

## Review

# Managing Ethnic and Cultural Diversity in Myanmar: Lessons from South Africa

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### Abstract

*Beginning in 2011 Myanmar has initiated reforms to transition the country from half-a-century repressive military regimes to civilian rule. As the country's progress towards democratisation it is threatened by cleavages grounded in ethnic, linguistic and religious identities, the study examined how democratic institutional mechanisms could be used to manage Myanmar's diversity drawing lessons from South Africa. Employing comprehensive integrative review methodology grounded on appropriate conflict management approaches, the paper made a critical analysis of the cost of ethnic conflict in Myanmar and drew comparisons between the constitutional and institutional mechanisms established by Myanmar and South Africa. To address the central goal of identifying lessons that Myanmar can learn from South Africa in managing ethnic and cultural diversity, the researcher assessed the impacts of the approaches adopted by both countries, and provided recommendation and elements of change to help Myanmar create 'a state that belongs to all who live in it.' The paper holds that democracy is built and sustained on inclusion and tolerance. As an intricate cultural mosaic, with several decades of repression, discrimination and militarism the sustainability of Myanmar's democracy can best be achieved through constitutional recognition and toleration of cultural diversity; establishment of a parliamentary system of government to facilitate the inclusion of all groups within the legislature and the executive; adoption of proportional representation to ensure that all minority parties have the possibility to access national politics; and the establishment of a genuine federalism and autonomy arrangement that gives each constituent group a political space of their own to express their own values, identities and interests.*

**Key words:** Ethnic group, Ethnic conflict, Cultural diversity, Democracy, Diversity management

### INTRODUCTION

A major global concern is how governments can create and maintain stability and social order in our multi-ethnic and culturally diverse societies. Evidence from countries such as Republic of the Union of Myanmar, Rwanda, Russia, India, Afghanistan, Turkey, Palestine, Haiti, Algeria, Congo, Sierra Leone, Somali, Burundi, Spain, Colombia, Philippines, Sri Lanka, South Sudan, Angola, Indonesia and Kenya attest quite graphically that the non-accommodation of ethnic interests, participation and representation fuel intra-state tensions which could turn into full-blown regime along ethnic or other dividing lines. Such ethnic groups without access to political institutions are prone to challenge the government and start insurgencies (Cederman et al., 2009). It is thus predictable when Donald Horowitz in his study on ethnicity found out that ethnic-related riots claimed more lives in the twentieth century than any other form of collective violence (Horowitz, 2001).

Most serious is the situation by Republic of the Union of Myanmar (hereinafter "Myanmar"). Issues of identity, economic and social marginalisation of ethnic minorities,

denial of self-governance and discriminatory practices have fueled armed conflict between ethnic minority groups and the government since gaining independence from Britain in January 1948. In the west, anti-religious persecution of the Rohingya Muslim minority in Rakhine State has resulted in large numbers of internally displaced persons and mass human rights abuses and other forms of humanitarian crisis. In the North, there is an unending fighting between Myanmar troops and the Kachin Independence Army (KIA). In all these, successive military regimes before 2011 fruitlessly resorted armed solution which has resulted in low level of economic and human development.

Sadly, efforts by international, regional and internal actors to provide a suitable way forward and secure sustainable peace in the Myanmar have not achieved much. But as Mu'id (2003) admits the conflict resolution efforts have failed because they have largely focused on conflict control rather than elimination. Worse still, research findings from scientific publications on managing the Myanmar conflict are limited. The available

works including (Holliday, 2010; Durand, 2013; Jolliffe, 2014; Ware, 2015; South and Joll, 2016) did not focus much on the use democratic structures and institutions to manage the problem. More so, except South and Joll (2016) these researchers adopted interpretative single case study, thus failing to provide critical comparison on how other countries that have been in the same situation before managed theirs; and in the case of South and Joll (2016) the attention was on governance and service delivery in conflict-affected communities rather than institutional setups. These approaches as Mu'id (2003) remarks are not suited to asymmetric conflict where the state is the problem.

Since 2011, a triple transformational process – political, economic and peace-building – has positioned the country on the path of remarkable change. However, success is threatened by difficult political and economic history – civil wars rooted in ethnic conflicts, communal tensions, identity politics, distrust, weak institutions, land and natural resource management, and the reluctance of the military to abdicate politics. While these challenges should not be underestimated, other countries have overcome similar obstacles, and their experience can provide valuable lessons to guide Myanmar. The experience of South Africa shows that democratic institutional arrangements play a central role in overcoming destructive barriers erected by social divisions based on ascriptive identities in order to establish and consolidate democracy. Notwithstanding the country's traumatic apartheid past – ethnic repression, polarisation along racial lines, and the widely held predictions by scholars such as Donald Horowitz (1991) and Lijphart (1985) that ethnicity would become a major source of political cleavage in post-apartheid South Africa, the country has been able to maintain harmony among the various ethnic groups through institutional arrangements. This provides enough justification that ethnic fragmentation does not undermine the prospects of democratic transformation.

Thus, as Myanmar transitions from military rule to democratic governance, a centrally-directed and a closed economy to one that is market based, and embarks on a national peace process seeking to resolve over five decades of armed conflict, it is crucial to devise methods, strategies and mechanisms to ensure that it does not falter in these pursuits. Interestingly, South Africa's experience in dealing with ethnic and cultural diversity provides a shining example to learn from.

## **MATERIALS AND METHOD**

To address the objective of the study, the researcher adopted the qualitative approach to research based on integrative review methodology and multiple-case study design. Creswell (cited in Leedy, 1997) defined a qualitative study as “inquiry process of understanding a social or human problem, based on building a complex, holistic picture, formed with words, reporting detailed views of informants, and conducted in a natural setting.” Using the approach for the study was based primarily on the potential it has to inform policy and practice (Campbell et al., 2003; Newman et al., 2006) and the existence of a plurality of truths (Fraser, 2004).

To investigate the effectiveness of the approaches which South Africa and Myanmar have adopted to manage diversity and to draw attention to the question of what specifically can be learned from South Africa the multiple-case study was used instead of single case study design. However, the use of multiple-case study design was defined by the interest in individual cases, not by methods of inquiry used. The design was also significant not only because its ability to provide a much richer and more vivid picture of the phenomena under study (Marshall and Rossman, 2014) by more importantly, by comparing the cases the researcher was able to provide literature with an important influence on the contrasts and similarities (Vannoni, 2015).

Myanmar and South Africa were specifically selected for this case study because of the need for the former to draw lessons from how the latter has been able to sustain its democracy betwixt multiethnic and multicultural diversity and dreadful history of repression, discrimination, and ethnic politics. Both Myanmar and South Africa adopted Burmanisation and Apartheid respectively aimed at projecting one ethnic group and assimilating the others. Again like the Rohingya in Myanmar, South Africa has minor ethnic groups such as the San, Nama, Griqua and Korana, and the revivalist Khoesan groups who are demanding official recognition as indigenous peoples and protection of their rights. But unlike Myanmar, South Africa stands out as one of the few countries which have embarked on ambitious to address the problems of their ethnic minorities. In fact, while UN human rights chief, Zeid Ra'ad al-Hussein calls the situation of Rohingya community under civilian government “a textbook example of ethnic cleansing,” the Report of the UN Special Rapporteur on Indigenous Peoples' Mission to South Africa concludes that indigenous ethnic groups have never been marginalised or discriminated against in South Africa.

Appropriate conflict management approaches – primordial, institutional, political entrepreneurs, and competition over resources – were employed to provide an explanation on Myanmar's ethnic conflict. Using comprehensive integrative review methodology as cautioned by Broome (2000) involves detailed and thoughtful work. Towards this to address the threat of validity the study adopted the data triangulation technique by using a combination of data sources as envisioned by (Cooper, 1998) and the methodology of each of the studies to judge data which were worthy to remain in the study data. The reliability of each of the selected study's findings was also evaluated both in and of itself and in comparison with others.

## **ETHNIC CONFLICTS**

Miall et al. (1999) note that prior to the end of the Cold War in 1991, the international system was preoccupied with interstate asymmetric conflicts. However, contemporary global conflicts as they acknowledge are predominantly symmetric and internal in nature partly due to ethnic conflict (Reilly, 2012). Brown defines internal conflict as “violent or potentially violent disputes whose origins can be traced primarily to domestic rather than systemic factors, and where armed violence takes

place or threatens to take place primarily within the borders of a single state” (Brown, 1996). According to Stavenhagen (1991) conflict is considered ethnic when it involves organized political movements, mass unrest, separatists’ action, and civil wars with opposing lines drawn along ethnic motives. Smith (2000) on his part explains ethnic conflict as “a continuum of events which range from the articulation of dissatisfaction, protest, mobilisation, confrontation, sporadic or sustained violence, and civil war or insurrection, in which ethnicity plays a key role.” Ethnicity, as noted by Davies and Rothschild (1996), is the condition of being a member of an ethnic group. Fearon and Laitin (2000) define ethnic groups as “groups larger than a family for which membership is reckoned primarily by descent, is conceptually autonomous and has a conventionally recognised ‘natural history’ as a group.” The United Nations (2013) gives the criteria by which ethnic groups are identified as “by ethnic nationality (i.e., country or area of origin, as distinct from citizenship or country of legal nationality), race, colour, language, religion, customs of dress or eating, tribe or various combinations of these characteristics.”

Thus, ethnicity in itself is defensive and corporate in nature. It is defensive in the sense that it is static and has fixed or immutable boundaries of members (because of common ancestry) who seek to maintain its membership but do not look at admitting or gaining new members. It is also corporate to the extent that members are likely to view state authority favourably when people of their own are part of policy-makers. On the contrary, there is a feeling of alienation when members of an ethnic group perceive that members of other ethnic groups receive more representation and participation in the policy-making process than theirs. The situation is severer when means for seeking redress is limited. For instance, the United Nation Human Development Report 2004 provides that two-thirds of countries of the world have minority groups that make up more than 10 percent of their population, and nearly a billion people belong to groups subject to some form of exclusion. They usually respond by politically mobilizing their members against what they consider as relegation.

## CAUSES OF ETHNIC CONFLICTS

Nature and forces that create and sustain ethnic conflicts have provided the incentive for scholars and practitioners to look for understanding to it. In this pursuit, a number of theoretical explanations including primordial approach (Geertz, 1963; Rothschild, 1981; Horowitz, 1985; Smith, 1993; Ghai, 2001), institutional (political system) approach (Enloe, 1981; Nagel, 1986; Brunner, 1996; Brass, 1997; Crawford, 1998; Pul, 2003), political entrepreneurs (instrumentalist) approach (Kaufman, 1996; Rothchild, 1996; Figueiredo and Weingast, 1997; Crawford, 1998) competition over resources approach (Bonacich, 1972; Kposowa and Jenkins, 1993; Williams, Jalali and Lipset, 1996) have been developed to uncover the source of this violence.

The primordialist school focuses on the emotional dimension of ethnicity and its potential to serve as a tool for conflict.

According to the primordialist view, ethnicity is an ascribed identity, static and rooted in common a shared common ancestry. The emotive power of ethnic distinctions inevitably leads to political demand and conflicts (Ghai, 2001). For a primordialist, “[p]eople are naturally emotionally attached to the ethnic group to which they belong and...this attachment necessarily implies feeling of antagonism towards other groups that sooner or later express themselves through violence and/or, in [multi-ethnic states], in movement towards independence”(Diez-Medrando, 2007). Irrespective of state policy, this school argues, there is an innate propensity among different ethnic groups to engage in conflicts. For example, Rothschild asserts that the existence of ethnic emotions born out of “personal identification, emotional security, and communal anchorage” among ethnic and cultural groups account for ethnic conflicts. The argument is that in the absence of genuine state mechanisms to control the projection of one or few ethnic groups against the others the tendency to project and manifest ethnic inclination and reject others is high. This is well captured by Anthony D. Smith who emphasises that “Whenever ethnic nationalism has taken hold of populations, there one may expect to find powerful assertions of national self-determination that, if long opposed, will embroil whole regions in bitter and protracted ethnic conflict. Whether the peace and stability of such regions will be better served in the short term by measures of containment, federation mediation or even partition, in the long run, there can be little escape from the many conflagrations that the unsatisfied yearnings of ethnic nationalism are likely to rekindle” (Smith, 1993).

Ahmed (1995) stressing on the use past experience for the purpose of conflict in support of the emotional dimension of ethnicity argues that “history is employed to buttress ethnic and religious polemics and, more importantly, to reclaim and reconstruct ethnic identity...Honour, identity and the media, the past and the future, the rise of what is called fundamentalism or revivalism all relate to the historical reference points.”

The instrumentalist school of thought provides quite a different view of ethnicity. To its proponents, it is deficient to blame historically rooted hatred as the only cause of ethnic conflict. Rather, institutions and political system play important role in defining and regulating the propensity of ethnicity to cause conflict. Crawford (1998) notes that institutions could either “constrain behavior or provide incentives for cooperation and compliance with norms, rules, and procedures for allocation, participation, representation, and accountability.” She identifies that whether identity politics will turn into violent conflict or otherwise is a function of state institutions – “Where identity politics is practiced, states can channel it in peaceful political competition as long as they can make credible commitments to shape and uphold agreements made among culturally defined political actors.” From this she concludes that “countries whose political institutions politicise cultural ethnic identity are more vulnerable to cultural [ethnic] conflict than countries whose political institutions promote social integration of diverse cultural groups.” Pul (2003) equally argues that the tendency for members of an ethnic

group to resort to violence is heightened when the structures and systems of the state exclude them from accessing power and economic resources. Political mobilisation along ethnic lines is thus unavoidable when ethnic inclination is the basis for distributing resources (Enloe and Nagel, 2001).

From the political entrepreneurs approach, political entrepreneurs are likely to manipulate ethnic fears, emotions, and uncertainties of ethnic groups they represent for their own political purposes. Crawford (1998) explains that politicians anxious about gaining or strengthening their own political interests exploit ethnic differences by drawing upon historical memories of grievances and “whip up” ethnic hatred. This has the potential to create security dilemma. Kaufman (1997) points out, “belligerent leaders stoke mass hostility; hostile masses support belligerent leaders, and both together threaten other groups, creating a security dilemma which in turn encourages, even more, mass hostility and leadership belligerence.”

Crawford (1998) indicates that political entrepreneurs approach is closely related to the institutionalist school. In her assessment, the likelihood of political entrepreneurs to succeed in mobilizing members of an ethnic group for violence depends on the nature of existing institutions. “If states provide a legitimate arena for entrepreneurs to compete and if resources available for allocation are abundant, identity politics, like other kinds of political competition, will be legitimate and stable.” Again, according to Zupanov et al. (1996), “politicians whose goal is that of exploiting and/or provoking ethnic/national hatred are in control of media production which is controlled and directed by hate-prone politicians that provokes national intolerance and hatred in the population leading to violence.”

The economic competition approach also provides an insightful explanation of ethnic conflicts. According to its proponents, economic competition over resources and rights can lead to political mobilisation of ethnic identities which when unresolved, may result in a violent conflict. The argument is that modernisation leads to a surge in the demand for resources (such as jobs and housing) and opportunities which lead to ethnic competition. Because such resources are scarce individuals attribute their have-nots to the exploitation, denial, and exclusion. They tend to accuse other ethnic groups of their plight. When political entrepreneurs capitalise on it may lead to inter-ethnic. Lake and Rothchild (1998) explain that “property rights, jobs, scholarships, educational admissions, language rights, government contracts, and development allocations all confer particular benefits on individuals and groups. Whether finite in supply or not, all such resources are scarce and, thus, objects of competition and occasionally struggle between individuals and, when capitalise, groups.” For example, in his analysis of peace accords and ethnic conflicts, Fernand de Varennes, finds that in almost all conflicts, ethnic groups’ demands aimed at securing basic rights for their group such as: more effective political participation, a fairer share and distribution of education, employment opportunities and [other] resources (de Varennes, 2003).

However, as Jalali and Lipset (1992) argue, “given the variety of ethnic conflicts and their dynamic and fluid qualities, no one factor can provide a comprehensive explanation.” This is particularly true in the context of Myanmar whose ethnic situation is extremely multifaceted with a long and complex history of armed opposition groups typically organised along ethnic or religious lines.

## **NATURE OF INTER-ETHNIC RELATIONS BEFORE AND AFTER TRANSITION TO DEMOCRACY**

### **The Case of Myanmar**

Myanmar (called Burma before 1989) is strategic location – not only a crossroads between China and India, but a crossroads between North Asia, South Asia, and Southeast Asia makes the country one of the most multiethnic, multilingual, and multicultural countries in the world. Officially, besides the ethnic Burmese or Burmans (Bamar) which makes up 68 percent of the country’s population of 55 million the country’s 1974 Constitution demarcated seven ethnic minority states - the Chin, Kachin, Karen, Kayah (formerly Karenni), Mon, Rakhine (or Arakan) and Shan which are themselves made of up to 135 ethnicities. Ethnic identity is interwoven with religious identity in the country. According to the CIA World Factbook (2016), the religious make-up of Myanmar is Buddhist 87.9 percent, Christian 6.2 percent, Muslim 4.3 percent, Animist 0.8 percent, Hindu 0.5 percent, other 0.2 percent, and those not associated with a particular religion making 0.1 percent.

Perhaps, the greatest challenge confronted by Myanmar in its transition to democracy and nation-building is integrating its many ethnic minorities in the mainstream. On the eve of independence from Britain, January 12, 1947, Burmese nationalist hero, Bogyoke Aung San and leaders from Shan, Kachin, Chin together with representatives of the Executive Council of the Governor of Burma met in Panglong in Shan State and signed what became known as the Panglong Agreement. The Agreement which emphasised mutual recognition and respect, based on the principles of political equality, self-determination, and voluntary association of the various ethnic groups and constitutional protection of ethnic and cultural minority groups was to be the foundation for the formation of the Union of Burma.

The ‘Spirit of Panglong’ was never fulfilled following the assassination of Bogyoke Aung San in the year of the agreement signing. Since then, members of the Buddhist Bamar majority have not only dominated and control major state institutions, economics and another sphere in the country but their interests have always been promoted to the detriment of those from the ethnic minorities by the central government. The ethnic minorities of the country particularly the Rakhine, Kachin and the northern Shan States have since been subjected to cultural, religious, economic, social and political marginalisation. The country’s failure to manage its ethnic and cultural diversity has resulted in ethnic conflicts, some of which preceded the founding of the Union of Burma on 12 February 1947 and independence from Britain, positioning

Myanmar to have experienced the longest civil war in the world (Campbell, 2013).

Identity politics, inequality, repression and discrimination against Myanmar's ethnic minorities were further deteriorated following the military coup in 1962 and the subsequent takeover by Gen Ne Win who initiated the policy of 'Burmanisation'. Designed to centralise and legitimise the government while uniting the country under a single national identity, the policy led to turning the country into a military dictatorship in 1974. To deepen assimilation, according to Sakhong (2012) in 1989, the Government changed the country's name from Burma, which referred to "a post-colonial multi ethnic, multi religious and multi culture plural nation state", to Myanmar, hence denouncing any recognition of ethnic plurality. But history has revealed that a government's open preference and suppression of diversity in an attempt to build a common national identity in a multi-ethnic state based on the culture of a particular ethnic group only generate strife. The systematic, ruthless and vicious prejudice and repression by various military juntas on ethnic and religious lines led to the establishment of armies (local militias) including the Democratic Karen Buddhist Army (DKBA), the Shan State Army-South (SSA South), the United Wa State Army (UWSA), the Karen National Liberation Army (KNLA) and the Kachin Independence Army (KIA).

Though the country has a dark legacy of oppression against its entire minority nationals, the Rohingya, a Sunni Muslim group, in the Rakhine State has been singled out for the lethal form of exploitation, inequality, repression, discrimination, heinous atrocities, diabolism and oppression amidst numerous other wrongs and injustices.

Although their lineage could be traced back to the 15<sup>th</sup> century Burma, unlike other ethnic minorities, under vague allegation of being illegal immigrants from Bangladesh, successive governments have denied them citizenship status. Series of Myanmar government's policies have also sought to put restrictions on their marriage, family size, employment, birth registration and movement. For example, through the 'two-child rule' – designed to control the group's population growth (Akins, 2013) each Rohingya couple must provide a signed statement that they will not have more than two children, with the understanding that violating the two child rule could result in fines and imprisonment (Human Rights Watch, 2013).

Earlier in 1978, through the extermination operation, Naga Min (Dragon King Operation) introduced by General Ne Win, the Human Rights Watch (2002) reports that beyond abuse, rape, murder, and confiscation of lands and properties, more than 200,000 Rohingya fled across the border into Bangladesh. Again, Ahmed (2012) reveals that Operation Pyi Thaya (Clean and Beautiful Nation) introduced in 1991 in response to political demonstrations in the Rakhine caused the exodus of 260,000 Rohingyas. The Irawaddy (2014) further reports that the "Race and Religion Protection Laws" introduced by the Myanmar government in 2015 allegedly aimed at 'preserving race and religion,' had a clear goal of discriminating against Muslims and other non-Buddhist groups. In fact, in 2002,

Human Rights Watch reported that the government issued military orders demanding that unauthorised mosques be destroyed (Human Rights Watch, 2012). Recently, the army responded with an iron fist following Rohingya insurgents attack some police posts in Northern Rakhine on August 25, 2017. Nyan (2017) indicates that the reprisal attack by the army resulted in the displacement of an estimated 320,000 civilians within two weeks. Similar insurgency attack on three border guard post in October 2016 triggered military operations which forced more than 87 000 Rohingya to flee to Bangladesh as refugees; and in all communal between the ethnic Rohingyas and Rakhine Buddhists the latter received the assistance of police and paramilitary forces to attack Rohingya communities (Human Rights Watch, 2012).

### The Case of South Africa

Like Myanmar, South Africa has a culturally diverse society, with a complex mix of different races, cultural identities, languages and ethnic bonds. Until 1991, law divided the population into four main racial categories. Statistics South Africa (2005) indicates that the individuals whose self-identity was Xhosa, Zulu, or Tswana, even if they felt distinctly different from each other and spoke different languages, were lumped together as Africans (Blacks) by the state. The Blacks account for about 79.4 percent of the population. The Whites made up of Afrikaners, English speakers and other citizens of European ancestry make up 9.3 percent of the country's population. The Coloured who account for 8.8 percent are the progeny of early European settlers, slaves imported from the Dutch Indies and the indigenous people. The Asian or Indian community accounts for 2.5 percent of the population are the descendants of indentured servants brought into the country from India by the British colonial government in the mid-19th century to work on sugar plantations. There is also a small Chinese and Portuguese population in the South Africa.

Though race was used as the main fault line by the government to divide the South African society before 1994 Horowitz (1991) noted that the country was characterised by ethnic cleavages within the racial categories. From the formation of the Union of South Africa in 1910 several laws were adopted by the British pre-colonial government to regulate racial segregation. For example, the 1913 Natives Land Act 27 (Black Land Act) included a 'Schedule of Native Areas' which essentially listed then existing reserves, locations, and farms set aside for occupation by Africans, constituting 8 percent of the surface area of South Africa. Except as labour-tenants black South Africans were prohibited from occupying land outside their reserves. In fact, Africans were only permitted in urban areas because of the need of labour market.

In 1920, the Native Affairs Act was passed to divide the country along tribal lines. The Act established local councils in the African reserves which denied them the right to participate in urban areas and in central government. Furthermore, through the 1923 Natives (Urban Areas) Act, South Africa was divided into two – prescribed (urban) and non-prescribed areas – Africans movement between the two was strictly regulated by

local authorities. In addition, in 1936 the Native Trust and Land Act was introduced to extend and integrate land identified under the 1913 Act into African reserves and thereby formalizing the separation of White and Black. More so, the Urban Areas Act of 1923, consolidated in 1945, restricted Africans' right of movement within South Africa. Various anti-Indian legislation including the Durban Land Alienation Ordinance of 1922, Class Areas Bill of 1923, Boroughs Ordinance of 1924, Township Franchise Ordinance of 1924, Rural Dealers Ordinance of 1924, and the Transvaal Dealers (Control) Ordinance of 1925 excluded the Indian population in several fronts.

Racial discrimination and segregation target particularly against the black Africans and the Indian population became institutionalised and consolidated following the electoral victory of the D.F. Malan's Afrikaner National Party (NP) in 1948 in what became known as Apartheid. Intended to institutionalise White supremacy, Apartheid in practice meant that racial identification was the primary criterion for access to privilege and opportunity in South Africa. As a political tool, Giliomee (1994) succinctly explains that Apartheid was implemented to promote the Afrikaners socially and economically to a position of at least parity with their English speaking counterparts, and also to a position of protection against the apparent social and economic threats postured to the Afrikaners by the Black populations of South Africa.

Policies and laws introduced by the government to achieve the aims of Apartheid did not only heighten the differences among the various racial groups, but also between Black African (particularly the Xhosa and Zulus). Black Africans turned them against each other rather than against the government. The period began with the implementation of the Prohibition of Mixed Marriages Act of 1949. Together with Immorality Amendment Act of 1950 marriage and sexual intercourse between White and Black people were outlawed. The Population Registration Act introduced racially classified South Africans into three categories – White, Black, and Coloured – with the Indians falling under the Coloured category. Implemented together with the Group Areas Act, residential separation among races became compulsory while Blacks were forced to carry passbooks (*dompas*). Racial segregation was strengthened through the Bantu Authorities Act passed in 1951; while the Promotion of Bantu Self-Government Act introduced in 1959 established separate, self-governing homelands for the Black African population.

In accessing education, the Bantu Education Act of 1953 (amended in 1954, 1956, 1959 and 1961) applied separate education system for Black Africans. The Coloured and Indians population had a different education system through the Coloured Persons' Education Act of 1963 and the Indian Education Act of 1965 respectively. Under the terms of these Acts, a separate source of administration, finance, and curricula was designed for education for Whites, Coloured, Asians and Africans. Through the Separate Amenities Acts of 1953 and 1960, Motor Transportation Amendment Act of 1955, and the State-aided Institutions Act of 1957 racial segregation was carried out in public places. Again, legislation such as the Group Areas Act of 1950, and the Workmen's Compensation

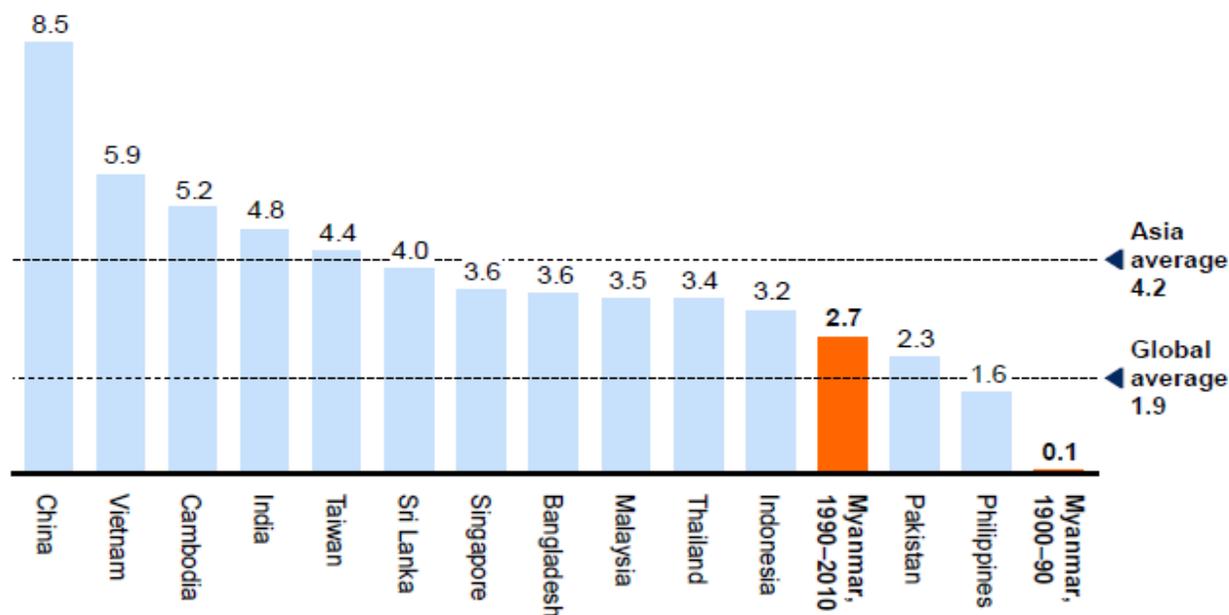
Act indirectly regulated racial segregation in health care delivery in the country. For example, through the Group Areas Act, hospitals were either wholly segregated or segregated by wards. Purported to safeguard the physical, social and moral welfare of workers the Factories, Machinery and Building Works Act of 1960 was also employed to segregate workers by race or sex on the factory floor, in restrooms and lavatories.

Decades of ever-increasing repression, hostile stereotypes and the immorality of the apartheid system generated a culture of violence in the South Africa. Violence became endemic and sanctioned as a means both of maintaining political power, as well as an accepted means of attaining change or resolving conflict even among the Africans themselves particularly between the Xhosa and the Zulus ethnic groups. For example, during the decade of transition from about 1985-1995 political violence dominated black residential areas (Emmett, 2000; Stanley, 2003; Simpson, 2004; CSVR, 2009) referred to as 'black on black' violence. In what is today KwaZulu-Natal (KZN), armed resistance against the apartheid system escalated into a full-scale civil war between the government-affiliated Inkatha and the African National Congress (ANC). Taylor (2002) estimates that 20,000 people were killed due to political conflict during the period.

Also, apartheid promoted a policy which encouraged the assimilation of minor ethnic groups into major ones. Crawhall (1999) states that during the period of colonialism, the State sanctioned series of efforts to exterminate the Khoe and San people because they were seen as barbaric and harmful. Later, the colonial government initiated steps to "Christianize, dispossess them and stop nomadic movements." He further reveals that "Under apartheid, the [s]tate enforced a policy whereby all Khoe and San people who had not already been assimilated into other populations were forcibly registered as Coloured. Failure to register was illegal and unavoidable." As a result majority of the Khoe and the San lost their identity and language.

## **COST OF ETHNIC CONFLICT IN MYANMAR**

Myanmar has unique opportunities to propel the economy and the lives of its people at least to a position as one of the Asian Tigers. Five of the country's neighbours – Bangladesh, Thailand, Laos, China and India account for more than 40 percent of the world's population which provides huge market potential (Piper, 2012) while China and India are the rising economic powers in the 21st century (Chhor al., 2013; Asian Development Bank, 2012). Close to a century before becoming "the rice bowl of Asia," the country had become a forerunner of the oil rush, exporting its first barrel of crude oil in 1853. The US Energy Information and Administration estimates that Myanmar has a worldwide rank 38th in 2014 in proven natural gas reserves. The country also accounts for 90 percent of the global value of jade production, a commodity valued highly in Asia. In gem production, Myanmar is among global leaders and ranked 4th and 9th in official ruby and sapphire production in 2005 respectively (Yager et al., 2008). Yet still, a young population, a long coastline and favourable climate for



**Figure 1: Per capita GDP growth in Purchasing Power Parity (PPP) among countries: 1990 – 2010**  
Compound annual growth rate (%)

Source: International Monetary Fund; Conference Board Total Economy Database, in Chhor et al. (2013)

agriculture provide additional advantages to the country. McKinsey Global (2011) further reveals that in total land possession among countries, Myanmar ranks 38th and it is the world 25th largest in terms of agricultural land.

Indeed, prior to the 1930 Myanmar played a major role in global economy. As a major exporter of rice, timber and petroleum products during the late 19th and early 20th centuries, Chhor et al. (2013) reveal that Myanmar was among the fastest-growing economies in the world and one of the most developed economies in Asia. For instance, Yangon (Rangoon) served as Britain's primary trading port and transport gateway to Southeast Asia. But the situation of Myanmar particularly between 1990, when the country was portrayed as a pariah state by the United States and other Western countries and the transition in 2011 offers a glaring manifestation of the cost that the country has to pay for five decades of sporadic armed conflict between the Tatmadaw and ethnic armies, communal tensions, international isolation and economic sanctions.

Today, Myanmar has been displaced in paddy production by Thailand, Vietnam, and India. Most reports within the period agree that at least half of the population lived at or below the poverty line (Steinberg, 2006). The World Health Organisation estimates that the proportion of the population living on less than US\$1 a day may be as high as 90 percent (WHO, 2008) while a 2013 parliamentary committee report on income and employment survey reveals that Myanmar's unemployment rate is approximately 37 percent (Shift Project, 2013). Currently ranked 150 out of 195 on the Human Development Index and considered a Least Developed Country by the UN, "Myanmar is one of the poorest countries in East Asia and the Pacific with depleted human capital as the education system, once one of

the best in Asia, withered." The World Bank further reports that poverty rate in Chin and Rapphine; two of the most conflict-affected areas are 71 percent and 78 percent respectively (World Bank, 2015). This confirms the vicious cycle whereby conflict holds back development and under-development.

Myanmar economy continues to depend heavily on agriculture when others in the region are shifting to manufacturing. With about 55 percent of its population under the age of 30 based on the 2014 census, low labour cost and closeness to China, Naypyidaw has an opportunity to enhance output in labour-intensive industries. However, due to instability, it has not been able to take advantage of the opportunity provided by China's economic shift from labour-intensive to capital-intensive and high-tech industries. For example, Chhor et al. (2013) reveal that while the share of agriculture of GDP from 1965 to 2010 dropped sharply in other Asian economies it rose from 35 percent in 1965 to 44 percent within the same period in Myanmar. On average, agriculture constituted 12 percent of the overall GDP of other Asian countries in 2010. During the same period, the average annual GDP growth of the region was nearly 6 percent but Myanmar recorded 4.7 percent a year (IMF and Sein, 2007). Again on per capita basis, the country lags behind the rest of Asia. As indicated (Figure 1), during the period, Myanmar's per capita GDP grew at a compound annual growth rate of 2.7 percent about half of the average of Asian benchmark countries of 4.2 percent (Chhor et al., 2013).

Among other factors, the relatively low level of inflows of foreign direct investment (FDI into Myanmar accounted for its per capita GDP during the period. Myanmar has since 1988 implemented foreign investment law to foster economic

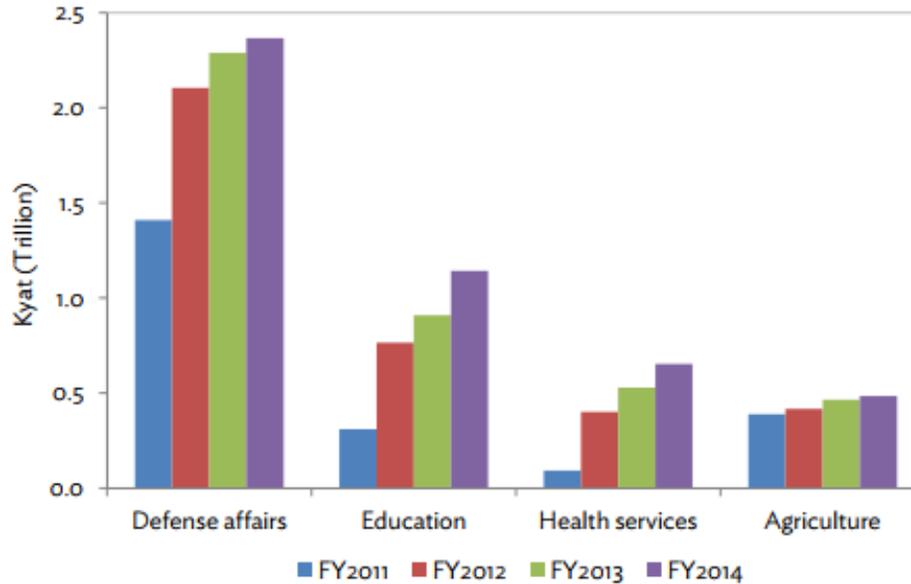


Figure 2: Public Expenditure Allocation by Sector. FY= fiscal year;  
Source: Union Government of Myanmar (2011, 2012, 2013, and 2014), in Oo et al., 2015

development. However, until now, the country is yet to harness the impact of FDI mainly because the long period of isolation which made it loses most access to international investment and assistance, and the armed conflict between various ethnic groups with the country's central authorities. Rieffel (2010) reveals that Myanmar is the least beneficiary of foreign aid on a per capita basis among low-income countries because the major aid-giving countries are Western democracies that suspended bilateral aid in 1990. For example, the Human Rights Watch (2013) reports companies from U.S. did not invest in all sectors of Myanmar's economy from 1996 to 2012. Despite the suspension of sanctions, failure of the government to improve inter-communal relations, instability and simmering threat of violence in states such as Rakhine State deter private sector investment.

A larger portion of Myanmar's public expenditure goes into defense to the detriment of other basic services. Compared with other member countries of the Association of Southeast Asian Nations (ASEAN), Myanmar has low health status (Vicary, 2007). The World Health Organisation reveals that within the region, Myanmar "has the lowest life expectancy at birth, and second-highest in terms of infant and under-five mortality rates, prevalence of underweight, prevalence of HIV and incidence of tuberculosis" as the government's total health expenditure from 2000 to 2010 remained static at 2 percent of the GDP. State's investment in education was just 0.3 percent of GDP in 1999-2000 and around 3 percent to 4 percent of total public expenditures from 2008-2009 to 2011-2012 lower than neighboring countries with huge inequality gap. For instance, Rohingya students who wish to access higher education are prohibited from studying particular substantive areas such as

medicine, dentistry, and engineering (McDowell, 2013; Human Rights Watch, 1996). In fact, for the period 2004-2009 the government spending on the military was consistently higher than combined expenditure on health and education making Myanmar the only country in Southeast Asia where this was the case (Turnell, 2011). This is confirmed in (Figure 2).

Moreover, addressing corruption, natural resource management, land, and drug production and trafficking remains difficult in Myanmar due to the long legacy of conflict. In 2013, Resource Governance Index Resource Watch Institute Myanmar was ranked last (58th out of 58) by Resource Watch Institute because for decades natural resources had been exploited with almost complete disregard to the socio-economic impact on the local population. The country is the second largest opium poppy grower in the world after Afghanistan (UNODC Opium Survey, 2013), and its production of the substance is concentrated in conflict-affected areas in Kachin and Shan State.

Also, protracted conflict, insecure land tenure and lack of livelihood opportunities in Myanmar have resulted in significant migration out of the country, displacement and various forms of human rights violation. The conflict has displaced communities and created long-standing refugee populations (South and Jolliffe, 2015). The European Commission reveals that Myanmar has the highest risk of humanitarian crises in North and Southeast Asia, and ranks 12th worldwide. The United Nations Office for Coordination for Humanitarian Affairs further estimates that as at October 2017 internally-displaced people in Rakhine State, and in Kachin and Shan States stood at 120, 000 and 98, 000 respectively while there are 525 thousand people in need of

humanitarian assistance. This has led to significant reduction in the size of the workforce of the country and undermined prospects of development and economic growth.

In addition, transportation infrastructure in Myanmar lags behind most member countries of the ASEAN. According to the Asian Development Bank (2014), Myanmar has the second lowest road density in the ASEAN region at 2 km per 1,000 people, compared with the regional average of 11km. Similarly, compared with its peers, Myanmar lags behind in port infrastructure, railway, and water transport networks. For instance, the country's Liner Shipping Connectivity Index can only be equated to that of Cambodia in the region. In electricity, Myanmar's per-capita consumption is the lowest among the ASEAN, with 74 percent of the population without access to electricity (World Economic Forum, 2013). It also performs abysmally in telecommunication penetration (Nomura Equity Research, 2012), "with mobile phone and internet penetration rates at 1.1 percent and 0.3 percent, respectively. In fact, less than 3 percent of citizens had access to a mobile phone in 2011."

An equally hazardous consequence of armed conflict in Myanmar is the contamination by landmines. Mine warfare was a regular feature of armed conflict between the Tatmadaw and ethnic or other armed groups. They were used by government forces as part of strategies to counter guerilla warfare by denying insurgents food, funds, recruits, and intelligence while armed forces planted landmines to protect base areas and supply lines, and to restrict the movement of Tatmadaw patrols (Selth, 2002). According to ICBL (2015), approximately 56 of Myanmar's townships (i.e. 17 percent) have been identified as "suspected hazardous areas", causing a lot of casualties in the country. In 2014 alone, 45 people were killed and 206 were injured by mines, placing Myanmar 3rd, after Colombia and Afghanistan, for the highest casualty rates in the world (MIMU, 2016). Again, despite ratifying ILO Convention, 1930 (No. 29) against the use of forced labour as far back as 1955, both the Tatmadaw and ethnic-based militias insurgent groups in Myanmar have engaged in the act for several decades. The Coalition to Stop the Use of Child Soldiers (2002) and Human Rights Watch (2003) have reported that Myanmar has more child soldiers than any other countries in the world. Heppner et al (2002) further reveal that the Tatmadaw recruited 70,000 or more child soldiers, while the armed opposition forces, such as t DKBA, SSA South, UWSA, KNLA, and KIA have recruited children but in smaller numbers (Integrated Regional Information Networks, 2012).

Furthermore, the issue of marginalisation, mistreatment and anti-Muslim violence perpetrated against Rohingya in Myanmar has captivated the attention of Islamic State-inspired extremists. The fear is that if the religious persecution is not well-managed, the plight of the Rohingya may be exploited by terror networks across Southeast Asia and beyond. The concern is further heightened by the ongoing ethno-religio-nationalist insurgencies in southern Thailand and the southern Philippines, and the alleged links between Arakan Rohingya Salvation Army (ARSA) with international jihadist groups. In fact, the situation has triggered statements from transnational Islamist

and jihadist groups in the region, such as the Islamic State (IS), al-Qaeda, and Tehreek-e-Taliban Pakistan (International Crisis Group, 2016). Earlier in 2014, Abu Bakr al-Baghdadi, Islamic State leader declared Rakhine as a key region for jihad.

## MANAGING ETHNIC CONFLICTS

In managing ethnic conflict, an increasing number of studies conclude that political institutions of fairness and participation are crucial for mitigating conflictual situations (Mansfield and Snyder, 1995; Horowitz 1985; North, 1990; Cohen, 1997; Hegre, 2001; Reynolds 2002; and Reynal-Querol, 2005). Institutions are generally explained as formal and informal behavioural rules for social interaction. Institutions according to North (1990) are the rules governing the behavior of a set of individuals within a given human collectivity. Hadenius (2001) notes that once institutions are established they form part of the social fabric of the people. Over time political culture being accustomed to the institutional rules and behavior are developed within the society (Colomer, 2001). It is in this light that Reynal-Querol (2005) opines that establishing and maintaining inclusive political systems reduce the likelihood of civil wars.

Adopting the consociational approach to managing conflict makes it more important to establish institutional arrangements that protect and preserve group. Accepting that ethnicity cannot be blocked from politics consociationalists such as (Lijphart, 1977; Chandra, 2004; Birnir, 2007; Ishiyama, 2009) hold that blocking or denying members of an ethnic group to articulate their interest leads to marginalisation. This, in their view, encourages them to resort to violent and other extralegal forms of articulation. Towards this, a multi-ethnic and multi-cultural state must focus on guaranteeing fair and adequate representation of ethnic groups when choosing a form of government, electoral system and state structure or autonomy arrangement.

Again, recognizing that repression of identity often leads to violent conflict, particularly in tension between minorities and majorities, democratic institutions must be backed by strong minority right regime, including effective anti-discrimination laws – citizenship, language, religion, educational policies, and effective enforcement mechanisms. The essences of the various mechanisms are explained below:

### Establishing a Parliamentary System of Government

An important constitutional establishment is the adoption of the parliamentary system of government. Essentially there are three options for constituting an executive government—parliamentary, presidential, and semi-presidentialism. A parliamentary government in the strict sense is one in which the only democratically legitimate institution is parliament. It is characterised by is a no clear-cut separation between the legislative and executive arms of government, and the government's authority is completely dependent upon parliamentary confidence. Presidential systems, on the other hand, are characterised by the existence of executive arm separately from the legislative arm, with separate origin and

survival of executive and legislative branches. However, because of the need for inclusion in designing a form of government for countries with significant ethnic and cultural cleavages the attention is on one that can give representation to a range of parties and opinions.

Parliamentary form of government is generally favoured for multi-ethnic and culturally-diverse countries. Scholars such as Linz (1994) and Lijphart (2002) argue that presidentialism is less desirable because a presidential election introduces a strong element of a zero-sum game and a winner-take-all outcome. The fundamental rationale is that because executive power depends on legislative majorities, parliamentarism has the ability to facilitate the inclusion of all groups within the legislature and the executive.

### **Electoral System**

There is no functional democracy without the inclusion of the minority through participation and representation. The inclusiveness of a regime is generally measured by the level of ethnic diversity of legislatures. According to Moster (2008) it “carries powerful symbolic power for ethnic minorities and often becomes an end in itself even when minorities have little or no chance of participating in the governing coalition”. As aptly stated by Verstichel (2010) the effective participation of minorities helps to overcome the structural inequality and systematic discrimination faced by minority groups and their members, and the preservation and promotion of their identities. It is also in conformity with Article 25 of the International Covenant on Civil and Political Rights (ICCPR). Reynolds (1999) reveals that the concept of political participation is very much intertwined with electoral systems.

An adequate parliamentary representation may be ensured through the choice of electoral system. An electoral system has to do with a set of methods for translating the citizen's votes into representatives' seats. Reeves and Ware clarify that electoral systems “are not mere details but key causal factors in determining outcomes ... [they do] so directly in that who is elected under one system may not be elected under another system” (Reeves and Ware, 1992). Donald Horowitz, for example, maintains that “the electoral system is by far the most powerful lever of constitutional engineering for accommodation and harmony in severely divided societies, as indeed it is a powerful tool for many other purposes.” He argues that the “delimitation of constituencies, the electoral principle, the number of members per constituency, and the structure of the ballot have a potential impact on ethnic alignments, ethnic electoral appeals, multi-ethnic coalitions, the growth of extremist parties, and policy outcomes” (Horowitz, 1985). Electoral systems are broadly categorised into two families – plurality (majority) and the proportional representation systems. In plurality system after votes have been cast and totaled, those candidates or parties with most votes are declared the winners. In the PR system, a party wins a proportion of the seats roughly equal to the proportion of votes. Research on the effects of electoral systems in recent decades has generally confirmed that single-member majoritarian systems tend to have a concentrating effect (Reynolds et al.,

2005). The majoritarian system has the advantage of providing adequate representation when minorities are geographically concentrated. An underlining justification is that is easier for political groupings to maximise the support of ethnic members. In spite of the benefits of the plurality systems for concentrated minority populations, multi-member proportional representation (PR) systems are usually seen as preferable for ethnically diverse or divided countries. It is often taken as a matter of faith that proportional representation (PR) increases minority representation by allowing smaller parties (minority ethnic parties) a reasonable chance to achieve representation while plurality systems with single-member districts exclude minorities from legislative representation. Furthermore, PR systems promote multi-party system; and with their high district magnitudes, they provide greater incentives for parties to field more diverse sets of candidates to capture ethnic voting blocs. By promoting a multiparty system, PR creates a strong tendency to form inclusive and encourages coalition governments. This helps to avoid the potential of one-party or members of one ethnic group dominating the legislature.

### **Autonomy and Federalism**

Adjusting the structure of a state is an important solution for countries with internal conflicts. In countries where ethnic groups are concentrated in particular areas, an arrangement that ensures political decision-making power at the regional level is essential. Two common mechanisms are autonomy and federalism. Autonomy, as explained by Baldwin et al. (2007), is “where an agreed set of powers (often covering culture, economy, education, and religion) is ceded by the central government to a local government with jurisdiction over a specific territory (which may be inhabited by one or more minority communities).” Federation implies a constitutionally entrenched structure in which the entire territory of a given state is divided into separate political units, all of which enjoy certain exclusive executive, legislative and judicial powers independent of the central government, and have an identical relationship to the central government.

Though there are some reservations about federalism, in countries with contending demands between integration and separation, the system is a proper reconciling mechanism. The mechanism is accepted by Selassie (2003) who asserts that “federalism serves as a device for accommodating the interests of two or more distinct ethnic communities locked within the boundaries of a single state thus providing a ‘sound strategy for promoting national unity and political legitimacy.’” The responsiveness of federalism to handle ethnic diversity lies in the constitutional mechanism that it offers to enhance toleration and promotion of diversity. This is because federalism provides political space or opportunity for minorities in the state as a whole to become majorities in a particular province or state of a federal union. Esman (1994) opines that federalism allows for such communities to operate their own institutions - such as schools - in their own language and tradition.

## CONSTITUTIONAL AND INSTITUTIONAL MECHANISMS ESTABLISHED BY MYANMAR AND SOUTH AFRICA

### Constitutional Recognition and Promotion of Cultural Diversity

Myanmar has discriminatory citizenship law based on race and ethnic identity. Myanmar nationality law recognises three categories of citizens – citizen, associate citizen and naturalised citizen, according to the 1982 Citizenship Law (Tun, 2007; Burma Citizenship Law, 1982). Under this law, full citizenship is primarily limited to those who can prove their membership to a recognised indigenous group or can trace their ancestry to people who permanently settled in the country in 1823. Naturalised citizenship may be applied by individuals who can provide “conclusive evidence” that they entered and resided in Myanmar prior to 4 January 1948.

The 2008 Constitution of Myanmar contains several provisions on fundamental human rights – freedom of expression, assembly, language, literature, religion, customs, equal opportunity to work, the non-discrimination of citizens based on race, birth, religion, official position, status, culture, sex and wealth, among others. However, other provisions in the same Constitution contradict and put crucial limitations on the enjoyment of these rights. For example, freedom of religion is guaranteed under Section 354 of the Constitution, but in reality, developing and professing such freedom is challenged through complex procedures in ethnic areas. Section 362 of the Constitution further recognises Christianity, Islam, Hinduism, and Animism as the religions in the country. But the Constitution gives a special position to Buddhism.

On language, Section 22 (a) of the 2008 Constitution of Myanmar states that: “The Union shall assist to develop language, literature, fine arts and culture of the National races.” But Section 450 of the General Provisions of the Constitution makes the Burmese language the sole official language of the country. In fact, since the adoption of the policy of Burmanisation in 1962, no recognition has been given to any of the indigenous national languages as an official language even within the various States and Regions. More so, until the passage of a new Education Law in 2014 ethnic language teaching was banned in public schools.

Given the South Africa's history of racially discriminatory policies and laws, in designing the 1996 Constitution, the country consciously provided effective mechanism and provisions aimed at redressing past wrongs. For example, acknowledging the importance of identity, the South African Constitution provides for a common citizenship with equal rights, privileges, benefits, and duties and responsibilities for all South Africans. In addition, both the South African Citizenship Act and the Restoration and Extension of South African Citizenship Act provide for the acquisition, loss, and restoration of citizenship. The Restoration and Extension of South African Citizenship Act in particular deals with persons who were deprived or did not gain citizenship as a result of the apartheid policy of creating separate territories.

South Africa fully recognises the symbolic role of language in ensuring national unity. The 1996 Constitution provides that “everyone has the right to use language and to participate in the cultural life of their choice” (SA Constitution, sec 30).

Section 31 provides that “persons belonging to cultural, religious or linguistic communities may not be denied the right, with other members of the community, to enjoy their culture, practice their religion and use their language, and to form, join or maintain cultural, religious and linguistic associations and other organs of civil society. To give equal treatment to all the major languages in South Africa, Section 6 of the country's Constitution makes provision for eleven official languages for the Republic – Sepedi, Sesotho, Setswana, siSwati, Tshivenda, Xitsonga, Afrikaans, English, isiNdebele, isiXhosa and isiZulu while each province can have preference in language usage. However, the Constitution does provide for the promotion of Khoi, Nama and San languages. The Chapter further provides for support of small indigenous languages including the Khoi, Nama, and San, and states that national and provincial governments must each choose at least two official languages for purposes of government. Beyond these, the Constitution secures the right of the people “to receive education in the official language or languages of [one's] choice” (SA Constitution, sec 29(2)).

Religious freedom is guaranteed in South Africa. Without compulsion Section 15 of the Constitution permits religious observance in public institutions. To reflect Section 27 of the International Convention on Civil and Political Rights (ICCPR) which the country is a signatory to Section 31 of the Constitution guarantees the cultural, religious and linguistic freedom of every South African. Thus, despite the Constitution declaring South Africa as a secular state, it does not forbid religious activities at state functions. Beyond the constitutional guarantee, the South African Parliament has promulgated various acts including the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities Act, the Pan South African Language Board Act (PANSALB), The National Arts Council Act, the Culture Promotion Act, and the Cultural Institutions Act. These acts have established institutions to regulate promote and protect the right to culture.

In addition, to facilitate the promotion of unity amongst its diverse communities and to ensure that the cultural and language rights enshrined in the Constitution are actively protected, Section 181(1) (c) of the South African Constitution calls for the establishment of the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities (CCRLC), the Commission on the Restitution of Land Rights (CRLR) and passed the Promotion of Equality and Prevention of Unfair Discrimination Act of 2000 to give effect to the right to equality before the law provided under Section 9(4) of the Constitution. CRLR is the first forum where land restitution claims could be lodged while CCRLC has been established to protect the rights of cultural, religious and linguistic communities in South Africa. Section 185 of the Constitution specifies the core aim of the

Commission is “to promote and develop peace, friendship, humanity, tolerance and national unity among cultural, religious and linguistic communities, on the basis of equality, non-discrimination, and free association.”

### **Form of Government**

The 2008 Constitution of Myanmar establishes an indirect presidential form of government in Myanmar. Formally, the Constitution recognises the idea that the President should not dominate the other branches, with the three arms of government separated “to the extent possible” (Myanmar Constitution, sec 11 (a)). But this recognition is only lip service. Once the President is chosen by the Presidential Electoral College, he serves as both head of state and head of government, and “takes precedence over all other persons throughout the Republic of the Union of Myanmar” (Myanmar Constitution, sec 58). Again, by Section 215 once Parliament chooses a President, the President and government are independent of and not accountable to Parliament on almost all their policies and actions. The President and the Vice-President are also barred from taking part in party activities (Myanmar Constitution, sec 64).

The 2008 Constitution of Myanmar establishes a bicameral legislature with the National (Union) Parliament (Pyidaungsu Hluttaw) made up of the House of Representatives or People’s Assembly (Pyithu Hluttaw) and the House of Nationalities or Nationalities Assembly (Amyotha Hluttaw). Both houses are not truly elective as Section 109 (b) and 141(b) of the Constitution enjoins the Commander-in-Chief of the army the power to nominate 25 percent of their membership (110 seats of the 440 in the People’s Assembly, and 56 of 224 seats in the Nationalities Assembly). Each of the 14 states and regions elects 12 representatives to the Nationalities Assembly while elective representation in the People’s Assembly is on the basis of township as well as population.

Myanmar Army (Tatmadaw) is not accountable to any civilian authority. Rather it is protected as a distinct entity and separated from the government. By Sections 337 and 338 of the Constitution, the Defence Services and all other armed forces in the Union are under the command of the Services. Again, tasked to protect the Union against the internal insurgency and external threats Section 20 (b) of the Constitution gives the military total authority over the ministries of defense, of the interior and of border issues, while provisions of Section 60 empower them to select at least one of the vice-presidents. Section 436 (a) of the Constitution the membership of the military in the Pyidaungsu Hluttaw can only be amended by the approval of more than 75 percent of each of the two houses.

The form of government established in South Africa after the Apartheid is a hybrid system suitable for the new dispensation but fundamentally based on the Westminster parliamentary system. The President is elected by the National Assembly from among its members to serve a dual role as head of government and head of state. Chapter 5, Section 83 of the South African Constitution mandates the President to “promote the unity of the nation and that which will advance the Republic.” He is vulnerable to impeachment, or to a vote of no

confidence by the majority of the assembly which would trigger a general election.

Like Myanmar, the 1996 Constitution South African prescribes a bicameral parliament. In addition to the elective National Assembly, a 90 member National Council of Provinces (NCOP) is set up with 10 members from each of the nine provinces to serve as the second chamber. As contained in Chapter 4, Section 42 of the Constitution, NCOP consisting of delegates nominated by the provincial legislatures is “to ensure that provincial interests are taken into account in the national sphere of government.”

The South African Constitution puts in place a governance structure that, to some extent, gives effect to the separation of powers principle. The Constitution does not make an express mention of the doctrine of the separation of powers; however, it provides for a system that permits reciprocal checks and balances, and requires that members of the executive and judicial arms of government cannot at the same time be members of the legislature (SA Constitution, secs 322(c), 325, 326, 323). It also makes an incursion into the separation of powers principle by entrenching the military in both the executive and legislative arms of government and placing the armed forces outside of the oversight of the executive, legislature and judiciary (SA Constitution, secs 20(b), 56, 319). The Constitution insulates the military from politics by stating in Section 198 (d) that “national security is subject to the authority of Parliament and the national executive.”

### **Electoral System**

Myanmar uses a form of a majoritarian electoral system known as first-past-the-post (FPTP), where representatives are chosen from single-member constituencies. The system is applied in both the elections in the Pyidaungsu Hluttaw, as well as to at states and regions. Because this system of voting favours larger parties it is difficult for Myanmar’s ethnic-minority parties to win elections. Myanmar may one day end up with an elected one-party system instead of the multiparty system the democratic movement and ethnic minorities have struggled for. Ethnic minorities may end up being poorly represented and thus continue to see the armed groups as their main voice.

On the contrary, South Africa has one of the purest forms of proportional representation electoral systems in the world. The distribution of the 400 seats in the South African bicameral parliament’s lower house – National Assembly – is based on list proportional representation (South Africa Electoral Act 73 of 1998) where half of the members are chosen from the nine provincial lists and the other half from single national lists prepared by the parties. The electoral system of proportional representation is used throughout all levels of politics. Although exact electoral rules differ per province, the Constitution requires all elections for provincial and local government spheres to follow the principle of proportionality.

Again, from inception, South Africa was mindful that national stability could best be achieved through gradualist approach to transformation by including representatives of the various parties in the first post-Apartheid government. Towards this, the country’s 1993 interim Constitution made provision for

power sharing for the first five years in the form of government of national unity (GNU). The mechanism for achieving this was that any party that won 20 percent of the seats in the National Assembly through the PR system was entitled to representation in the Cabinet (South African Interim Constitution of 1993, Section 84). Through this arrangement, members of the rival parties such as F. W. de Klerk, President of former National Party became the deputy president while Mangosuthu Buthelezi, leader of the Inkatha Freedom Party (IFP) became one of nine minority party politicians in the cabinet. This arrangement ensured that all parties involved played role in reforming the country. To further add to the protection of political rights of minorities another important put in place to indirectly increase ethnic diversity in South African's National Assembly is the system of representation in National Assembly and Provincial National Assembly. Schedule 1A of Section 57A of South African Electoral Act 73 of 1998 mandates that among other requirements; half of the seats in the National Assembly must be filled with candidates of national lists; and the other half with candidates from regional lists. This ensures that representation for ethnic groups which are geographically clustered.

#### **Federalism and Autonomy Arrangement**

The 2008 Constitution of Myanmar establishes a unitary with some quasi-federal features. Legislative, executive and judicial powers are shared between the Union, the States, Regions, Self-Administered Divisions and Self-Administered Zones (Section 11(b)). Each State and Region has a unicameral legislative assembly (Hluttaw) composed of representatives from townships, while 25 percent of the seats are reserved for the military. However, the functional responsibilities and exclusive law-making powers that have been devolved to the States and Regions are too limited while laws passed by the Union Parliament (Pyidaungsu Hluttaw) take precedence over those taken at the Regional and State level (Myanmar Constitution, sec 198 (b)).

Myanmar Constitution subjects the executive power of the States and Regions to the control of the Union executive. The Constitution empowers the President to appoint the Chief Ministers of the Region and State from among the members of the Region/State legislature, including both the elected representatives as well as military appointees to be responsible for the States and Regions (Section 261 (b)). Sections 411 and 413 of the Constitution further give the national government the authority to withdraw the powers of the Regions, States, Self-Administered Divisions and Self-Administered Zones in the case of an emergency.

In natural resource management, Schedule I of the Constitution gives the Union government jurisdiction over all main contributors to GDP, including petroleum, natural gas, minerals, and mines. As listed in Schedule II five areas are left under the jurisdiction of the States and Regions: medium and small-scale electric power production, salt and salt products, cutting and polishing of gemstones, village firewood plantation, and natural-resource-related recreation centers. The South African Constitution provides for “the right of the South

African people as a whole to self-determination, as manifested in the Constitution, and does not preclude within the broad framework of this right, recognition of the right to self-determination of any community sharing a common cultural and language heritage, within a territorial entity in the Republic, or in any other way, determined by national legislation” (SA Constitution, sec 235). Section 40 of the South African Constitution establishes a system of multilevel government with “national, national, provincial, and local spheres of government which are distinctive, interdependent and interrelated.” Within the system, concurrent powers are provided in the Constitution to be exercised by the national and provincial levels of government, as well as exclusive powers for the nine provinces. This institutional set up helps counter drives toward hegemony by any of the ethnic groups in South Africa over the entire state. It also creates the political space for minorities to pursue distinctive policies.

To address the issue of land dispossession as a result of the apartheid regime Section 25(4-9) of the South African Constitution makes provision for land reform. The Constitution also provides for the payment of just and equitable compensation where a property is expropriated for public purposes or in the public interest (SA Constitution, sec 25(2) (8)). Beyond these, the country has enacted a number of acts such as the Abolition of Racially Based Land Measures Act which repealed the Black Land Act 27 of 1913 and the Development of Trust and Land Act 18 of 1936, to recognise indigenous land tenure as well as addressing dispossession. Other laws which have been enacted towards land reform include the Upgrading of Land Tenure Rights Act 112 of 1991, Provision of Certain Land for Settlement Act 126 of 1993, Communal Land Rights Act, Restitution of Land Rights Act 22 of 1994, and the Development Facilitation Act 67 of 1995. The others are the Land Reform (Labour Tenants) Act 3 of 1996, Land Administration Act of 1996, Interim Protection of Informal Land Rights Act 31 of 1996, and the Prevention of Illegal Eviction from and Unlawful Occupation of Land Act 19 of 1998.

Another unique feature of South Africa's federal set up is homogeneity such that several of the provinces have clear linguistic majorities. In other words, in the creation of South African nine provinces except for Gauteng and Mpumalanga which could be characterised as truly heterogeneous respective major African ethnic groupings were indirectly accommodated within the respective provinces where they form the majority. For instance, the Xhosas are in Eastern Cape, the Zulus are in KwaZulu/Natal, and the Sotho in the Free State and the Tswana in the North West. The people of the majority language, Afrikaans are in the Northern Cape Province and Western Cape Province. Table 1

#### **IMPACTS OF THE CONSTITUTIONAL AND INSTITUTIONAL MECHANISMS IN MANAGING DIVERSITY**

Unarguably, the 2008 Constitution provides for significant changes across Myanmar. However, the perpetuation of the discriminatory 1982 Citizenship Law in the Constitution does not only violate violates the Universal Declaration of Human

**Table 1: Summary of Salient differences between Myanmar and South African Constitutional and Institutional Mechanisms**

	<b>Form of Government</b>	<b>Mode selecting Legislators</b>	<b>Role of the Military in Politics</b>	<b>Electoral System</b>	<b>State Structure</b>	<b>Language</b>	<b>Religion</b>
<b>Myanmar</b>	Presidential	Not truly elective	Active participant	First-past-the-post	Unitary with quasi-federal features	Single official language	Special recognition to Buddhism
<b>South Africa</b>	Mixed system	Truly elective	Insulated from politics	Proportional representation	Quasi-federalism	Multi-official languages	Equal recognition to religions

Source: Author's Own

Rights, the Convention on the Rights of the Child, and the UN General Assembly Resolution on the International Convention on the Elimination of all forms of Racial Discrimination but more importantly attacks the foundations of Rohingya identity and leads to an increase in statelessness over generations as it provides no safeguards to ensure that children born within the territory of Myanmar who do not have another nationality will acquire Myanmar citizenship. Unlike Myanmar, the provision of common citizenship under the South African Constitution of 1996 promotes inclusion rather than institutionalizing difference.

The special attention that the South African Constitution gives to language and cultural rights has helped to revive languages which were discouraged during the apartheid. For instance, the constitutional recognition and acceptance of all 11 official languages, and the right to receive education in the language of one's choice by permitting 'single-medium institutions' South Africa has been able to straddle the interests of Afrikaans and Black Africans. Moreover, though the indigenous peoples' languages are not given constitutional recognition in parity with the official languages, as Wachira (2009) notes, "the fact that they are mentioned in the Constitution signals that the state acknowledges their importance and realises that they deserve protection." Together with religious freedom, the mechanism has helped to give the equal respect of ethnic groups in the country and "to redress the results of past racially discriminatory laws and practices" (SA Constitution, sec. 29(2) (c)). However, despite the passage of the National Education Law 2014, the Government retains too much control over education and many schools are not allowed to teach ethnic languages outside regular school hours in Myanmar. The failure to include the cultures and languages ethnic nationalities in official state curriculum threatens their survival in Myanmar. With a quarter of parliamentary seats reserved for serving military personnel and its clout in the National Defence and Security Council (NDSC), the military wields excessive political control in Myanmar. For this, the civilian government does not have the authority to mandate Tatmadaw to take or cease action. The military has always defended its special place in Myanmar's national affairs on

grounds of the need of stability and reconciliation as the country is in democratic transition. As guardians of the country, the Tatmadaw see their role as to protect Myanmar's sovereignty, ensure unity and internal stability. However, their dominance of affairs and institutions of the state, and role as arbiter of powers in the country is antithetical to genuine democratic principles. The broad executive, legislative and judicial authority given to the military under a state of emergency are powers which should be borne by the President. Keeping the military out of politics in South Africa has helped to increase the confidence of the citizens in the democratic government. Also, beyond designing NCOP which ensures cooperative governance and participatory democracy, the South African Parliament is bound by the Constitution and can only act within the limits provided.

The nature of the central-state relationship as designed in the 2008 Constitution of Myanmar denies the ethnic communities aspiration of rights to self-determination and the ability to play an active role in the local sphere of government. South African decision to design a quasi-federal system aimed at establishing a compromise between the ANC and others in the freedom movement who were deeply suspicious of federalism so wanted unitary and the out-going white-dominated apartheid regime and the Zulu-nationalist Inkatha Freedom Party who insisted on federalism. Through this model, provinces or local communities are able to influence and play an active role in local spheres of government.

Proportional representation electoral system has facilitated a multiparty system, encouraged coalition government, and racial or ethnic group-representation in South Africa. Baldwin et al. (2007) confirm that the country's electoral system has "steadily promoted more representative participation of a range of black linguistic minority groups, white, Indian and Coloured people in the National Assembly." Previous elections in Myanmar – particularly the 2010 election have shown that the First-Past-the-Post as used in the country does not generate a pluralistic parliament rather results in one party entirely dominating the legislature.

South African's state structure has contributed to the participation and representation of ethnic communities in their respective provincial administration. Unlike Myanmar where

no constituent state is ethnically homogenous, despite the absence of democratically elected institutions in South Africa at the time of provinces demarcation in 1993 care was made that they do not overlap with ethnic group boundaries. As emphasised by Fessha (2012) providing ethnic groups a region in which they are a majority does not only facilitate opportunities for political participation but more importantly affords ethnic and regional elites “the means for political participation and representation in the leadership structure of their respective provinces, promoting the self-management of communities.” However, the lack of genuine political and fiscal devolution in Myanmar’s state hinders meaningful decentralised governance as local concerns including service delivery, ethnic identity and the management of natural resources are outside the political framework of state and region government.

Through programs such as Training and Support for Resource Management (Transform), South Africa has developed mechanism that ensures that local municipalities are involved in natural resource management and benefit from them. On the contrary, resource-rich minority ethnic communities in Myanmar do not benefit from the investment. Chaturvedi (2012) points out that the non-Bamar ethnic communities occupy 60 percent of the land where most natural resources in the country are found. The Government undertakes the extraction of the resources but has left the ethnic states underdeveloped compared with the Bamar ethnic regions. For instance, the Advisory Commission on Rakhine State found out that the development of extractive industries – such as oil and gas-related investments in Kyawkpyuh in Rakhine State – have not “generated a significant number of new jobs nor other benefits for local residents” (Advisory Commission on Rakhine State, 2017). Such marginalisation has served to nurture local resentment towards the central government.

The effects of the failure of the Government of Myanmar to acknowledge the Rohingya as citizens of the country affect the capacity to enjoy equal rights and access to all social services enjoyed by other ethnic groups including education, health delivery systems, and infrastructure. On the other hand, indigenous communities in the same way as all other South Africans access rights guaranteed by the Constitution; and to address their concerns the Government has initiated several processes to accommodate them into the constitutional and legal framework of the country. For example, Wachira (2009) reveals that the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities ‘has been engaging the most marginalised communities in South Africa, in particular, the Khoe and San.’

## **RECOMMENDATIONS AND ELEMENTS OF CHANGE IN MYANMAR**

Without a doubt, the Myanmar's governance challenges are rooted in the failure of both the country's 1947 Independence Constitution and the 2008 Constitution to reflect the essence of the 1947 Panglong Agreement. It is not surprising that the 2008 Constitution which took 16 years to be designed was met with

a nationwide objection. Thus it is conceivable that the armed conflict between ethnic groups and the central government of Myanmar can be managed through constitutional means by establishing genuine federalism that does not only ensure that ethnic groups have the right to maintain their ethnic identity, participate fully in democratic self-government and central institutions but can freely access government services. More importantly, there is the need to reduce federal control of the states' executive and to enhance fiscal devolution and to allow local communities to have a greater say in decision-making and implementation.

This can be achieved by reaching an agreement on the distribution of income from resource management and extraction. This is important, particularly because without a federal structure through which Union revenues can be apportioned and distributed, local resentment towards the federal government is likely to continue.

Acknowledging the centrality of inclusion and tolerance in safeguarding democracy there is the need to take positive measures in legislation, policies and practice aimed at protecting and promoting the identity of minorities in Myanmar to enable them enjoy their individual human rights in conformity with the United Nations Declaration on the rights of persons belonging to national or ethnic, religious and linguistic minorities. In this regard, it is important to ensure citizens from all ethnic groups particularly the Rohingya community have equal participation in public affairs including elections. An important step towards addressing this is amending problematic legislation in the 2008 Constitution such as Section 450 of General Provisions of the Constitution and aligning Myanmar (Burma) Citizenship Law 1982 with international standards and treaties, while speeding up the process of issuing National Verification Cards to ensure that Muslim communities, in particular, could enjoy full benefits associated with citizenship. Realizing that deep mutual distrust is at the centre of inter-communal violence, there is the need to promote inter-communal dialogue and tolerance, particularly in the Rakhine State. The Advisory Commission on Rakhine State (2017) identified freedom of movement as one of the crucial factors that hinder progress towards “inter-communal harmony, economic growth and human development” in Rakhine State. There is the need to ensure that all the people in the Rakhine State irrespective of ethnicity, religion or citizenship status enjoy the freedom of movement. This freedom must be enjoyed together with the rights to access to services including education, housing, health care, employment, livelihood opportunities and basic services. Beyond these, with the support from religious leaders, the Government needs to expand ‘mixed school’ system and use joint activities such as cultural events, civic education infrastructure projects to enhance awareness creation to dispel misinformation about religion.

Recognizing, on one hand, the strong link between using ethnic languages and pride in maintaining ethnic identities and the role of language, education policy and practice in ethnic conflicts in Myanmar on the other hand, there is the need for a significant education and language policy reforms in Myanmar.

Mother tongue-based teaching should be introduced in at least in all primary schools so that non-Burmese speaking children can be taught most subjects in their own language. There is also the need to promote the teaching of ethnic history and culture, and to promote greater local control and ownership of education. More radical approaches include developing separate education systems in the ethnic nationality; recognizing the main ethnic nationality languages as official languages of the various States and Regions; and like other former colonies of Britain, Myanmar could consider adopting English as a common language or *lingua franca*.

Recognizing that electoral systems are mechanistic – constitutional engineering designed to achieve certain objectives to encourage geographical, ethnic, linguistic, religious and gender diversity there is the need to adopt proportional representation and extend electoral rights and representation. This mechanism can be enhanced by reintroducing a system of ethnic quotas which the British used to achieve representation in the legislative assembly of Burma Proper for the Karen and other minorities. Such an arrangement would, at the very least, ensure the representation and participation for underrepresented groups including ethnic minorities at the national level, as well providing them with a vehicle to preserve their identity and values.

Moreover, there is the need to build and consolidate trust and legitimacy between the state and its people. Towards this, there is the need to ensure the independence of the judiciary and enhance the capacity of the police and judiciary to enforce and uphold the rule of law. An important step to realise this is to ensure that the Supreme Court is the highest court in Myanmar with jurisdictions over the powers of the Constitutional Tribunal and the Courts-Martial. More so, the broad power of the President to appoint the judges of the Constitutional Tribunal, the Supreme Court of the Union, and the High Courts of Regions and States must be reviewed; while judges must be required to provide an explanation or written justification for decisions. Such structural changes will not only encourage people to have trust in the judiciary but ensure the separation of powers.

In addition, the three major actors in Nationwide Ceasefire Agreement (NCA) signed in 2015 – Tatmadaw, the civilian government, and the NCA-signatory ethnic armed groups must commit themselves to the terms. However, to ensure that all the 21 ethnic arm groups sign the accord there should be equity in the terms of agreement with all the groups to avoid ill-feelings. Adopting a less unilateral approach to the peace process while establishing a more flexible timeframe for the peace conferences are needed. Ceasefire agreement must also provide a roadmap for political reform particularly on issues of regional autonomy, parliamentary representation, intergovernmental income transfers and governmental. The National Reconciliation and Peace Center (NRPC) must be given all the support and capacity to deliver its mandate of setting “policies and guidelines needed for national reconciliation process.”

Acknowledging that the ramifications of the situation in Myanmar go beyond the borders of the country, the international community must work with the Government to achieve its structural and systemic transformations. Decades

under military rule and armed conflicts have led to stagnation of the economy and caused huge development challenges while public expectations for rapid change in the country are high. Rather than supplying the Tatmadaw with military, police or security equipment, countries such as China, India, Russia, Ukraine, Serbia, ASEAN States and the international community, in general, must assist the civilian government with financial, technical and technological assistance to build democratic institutions and meet the new challenges. But while counting on external assistance to support its transformational process, Myanmar must put in place policies that would improve investment climate for both domestic and foreign enterprises to attract inbound FDI, and give entry to bodies such as UN Human Rights Council who wish to conduct investigation or provide humanitarian assistance, and implement Advisory Commission on Rakhine State of 2017.

The country must also ensure that provisions in its constitution which run parallel to international treaties that it has ratified are reviewed. For instance, Myanmar’s Constitution violates international laws such as Chapter VII Security Council resolutions, the Genocide Convention and the Geneva Conventions require the civilian government to regulate and prosecute the military. To enhance social trust in the civilian regime, and to declare to the world that the country is genuinely prepared to build an inclusive State, the Government of Myanmar must sign and ensure the implementation of international conventions and treaties such as the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the International Convention on the Elimination of All Forms of Racial Discrimination; and the International Convention for the Protection of All Persons from Enforced Disappearances.

Beyond constructive engagement, certain norms such as the prohibitions against torture, crimes against humanity and systematic racial discrimination form basic components of the peremptory norm of general international law (*jus cogens*) as enshrined in Section 53 and 64 of the Vienna Convention. Government exists to ensure the welfare of all the people in the State. If the Government of Myanmar does not show genuine commitment to extend and protect the rights of the minorities particularly the Rohingya Muslim community and to amend all legislation which is not in line with international human rights standards, the United Nations Security Council must take the lead to convince the Government by positive or negative inducements.

## CONCLUSION

It is remarkable that Myanmar has been able to transition to democracy after half-a-century authoritarian regimes marked by armed conflict and repression. However, accelerating Myanmar’s transformation into a stable, peaceful, democratic, and economically successful nation hinges on the ability the country to manage ethnic diversity and communal tension. But this desire will remain elusive until democratic institutions built

in Myanmar's political system are able to address the underlying socio-economic and political grievances and long-held aspirations of ethnic communities.

As inevitable in any diverse society, South Africa is not entirely insulated from ethnic tensions and contentions as the indigenous peoples (the San, Nama, Griqua and Korana, and the revivalist Khoesan groups) continue to face different challenges within the national society due to historical processes. But the experience of South Africa clearly shows that through the establishment of right democratic institutions that guarantee social, economic and political participation and inclusion diversity would not be an obstacle to be overcome rather a resource to be tapped.

Today, being led by one of the world's most lauded humanitarians – a Nobel Peace Prize laureate and a democracy icon, and a daughter of the hero who formed a union between different ethnic communities in Burma, Daw Aung San Suu Kyi, Myanmar has a unique opportunity to address the injustice of the past. Suu Kyi has to take advantage of her unique historical position based on her father's promises to design and implement comprehensive anti-racial discrimination laws and policies that would address the concerns of the ethnic minorities and radically change ethnic relations in the country. Without a doubt, the failure to tackle the continuous human rights violations against the Rohingya community, and the spread of anti-Muslim sentiment across the Rakhine State and beyond, in particular, could undermine the reform process. As Tomás Ojea Quintana, the Special Rapporteur on the human rights situation in Myanmar underscored "Only by addressing this discrimination against religious and ethnic minorities can the Government of Myanmar hope to forge integrated communities that live together in equality, peace, and harmony." In all these, all major actors in Nationwide Ceasefire Agreement (NCA) must commit themselves to the terms.

Given the institutionalisation of military rule in Myanmar's politics; the veto power and its belief in armed solution to peace which has resulted in low level of economic and human development the biggest challenge today detaching the Tatmadaw from politics. While assisting in Myanmar's rehabilitation into the mainstream international politics, addressing poverty and underdevelopment, fostering administrative and institutional capacity, enhancing accountability and transparency, ending communal violence, and consolidating ceasefire agreement and national reconciliation, the international community must place a premium on providing professional military education and modernisation, particularly in human rights, international rules of war and civil-military relations for the military rather than providing weapons.

### Conflict of interest

Author has none to declare

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