmese] never keep their promise” (Informant-8).

Operations such as the aerial bombardment of the KIO headquarters at Laiza in late 2012 and early 2013 need long-term planning and military build-up. Furthermore, it is not only the Kachin region that has been targeted so systematically for Tatmadaw offensives – even before the KIO ceasefire breakdown, in March 2011, the Tatmadaw launched attacks against another ceasefire group in northeast Myanmar, the Shan State Army North (SSA-N).
Government units used the same self-defense explanation while they continued their operations in the region. While the Thein Sein administration has continued their peace talks with the Karen, Mon, Chin and other ethnic minority groups, many citizens experienced a dramatic worsening of the situation under his government (Transnational Institute, 2013, 6-7).

In early 2013, the USDP government presented an ethnic peace program that involved thirteen EAOs, including some that previously had not been in a ceasefire. The ceasefire agreements contained only basic provisions, but many ethnic leaders still announced that the new government presented “the best opportunity in decades” for peace in Myanmar. All ethnic groups and parties wanted to be involved. The paralelling intensity of conflict in Kachin raises questions about the genuinity of Thein Sein’s peace promises, and/or his authority in relation to the military. While some informants argued that the President cannot rule over the military, others argued that the government and the military work together towards the same aim. As argued by one informant,

“There is some carrot- and stick-strategy involved. The President is holding the carrot; the military is holding the stick… We cannot see that democratization (under Thein Sein) is reliable” (Informant-4).

Furthermore, the Tatmadaw continues to state publicly that it wants to “play the leading role in national politics” (Transnational Institute, 2013, 8).

The KIO/KIA have experienced a dramatic change during the first five years of civilian government. In 2012, the KIO was just one opposition group amongst many struggling to bring about change in the country. In a matter of twelve months there was a dramatic shift in alignments. The Thein Sein government started engaging with the NLD, the KNU and most other opposition groups in country, gaining international credibility in the process. Meanwhile, the KIO became more isolated than ever. Kachin leaders argue that this is simply a continuation of the military’s divide-and-rule strategy. Accordingly, the Tatmadaw and the government have a variety of economic, political and strategic reasons to marginalize the Kachin during the transition (Transnational Institute, 2013, 8).

The KIO maintains the position that no ceasefire should be signed until genuine political dialogue is initiated (Moe, 2014, 276). This position is related to their past experience with the 1994 ceasefire, and the consequent lack of trust in the Myanmar government. It is also related to contention related to the peace concept itself, where the
government’s primary aim is “negative peace” (aka. lack of violence), while the Kachin view peace as the outcome of a new political agreement. According to the Kachin, signing the ceasefire agreement does not mean that they will achieve peace or democracy (Informant-4 and -5).

“If Burma wants to get peace, then all the fundamental constructions of the country should be amended. Constitution itself should be amended. Social structure should be more democratic. The military should be withdrawn from the political space. People have to look for the barriers to peace, the obstacles to peace. We have to clear them out, clean them up. Negotiations alone cannot produce real peace in Burma… For the military and for the government no conflict and no violence means peace; for us, no federalism means no peace” (Informant-4).

“Yes to peace, but if there is no justice, conflict will become more and more often. The Burmese majority thinks that peace means that we come and live peacefully under their control” (Informant-5).

In my interviews with Kachin informants, most agreed that the war since 2011 has little or nothing to do with the movement towards democracy.

“…The fighting is not for the democracy. The fighting is an ethnic problem. It’s a problem of discrimination from the majority of ethnics to small ethnics. There’s discrimination…Most of the power is held by the soldiers. So I’m thinking – how are we going to remove the power from the militaries? We have more military than what we should have in Myanmar. There are a lot of soldiers in Myanmar, and they have the most power” (Informant-3).

In other words, they argue that the conflict is mainly about ethnic discrimination and the military’s continuing hold on power. However, both discrimination and military control are matters of democracy, or rather, lack thereof. What the informants pointed out was that there was little or no change in the government’s approach towards the ethnic minorities since the USDP government took their seats. Myanmar “democracy”, they argue, is still militocracy in disguise (Informant-12).
“Militocracy. It’s not of the people, by the people, for the people – it’s of the military, by the military, for the military” (Informant-12).

Furthermore,

“…for us, democracy means not majority tyranny” (Informant-4).

The total exclusion of the ethnic minority group in the transition, combined with the sense of economic takeover of Kachin lands to the detriment of and without consultation with the local population has certainly added fuel to the frustration of the Kachin people (Transnational Institute, 2013, 6). One Kachin informant argued that the Burmese military actually create the war as part of their business strategy, as they benefit from the lack of rule of law in the region.

“…in U Thein Seins hands, the jade, gold and all the natural resources are going out from Kachin State, illegally, across to China… they (the Burmese army) create war because that is also a part of their business. The leader and the officers, some also benefit from the war as well” (Informant-2).

To sum up, there are economic, social and political reasons for the still ongoing conflict in Kachin State. As long as the military and their cronies are benefiting from instability in the region, and as long as the military is more powerful than the civilian government, achieving peace is highly unlikely.

Sequentialists argue that building institutions takes priority over democratic opening in a transition, and this approach should effectively stabilize the transition and increase the chances of successful democratization. In line with this approach, the military regime in Myanmar defined and established the state institutions in the 2008 Constitution before opening up for political competition. Meanwhile, ethnic minorities remain excluded from the political game until they agree to play by the rules set by the former military government. However, as Sisk (2013, 130-134) points out, and as we now see in the case of Kachin, those involved in civil conflict are oftentimes unwilling to negotiate peace before liberalization and democratization.

Horowitz (1993) argues that, because of the strong tendency to exclude former enemies to seats of power, post-war democratization often results in some kind of ethnically
exclusive semi-democratic system. Lack of formal representation of whole people groups generally tends to heighten the risk of violent conflict in a country, and reduces the prospects of further democratization (Horowitz, 1993, 20-22). Importantly, researchers who find a positive link between elections and peace also emphasize that this requires inclusive representation in legislative and executive bodies (Birnir, 2007). So how can peace and democracy be achieved in Myanmar, a country where large people groups are effectively excluded from the formal political processes?

4.9.2 Democracy, democratization and civil war in Kachin State

The mode of transition in Myanmar has been in line with the sequencing approach: it has been top-down, carefully guided, and the real democratic opening was postponed until the elite had built an institutional framework within which democratic politics could operate. The underlying assumption of democratic sequencing is that democratization is a risky process, which heightens tensions and increases the risk of conflict. Proponents of democratic sequencing argue that the sequential approach stabilizes the country in transition and is more likely to lead to successful democratization. Why, then, do we still see dramatically heightened levels of conflict in some areas in Myanmar, such as Kachin State?

In order to understand whether and how there is a link between the mode of transition and the eruption of conflict in Kachin state, it was first necessary to analyze carefully how and why the conflict erupted in the first place, and why it still has not been resolved. As we have seen, there are several causes of tension between the Kachin and the central government: rich natural resources and business opportunities, ethnic discrimination and assimilation, and widespread and deep distrust resulting from decades of experience with civil conflict, broken promises and unfulfilled agreements. In addition, there is a lot of frustration caused by the denial of participation in the country’s decision-making processes, including the writing of the 2008 Constitution that they are now subject to.

Only months after Thein Sein was applauded worldwide for introducing democratic and liberal reforms, the tatmadaw moved their troops into Kachin controlled area. From the Kachin’s perspective, this act was perceived as a clear breach of the 1994 ceasefire agreement. However, the ceasefire agreement had already started to crumble after the KIA rejected the government’s BGF proposal in 2009, and the Burmese army stated that they would now treat the Kachin as they had done prior to the 1994 agreement.

The conflict that erupted in June 2011 in Kachin State has been of a larger scale and with more advanced weaponry than what has been the case in the past (Transnational
Institute, 2013, 6) Several Kachin informants testified during the interviews that they had never witnessed such high intensity in of fighting before (Informant-1, -2, and -4). Kachin informants argued that the conflict has nothing to do with the democratic reforms (Informant-3), and that the military acts on its own accord. Essentially, the military is more powerful than the President and the civilian government (Informant-8, -12, and -17).

“They just play politics…in the constitution they said that the President is the most powerful person in the country. But in practice – no. It’s the military” (Informant-8).

The interviews with Kachin informants paint a rather gloomy picture of the prospects for democracy and peace in Kachin State, although they did report some improvements since Thein Sein introduced the reforms in 2011, such as freedom of movement and freedom of speech. One informant argued that there is rising awareness in all of Myanmar regarding what is happening in the ethnic minority areas, and that people from central Myanmar are responding to the injustice that is happening (Informant-12). Still, most informants report that they feel cheated in the democratization process, which takes place in a system that promotes centralization and majority tyranny rather than federalism and protection of minority rights (Informant-4; -5; -6; and -17).

The lack of faith in the system itself, in the 2008 constitution, and the process in which it was built, is one of the main reasons why the KIO/KIA refuse to sign the NCA from October 2015. Informants point out that they were not included in the process of writing the Constitution, and they do not agree with the terms that are set for them there. The 2008 Constitution provides the Kachin with no guarantees for the protection of their own land, language, culture, and traditions. Under these circumstances, disarming is not an option for them.

“We need to take up arms in order to protect ourselves, in order to protect our land, because the Burmese Army broke the agreement. They don’t usually follow any agreements. First we see the Panglong Agreement, after that the ceasefire agreement – so how can we trust and disarm within a very short time? I think it is impossible to tell any group at this time to disarm. There’s no guarantee in the constitution for us” (Informant-13).

Without substantial change in the political system, where the Kachin and other ethnic minorities gain some degree of self-government and guarantees for protection of minority rights, it is highly
unlikely that peace, and thus also democracy, can be achieved in Myanmar. As of this moment, the constitution empowers and protects the dominant role of the military, while the military is in charge with protecting the constitution, by any means. This deadlocked situation is not just a side effect, but a direct result of the elite-led carefully guided approach.

Proponents of gradualism/transformative democracy argue that autocratic elites have little or no incentives to establish institutions that would undermine or put at risk their hold on power. They could, however, have incentives to establish institutions that seem more democratic, in order to improve foreign relations and enhance economic opportunities. The sequential approach has in the case of Myanmar led to a drastic improvement of foreign relations as well as economic opportunities. Although the main beneficiaries of the reforms are the elite and the Burman majority, some reforms have undoubtedly benefited the people in ethnic minority regions as well. Even so, the institutions put in place prior to democratic opening constitute the main hindrance to further development towards democracy and peace.

Although Myanmar currently has a democratically elected government, this government is faced with a large number of challenges and a very narrow playing field. After all, the old military autocrats still decide the rules of the game, and these rules foster neither peace nor democracy for the ethnic minorities in Kachin State. One Kachin informant argued that, even if Aung San Suu Kyi and the NLD government have every intention of promoting democracy in Myanmar, their efforts would be effectively blocked by the existing structures put in place by the military autocrats (Informant–4):

“We are still skeptical of Aung San Suu Kyi, because she would not bring a new model of political system. She would continue building a democratic society based on the existing structure. The existing structure is based on the 2008 constitution, and the 2008 constitution is rigidly empowering the military… How can the newly elected government, the NLD government, build a democracy?” (Informant–4).

Following a sequential approach where the elite establishes the institutional framework before opening up for public participation has led to an ethnically exclusive system of governance. Rather than fostering peace and democracy as the theory expects, this approach has resulted in a situation with increased ethnic conflict and major hindrances for further advances toward democracy. In addition, these hindrances are the very institutions that were established by the elite prior to democratic opening, which, according to the sequencing theory, is supposed to improve the conditions for peace and democracy. Thus, what we see
happening in Myanmar and Kachin State completely contradicts the core arguments of democratic sequencing. The very approach that is supposed to be conducive to peace and democracy actually constitutes the main hindrance to peace and democracy.

There is a need for inclusive institution-building in order to build sustainable peace and substantial democracy. The ethnic minorities in Kachin State want to take part in deciding the rules of the game, and until they get a say in this, they refuse to negotiate peace. This finding supports the gradualist/transformative democracy argument: from the very beginning of the process, there is a need for more democracy – not less – in order to achieve successful democratization and sustainable peace.

4.10 Conclusion
Although many ethnic regions in Myanmar have experienced improvements since the initiation of democratic reforms in 2011, the opposite can be said to be true of others, such as Kachin State. Only a few months after the new semi-civilian government headed by President Thein Sein took their seats, conflict erupted in Kachin State after seventeen years of ceasefire. Six years later war is still raging in the region, now inhabiting over 120 000 displaced people. This chapter is an attempt to answer the question of whether and how there is a relationship between the conflict in Kachin State and the mode of transition in Myanmar.

This chapter finds that there is indeed a relationship between the conflict in Kachin State and the democratic sequencing approach in Myanmar: While democratic sequencing claims to promote peace and stability and successful democratization, it has in the case of Kachin resulted in dramatically increased instability and continued lack of democracy. Furthermore, it is the very aspect of the theory that is supposed to be stabilizing, the establishment of institutions prior to democratic opening, that has been one of the main roots of the conflict as well as the reason for which it has not been resolved. Kachin informants report that the 2008 Constitution presents one of the main hindrances to peace and democracy in Myanmar.

This finding contradicts the core argument of democratic sequencing theory. The ethnic minorities in Kachin State will not agree to play by rules that they were not a part of deciding, especially when they view these rules as discriminatory and undemocratic. As previously mentioned, the ceasefire from 1994 started falling apart already in 2009, when the KIA refused to accept the government’s BGF proposal. Rather than agreeing to negotiate the matter, the government simply announced that it would treat the Kachin
as it had prior to the 1994 ceasefire agreement was made. Meanwhile, the Kachin are
not interested in laying down arms until the government provides some guarantees for
the protection of ethnic minority rights and self-determination as they had initially
agreed to in 1948.

Proponents of gradualism and transformative democracy view democratization as
a process of cumulative steps, with advances and retreats. Furthermore, they emphasize
the importance of inclusion of the public from the very beginning of the process, so that
the regime is slowly transformed, bottom up, into a democratic system for everyone.
This way, the public takes part in deciding how the institutions will look and function,
so that the democracy that is being built will actually be a democracy of the people, for
the people, by the people. Although it is not useful to think in terms of “what if”, one
can easily wonder what Myanmar would look like today if people, including the ethnic
minority groups, had been included in the process of building the state institutions from
the very beginning.
Chapter 5

CONCLUSION

Though still far from being a consolidated democracy, Myanmar has taken several important steps in that direction over the last decade. Since the initiation of democratic reforms in 2011, the country has enjoyed more freedoms and liberties than it has since the military coup of 1962. The seven-step roadmap to a “disciplined-flourishing democracy” which was announced in 2003 was followed carefully by the previous military government. The roadmap culminated in 2010 with the carefully elite-controlled election of the first “civilian” government in five decades. The 2010 election, albeit flawed, marked an end to five decades of military dictatorship, and was celebrated by democracy-proponents both domestically and worldwide. Foreign governments were quick to lift their sanctions against the Myanmar government, and diplomatic relations were normalized. The country that had been a dark spot on the map for several decades was now open to trade, tourism and diplomacy.

While Myanmar was celebrated for their democratic development, a seventeen-year long ceasefire was broken in Kachin State. The conflict that followed has led to mass casualties on both sides, and the displacement of more than 120 000 people. While the democratic transition in Myanmar has no doubt benefited and empowered many civilians, ethnic minorities in Kachin State and other ethnic regions have experienced a dramatic worsening of their situation.

The study places itself in the midst of a theoretical debate between democratic sequencing (Mansfield and Snyder) on the one hand, and gradualism (Carothers, 2007) or transformative democracy (Stokke and Törnquist, 2013) on the other. Because the democratic transition in Myanmar resembles that of the sequencing approach, it is used as a crucial case to test the theory. By carefully assessing the historical events taking place throughout the democratization process and comparing these with the expectations of each theory, we found evidence that supports and refutes the theoretical arguments. If the findings support the theoretical arguments, the theory’s credibility is strengthened. However, contradicting findings raise serious doubts about the theory’s general usefulness in explaining or guiding democratic transitions.

Chapter three analyzed the first research question, namely: what characterizes the democratic transition in Myanmar and how can it be explained in light of major positions in democratization studies? The findings show that the democratic transition in Myanmar is characterized by being carefully controlled, elite-led, with cautious attempts at democratic and liberal opening. The 2010 election was flawed in the sense that there was no real opposition
competing, and large groups of people were unable to vote, for a variety of reasons. The opposition was divided on the matter of whether or not to compete within the framework of the 2008 constitution, which is largely viewed as undemocratic in itself. Consequently, the military-formed USDP (Union Solidarity and Development Party) won the election, and the former Army General U Thein Sein was appointed President. Expectations for any real change happening under this government were low or rather non-existent, so there was a big surprise when the President announced liberal and democratic reforms soon after the government took their seats in March 2011. Even more surprising was the fact that the government followed through with implementing these reforms, building bridges with opposition groups and NGOs, liberalizing the media, and opening up the public space for political debate.

By 2012-2013, however, the democratization process appeared to have stalled. Laws that had previously been used to jail dissidents were still in force in 2013, among the most repressive of these being the Electronic Transaction Law, which can give up to fifteen years in prison for distributing information in digital form that is perceived as detrimental to the interest of or lowering the dignity of any organization or person (Ytzen, 2014, 33). The reforms that were implemented only provided limited freedom and did not structurally alter the relations of power in society. The political parties and CSOs that pushed for democratic liberties were still politically marginalized, something that has been evident by the lack of substantive negotiations on constitutional amendments. Moreover, some regions have experienced an increase in violent conflict, resources grabbing, and ethno-religious hostility and oppression.

The violent crackdown on peaceful protesters in 2015 showed that the freedom of assembly and expression was still severely limited. In addition, the lead-up to the election was marked by increased ethnic hostilities, particularly against the Rohingya Muslims, and questionable election campaign tactics. The UEC (Union Election Commission) was neither impartial nor independent, and the campaign rules placed severe restrictions on the campaigner’s freedom of expression, through censorship and strict control of their activities. Furthermore, the state media was still biased in favor of the ruling USDP.

Despite these obvious flaws in the pre-electoral phase, the main opposition party, the NLD, won a landslide in the 2015 election. Observers around the world are now watching expectantly to see how the Nobel Peace Prize laureate, Aung San Suu Kyi, is going to use her new powerful position as “super-minister” to promote democracy, rule of law and peace in the war-ridden country. One year in, however, little substantial progress has been made. Critics argue that, although she has gained political influence, Aung San Suu Kyi has not managed to strongly challenge the interests of the old elite or considerably alter state policy. This critique is especially
related to the ongoing human rights abuses of the Rohingya minority, whose conditions are increasingly desperate.

The military remains a decisive player in civilian politics, and signs of constitutional change are still not in sight (Gaens, 2016, 2). Despite calls from ethnic communities and opposition parties, the Tatmadaw still refuse to negotiate amendments to the 2008 constitution. Because the constitution guarantees the Army twenty-five percent of the seats in parliament, and requires seventy-five percent majority from parliament to make any constitutional amendments, the army has effective veto in this respect. As one informant argued:

“Even though eventually it should be a democratic society, in reality the constitution itself is not a democratic constitution. So the consequence of this is a non-democratic society. So how can we believe the implementation of the democracy of the Thein Sein government? That is the challenge of this country” (Informant-4).

Skeptics argue that the top-down elite controlled transition is carefully designed to maintain the oligarchs’ hold on political and economic power. Arguably, introducing limited rather than substantial reforms effectively enhances the elite’s legitimacy abroad and increases their economic opportunities, without putting them at risk of losing their powerful position. Indeed, the military elite’s hold on power is still safely guarded by the 2008 Constitution, and in turn they guard it well.

According to democratic sequencing, allowing the old elite to establish institutions prior to democratic opening is conducive for achieving stable and successful democratization. Seven years have now passed since the military arranged democratic elections in Myanmar, and it is evident that there has been movement towards democracy. However, contrary to the theoretical expectations of democratic sequencing, the very institutions that were put in place by the elite prior to democratic opening are now hindering further advancements. Rather than seeing further movement towards stable democracy, as the theory predicts, what we now see in Myanmar is a locked situation of a popularly elected government under military control.

Chapter four analyses the situation in Kachin State, and asks the question: what, if any, are the links between the mode of democratization and the resumption of warfare in Myanmar and in Kachin State? War in Kachin State broke out in June 2011 only three months after the new government headed by President Thein Sein took their seats. The new government pledged to work for peace in the war-ridden country, and they did indeed initiate peace talks with many EAOs. Among these is the KNU who has been fighting one of the country’s most protracted conflicts since
before independence. Meanwhile, the military started launching attacks in Kachin State, Myanmar’s northern region.

This chapter looked closely at what happened in the process of the outbreak of war in June 2011, and the chain of events that took place in the following years. Findings show that there are indeed links between the sequential mode of transition and the outbreak of conflict in Kachin State, and these links are contrary to the theoretical expectations. The institutions that were put in place by the military prior to democratization are now fostering, rather than preventing, conflict in Kachin State. More specifically, the KIO/KIA refuses to cooperate within an institutional system that was built for them without including them in the decision-making process.

The BGF proposal, which was presented to the Kachin and other EAOs in 2009, came out of the 2008 Constitution stating that Myanmar should only have one army. While this is a natural arrangement in any state, the BGF proposal was viewed by the KIO/KIA and other EAOs as a disarmament strategy without guarantees for the ethnic minorities. After attempting to negotiate on the matter, and having their counter-proposals bluntly rejected by the military government, the KIA rejected the BGF proposal. As a result, the tatmadaw announced that they would now treat the KIA as they had done prior to the 1994 ceasefire. Although this took place two years before the actual breakdown of the ceasefire, several Kachin informants agreed that the BGF proposal and their rejection of it was one of the main causes of the outbreak of the war in June 2011.

While proponents of democratic sequencing argue that this careful, elite-led approach reduces the risk of conflict and enhances the chances of successful democratization, it has in the case of Kachin resulted in the worsening of an already dire situation. There are many causes of the conflict in the northern region, all of which play an important part in this confusing puzzle. However, one of the most commonly mentioned causes of the conflict among the Kachin informants was the BGF proposal, and the lack of inclusion of the ethnic minorities in the process of writing the 2008 constitution. The establishment of strong institutions prior to democratic opening is one of the core features of the sequencing approach, and is supposed to stabilize the transition. The development of the situation in Kachin State over the past decade shows that this very feature of the democratization approach is one of the main causes and drivers of the conflict. Thus, rather than stabilizing the transition as the theory predicts, the democratization process has led to dramatically increased conflict in Kachin State.

The gradualist/transformative approach emphasizes the importance of inclusive participation from the very beginning of the democratization process, also, and perhaps especially so in the process of establishing institutions. The state institutions provide the framework within
which people can participate. This framework should arise from the will of the people, including minority groups, in order to foster substantial, substantive and sustainable democracy.

Interviews with Kachin informants revealed that their unwillingness to sign the new ceasefire agreement is based on their certainty that they cannot achieve their aims through any means other than warfare. This certainty derives from their experience of seventeen years of ceasefire under the military government without attaining any real political change, as well as them still being broadly excluded from formal political processes in Myanmar. Concerning the introduction of democracy under President Thein Sein, one Kachin informant stated:

“You know, for the last five years they called it a democracy government – but no! Totally, absolutely not! Because the Chief of State, the top leader of Kachin State, and all the departments are controlled by the central government. This is not democracy” (Informant-5).

Another informant emphasized the importance of changing the political system:

“We cannot have democracy without federalism. And we cannot have federalism without democracy” (Informant-12).

As long as the government keeps putting off initiating real political dialogue and showing will and ability to compromise on these issues, it remains highly unlikely that the KIA will disarm. As said by one Kachin informant:

“Our peace is directly related to the political system. If Aung San Suu Kyi fails to implement the federal system in Burma, our revolution will continue” (Informant-4).

The findings from Chapter three and Chapter four directly contradict the theoretical expectations of the democratic sequencing approach. Rather than seeing increased stability and further advancements towards democracy, as the theory predicts, the old military elite and the institutions they established in the 2008 constitution provide huge obstacles for both democracy and peace in Myanmar. Meanwhile, the findings from the second part of the analysis show that the gradualist/transformative approach might be more applicable in this case. The theory suggests that broad inclusion throughout the democratization process increases the likelihood of achieving successful democratization. The importance of inclusion throughout the process of building
institutions is made clear by looking at the findings from the interviews with Kachin informants, who commonly emphasized exclusion as one of the main causes and drivers of the conflict.

The first part of the analysis also supports some of the core arguments of gradualism/transformative democracy: the autocratic leaders have little or few incentives to establish an institutional framework that would pave the way for genuine democracy, as this would also mean that they risk losing their powerful and privileged position. Rather, they could be likely to establish institutions that appear democratic on the surface in order to enhance their legitimacy, but which also safeguards their position and effectively restricts free and fair competition. In Myanmar, this can be seen by the 2008 constitution and the protection it provides for the military’s hold on power. As noted by one Kachin informant,

“If Aung San Suu Kyi is introducing some kind of rule of law, what is she going to base it on? The 2008 constitution is not a democratic constitution. It’s a very military-dominant constitution” (Informant-4).

The institutional framework provided by the 2008 Constitution and the near-impossibility of changing it poses a main hindrance to further development towards democracy in Myanmar. Thus, the very thing predicted by sequencing theory to foster democracy, namely strong institutions and rule of law, effectively prevents it in this case.

These findings call for a reevaluation of the usefulness of democratic sequencing and the advice that derives from it. While strong institutions and rule of law are important aspects of a well-functioning democracy, this analysis raises questions concerning the usefulness of postponing democratic opening until these institutions are in place. Furthermore, state institutions and rule of law are no doubt important for maintaining stability and peace in a country, but if these institutions are imposed on people who were denied the right to have a say in the formation of them, they can actually turn out to be counter-productive. As a crucial case, the democratization process in Myanmar and the outbreak of violent conflict in Kachin State provides strong evidence against some of the core arguments of democratic sequencing theory. Moreover, the gradualist/transformative arguments are supported by the findings in the analysis. Thus, there is reason to believe that a serious reevaluation of the usefulness of democratic sequencing theory, both in explaining and guiding transitions, and that gradualism/transformative democracy can be more useful when assessing, explaining and guiding transitions, also in conflict-ridden unstable countries such as Myanmar.
According to sequentialism, unsuccessful democratization is a result of too rapid introduction of democratic freedoms in countries that lack the institutional framework necessary to stabilize the regime transition. Although Myanmar is a success story in many ways, the democratic system is still largely flawed, and the conflict level in ethnic regions, such as Kachin State, is higher than ever.

A closer look at the situation in Myanmar reveals that the limited or lack of success cannot be accounted to premature democratization, but rather to the democratic opening coming too late with too many restrictions, benefiting too few.

One informant sums up the current situation in Myanmar quite nicely:

“You can compare the whole country from the past to the present. In the past it used to be a small cage. The bird is perching there, waiting for you to feed it. It doesn’t go anywhere, it just stays there, perching. But now it’s a big cage, it can fly everywhere. But it’s still in a cage. However, this time it has some chance, some opportunity. With enough strength, force from both outside and inside, it can probably remove the cage” (Informant-12).

The logic of taking the space that is provided to push for further democratization closely resembles that of gradualism/transformative democracy. The sequencing argument of simply waiting for the elite to establish the institutions and letting democracy develop on its own accord neglects the necessity of the people themselves pushing this development forward. This aspect is largely emphasized in the gradualist/transformative approach. While institutions are important, the way actors and institutions interact to form the system is equally so. Thus, the analysis strengthens some of the core arguments of gradualism/transformative democracy, while some of the core arguments are weakened. Even more so, the findings reveal that the sequencing approach in this case not just do not lead to the expected outcome, it leads to very opposite: increased conflict and the establishment of limited, semi-democracy.
Bibliography


Attachments

LIST OF INFORMANTS


Informant-2: Board member of the KSDP. 13.01.2016, Myitkyina, Myanmar.

Informant-3: Board member of the KSDP. 13.01.2016, Myitkyina, Myanmar.


Informant-5: Leader in the Kachin Baptist Convention (KBC). 15.01.2016, Myitkyina, Myanmar.

Informant-6: Member of the Peace Creating Group (PCG). 16.01.2016, Myitkyina, Myanmar.

Informant-7: Manager and Secretary of Kachin State Ceasefire Monitoring, Shalom Foundation. 19.01.2016, Myitkyina, Myanmar.

Informant-8: Representative Office of Kachin Affairs (ROKA) Thailand, and wife of KIA General. 19.01.2016, Myitkyina, Myanmar.


Informant-10: IDP camp network manager. 20.01.2016, Myitkyina, Myanmar.

Informant-11: IDP camp network manager. 20.01.2016, Myitkyina, Myanmar.


Informant-14: Burmese, former political prisoner, Assistance Association for Political Prisoners (AAPP). 11.02.2016, Maesot, Thailand.


Informant-17: Myitkyina IDP Camp coordinator. 24.02.2016, Chiang Mai, Thailand.