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UNDERSTANDING ETHNIC CONFLICT IN MYANMAR (BURMA) FROM A HUMAN RIGHTS PERSPECTIVE

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INTRODUCTION

The end of the Cold War has resulted both in new opportunities and challenges in world politics. It provides opportunities because many of the non-traditional security issues, previously referred to as "low politics," have begun to receive greater attention from the world community; at the same time, these same issues present challenges on a scale and of a degree of complexity that is overwhelming. These non-traditional security issues include ethnic conflict, environmental degradation, transnational organized crime, and illicit trafficking in drugs, weapons, and human beings, all of which, it is important to note, are transnational in nature. That is, they are all issues that are no longer the exclusive problem of any one country, or even region, alone. Rather, as we are all living in one interconnected world, we are all being affected by such problems, wherever they may occur. Although any one of these issues alone appears not to pose the kind of immediate danger that traditional military and political issues have presented, their complex web of connections with other pressing issues and problems, taken altogether, means that they ultimately do threaten all of us in one way or another, and the dangers are growing. With that in mind, these non-traditional security issues require a new perspective to fully understand the stakes involved.

In Myanmar (Burma)[1] which is today one of the world's poorest and least developed nations, ethnic conflict has been an on going problem since the country gained independence from British colonial rule in 1948. Why has such ethnic conflict continued in Myanmar over these 55 years, when there is no indication that any of the contentious groups can possibly be victorious? Similar questions are being asked in many corners of the world today. So anything we can learn from studying the case of Myanmar may advance us greatly in understanding other situations of ethnic conflict. In this paper, I contend that we can gain a better understanding of ethnic conflict in Myanmar if we look at it from a human rights perspective.

So that we may think together more easily, let us begin by looking at our definitions. First, an *ethnic group* is a group of people who see themselves as having a common descent.[2] In addition, they are united not only by genetic heritage, but also by some shared combination of history, language, religion, values, customs and traditions, all of which together we loosely speak of as "culture."

Of course, group identity is to a large degree in the eyes of the beholder. But because most human beings seem to have a powerful innate need to "belong" to a social group, and to distinguish what is "us" from what is perceived as "them, "we readily accept—or seek—membership in whatever group is available to us, whether by accident of birth or by replace with "deliberate choice". Many of us grow up with such a sense of belonging to a certain group—such a strong sense of *identity* with that group that separation from it would seem life threatening; and the security of that group seems synonymous with our own personal, individual security. No wonder, then, that many people would defend their particular ethnic group with their lives; and indeed we are encouraged all along to feel that strongly about our group, as each group finds countless ways to subtly or overtly, reward us for loyalty and punish us for dissent or rebellion. Anything or anyone who threatens to diminish our loyalty, or to take us away from the group, is seen as an enemy.

Undoubtedly, this has its roots in the need to band together for survival and defense, from our earliest days as human beings on this planet, and individually from our earliest days as children in a family and community. Very often, the members of an ethnic group feel no sense of power, or need, to shape and improve the nature or behavior of their ethnic group. Most just accept "what is," and go along with the flow of events and actions. To do otherwise invites dire consequences.

With that sense in mind, of what an ethnic group is, we can define *ethnic conflict*, as some feeling of enmity that arises between identified ethnic groups, based on a specific dispute perhaps but even when that is the case, most often the well-defined issues are clouded by suspicion and fear arising from many past encounters with one another encounters that are perceived as threatening to one or both groups' sense of security and well-being. Often, the rest of the world sees only the surface reasons for a given situation of conflict between ethnic groups, such as a territorial dispute surrounded by political issues. As we all know, the more complicated underlying social, economic, and cultural issues are much harder to see and understand.

A key understanding about ethnic conflicts, often overlooked, is that *by definition* they always begin from within one of those political entities we call a "country" or a "nation." That is, ethnic conflicts are not conflicts between countries, even if each country might happen to be inhabited by one ethnic group that happens to be different from the one inhabiting the other country.[3] Logically, this is undoubtedly why the topic of ethnic conflicts has not received much attention from scholars in security studies in the past, because most of the world's attention was focused on the rivalry between states.

Now let us turn to another key concept that needs defining, *human rights*. As we know, defining human rights is today the subject of much debate, and we can see how, even in our very recent history, our concepts of human rights have undergone processes of change they have evolved or emerged through countless small and large actions taken by all kinds of people around the world. But, as human beings we are still far from being in agreement, across countries and cultures, about what a "human right" is.

In this paper, the term "human rights" will refer to the definition put forth in the UN Universal Declaration of Human Rights, originally adopted in 1948. This is probably the closest the human race has yet come to agreement on what the basic inalienable rights are, or should be, of individuals everywhere. As far as we know, it represents the first time in human history that an international gathering of people set down such a list of human rights and published it for all the world to see and use. Although the UN Declaration mandated only a moral, rather than a legal, obligation on the part of those who signed the document, it remains a benchmark by which we can measure progress in upholding human rights in the countries of the world.

The UN Declaration list includes general civil and political rights, and also refers specifically to the rights of women, the rights of ethnic/indigenous peoples, and the rights of minority religious groups and other minorities. Although many people, scholars and others, continue to argue for changes and amendments to the list in the UN Declaration, for the purposes of this paper we will not delve into debate. Rather, we will focus on what happens when many basic human rights are obviously violated, continually, over many years, and the effects that has on the security of a country, and on surrounding countries in the region, and beyond. It is our contention that when a state violates human rights, the survival and well-being, i.e., the *security,* of its people is threatened, and therefore the security of the state and region is threatened as well. And at this time in history, this source of threat to the security of the world deserves our very focused and careful attention.[4] So now let us turn our attention to one place in the world where such threats have long existed, and see what we can learn from it.

POLITICAL HISTORY OF BURMA

The political history of modern Myanmar began with British rule. After three Anglo-Burmese wars (1824-1826, 1852, and 1885), the British finally colonized Burma in 1886, but they ruled it as part of their British-India colony. Burma no longer controlled Assam and Manipur of India, as it had previously, and the British colonization also had ended the rule of King Thibaw, of the Konbaung Dynasty, the last of the Burman dynasties. Burmans[5] felt humiliated being ruled by a European power and by being considered part of India. After much negotiation, in 1937 the British agreed to separate Burma from India, and Burma has been a separate political entity ever since.

When World War II (WWII) broke out, the Burmans saw an opportunity to liberate the country from the British occupation. They secretly "invited" the Japanese to come and colonize the country. The rationale behind the invitation was to get some help from the Japanese to liberate Burma from the British. Japan, then the Asian superpower, was seeking to expand its influence in the region by announcing the intention to create an "Asia for the Asians" and to re-make the region into the "Greater East-Asia Co-Prosperity Sphere." Those two slogans were very effective in helping persuade the Burmans to give themselves over to Japanese control, seeing them as their fellow Asians who would rescue them from the British outsiders. Unfortunately, the

Japanese did not really intend to deliver on their promises. They were at that time waging a war with China, and they viewed Burma especially its historic road from Lashio to Kunming in Southern China as key to moving Japanese supplies to frontlines. The Japanese grabbed the opportunity and secretly helped to form what became known as the Burma Independence Army (BIA).

BIA was initially comprised of thirty Burmans and was trained by the Japanese in Hainan, near the south coast of China. Two of the most important leaders in the BIA were General Aung San and General Ne Win, who would later play important roles in post-WWII Burma. With the help of the BIA, the Japanese did end British rule, but it did not liberate Burma. Rather, Burma now started a new phase of colonization, this time under an Asian superpower.

The Burmans, who had been excited about the prospect of an independent country, now realized the Japanese had lied about their intentions. The Japanese ruled the country with brutality. The BIA also committed atrocities against many of the ethnic groups in Burma. The BIA especially abused the Karens, an ethnic minority.[6] However, after eventually becoming disenchanted with the Japanese, the BIA changed sides and formed an alliance with other groups, one of which was the Burma Communist Party (BCP). The alliance, called the Anti-Fascist People's Freedom League (AFPFL), contacted Lord Louis Mountbatten, the Supreme Allied Commander in South East Asia and planned an attack on the Japanese. The plan worked, the Japanese left, and the British returned to Burma. During this second phase of British rule, General Aung San was seen as a Burmese nationalist, who was a good candidate for the post of Burma's prime minister.

Burma's leaders continued to be focused on how to become an independent state, an ambition that was not to be immediately fulfilled. The British feared that if they freed the country, the BCP might take over, because some Burmese believed that it was the BCP, that had successfully "liberated" the country from the Japanese. Such fears were based on the fact that communism was by then coming to be seen as a threat to the world much like terrorism threatens us now, and post-war Burma was a seriously devastated country, both economically and physically, which made it particularly vulnerable to communist ideology. The British were also worried about the future of the minorities that occupied the mountainous region of Burma. Moreover, the country was riddled with animosities between those who had been loyal to the British and those who had sided with the Japanese, and this hampered efforts to form a united Burmese nation.

After much negotiation, the British finally agreed to Burma's independence. While preparing the country toward self-governance, one day in July of 1947 Burma awakened to the news that General Aung San and six other members of the pre-independence Executive Council had been shot to death during a meeting, by a rival.[7] Burma was greatly saddened over losing their hero, General Aung San, before he could see Burma as an independent country. Nevertheless, the independence plan continued unabated. The British kept its promise, and on January 4, 1948, Burma became an independent country, one of several Third World countries that gained independence after the end of WWII.

HUMAN RIGHTS AND ETHNIC CONFLICT

As a newly independent country, Burma adopted a democratic governmental system, in which elections were to be held every four years. U Nu became Burma's first prime minister. However, he was unable to enforce law and order, nor to maintain stability in the country. Burma's various ethnic groups were anxious to form their own independent states. For instance, the Rakhine, the Mujahideen, the Mon, the Karen, became insurgents, demanding their own states. Meanwhile the Shan State, one of the most devastated areas after WWII, was also in chaos. The state had became a battleground when the Kuomintang invaded, making the Shan State their headquarters for launching an attack to retake mainland China from the communists. In most situations, the Burmese government heavily depended on the military to control the chaos. In the case of Shan, the military abused their power, forcing the Shan to serve them in various ways, such as being porters to carry heavy loads for the Burmese army.[8] This created a hatred of the Shan towards the Burmese army and further helped to segregate Burma.

By 1958, after ten years of independence, U Nu could no longer stand the pressure of ruling Burma, being troubled especially with the ethnic issues. Two states, the Shan and the Karenni (Kayah), were first asked to join the Union of Burma in 1948 and told they would be allowed to separate from independent Burma if they became dissatisfied with their situation within the country. However, after ten years, the regime had not kept their promise, and to this day the Shans and Karennis continue to demand separation, and their resentment of the regime grows with each passing year. Unable to solve the dilemma, U Nu had asked the Burmese military, or *Tatmadaw,*

to rule the country temporarily. The military then referred to as the caretaker government, was in power for two years until they held an election in 1960. They stepped down after the election, when the Burmese majority voted in the AFPFL party and Burma returned civilian rule.

The military, however, viewed the government of U Nu as weak, since many ethnic groups continued to demand their separate independent states.[9] In March 1962, the military, under General Ne Win, launched a coup d'etat, and controlled Burma ever since. The coup, according to Ne Win, was necessary in order to preserve the unity of the country. The action exemplified the thinking of the military that national security means the survival of the state at all costs. The new military regime imposed what they called the "Burmese Way to Socialism" and "The System of Correlation of Man with His Environment," which aimed to create a socialist economy and to eliminate the exploitation of man by man, resulting in a more prosperous and moral society.[10] They argued that parliamentary democracy had failed to serve the development of the state.

After the *coup*, students from the University of Rangoon were among the first to protest when the junta put in place strict new rules and regulations on their campus when it was re-opened on July 7th 1962, along with other universities that had been shut down for four months. But the students' protest was met by gunfire from the junta. The military acknowledged the death of at least 16 students and it was widely believed that there were hundreds more. The military closed the university and destroyed the Student Union Building. Buddhist monks were another group who had protested against the military junta. The regime ordered that all the monks be registered with the government and that they carry identity cards. These actions made many monks angry and they refused to comply. This led to a protest which later became a bloody riot in Mandalay. The military arrested those monks who were protesting, and closed some of the Buddhist monasteries. In 1963, the junta prohibited clergy of all religious faiths from political participation, taking away even the right to vote.[11]

The junta restricted freedom of movement for the Burmese people as well as for foreign visitors. Burmese people were also restricted from traveling to foreign countries. If they insisted on traveling, they were forced to surrender their passports, thus making them almost stateless.[12] Burma began to be an isolated country, politically and economically, known to the outer world only for its monks and famous pagodas. National unity remained a difficult issue

faced by the junta as various ethnic groups continued their armed struggle, demanding autonomy.[13]

Ethnic conflict in the Shan, Kachin, and Kayah states grew after the Constitution, formed in 1947, was suspended in 1962, after the coup. With the suspension, the right of ethnic states, Shan and Kayah states, to secede from the Union of Burma was canceled.[14] Also, right after the coup, the junta abolished the separate Mon and Arakanese ministries, thus ending the prospect of semi-autonomous states for these regions. Hence, the states lost hope for peacefully gaining their autonomy, as they were brought under the direct control of the Rangoon central government. The Karen and Mons continued to seek their own states. The Kachin simply sought greater autonomy from Rangoon. Other groups had also united with the former Kuomintang. The National Democratic United Front (NDUF), a party that consisted of the Karen National Union (KNU), the New Mon State Party and the Karenni, was allied with the BCP, the Kachin Independence Army, and the SSIA (Shan State Independence Army), and operated in the lawless Golden Triangle.

All hereditary rulers were also forced to publicly relinquish their hereditary positions. Sao Kya Seng, the ruler of the Hsipaw sub-state, was arrested a few days after the coup in 1962, and assassinated by the regime.[15] In the isolated country in which the army ruled and few independent journalists were allowed, little was reported to the international community during this period. Ne Win tried to use the constitution to solve the issues of ethnic divisions, by drawing political boundaries without regard to ethnic groupings. It gave freedom for members of any ethnic group to live in any of the seven States and seven Divisions.[16] Thus, Ne Win argued that there would be no need for the secession of any of the states since ethnic groups could now live side by side in any part of the country. Burmese was also declared to be the official language of Burma.[17]

In December 1974, the Burmese witnessed another bloody event. U Thant, a Burmese diplomat who had been the Secretary General of the United Nations in the 1960s, died in New York. The Burmese expected that a national funeral should be held to honor such a world's famous person form their country. The opposite happened, when Ne Win announced that a state funeral was unnecessary. The Burmese people were outraged with the decision, especially the young college and university students. The students captured the body of U Thant when it was returned home buried it near the ruins of the University of Rangoon's Student's Union building. The incident led to

a riot, as police came and started to fire towards the students. As in many other cases, the exact death toll was unknown but some sources said at least 18 were killed and almost 3,000 were arrested.[18] The government quickly closed all universities and declared martial law. Soon after that, the junta passed a law against "anti-state activities."

The government also established a "secret police" known as Military Intelligence (MI). Any suspicious acts were to be reported to higher authorities and if found guilty the accused would be punished by torture. Under these circumstances many pretended that they were loyal and agreed with the regime, although in reality they were against them.[19] The MI usually wore plain clothes and blended into the community. They were everywhere, in the neighborhood and in the workplace. MI in particular monitored private conversations, besides looked for signed of insurgency, and they provided an information network for the government, in regard to matters such as taxes, customs, duties and criminal organizations. The government seemed not to have learned any lessons regarding insurgencies and uprisings and often accused others of causing any unrest. They would not recognize that their own abuse of human rights was among the chief causes of the social unrest in the country.

Ethnic discrimination continued when the government refused to recognize the citizenship of the minorities, in particular the Rohingyas in the Arakan (Rakhine) state. They issued a national registration card to all Burmese citizens, but they only gave foreign registration cards to the Rohingyas, implying that they are non-citizens. They also arrested and detained those who were considered illegal aliens. Approximately 200,000 Rohingyas crossed the border into neighboring Bangladesh, another poor country, fearing the government's intimidation and harassment.[20] The government could not tolerate giving the minority basic human rights, including self-determination.

In 1982, the government passed a new citizenship law giving full citizenship to certain minorities, including to the Kayah, Chins, Mons, Arakanese, Shans, as long as they had lived in Burma before 1823, a year before the first Anglo-Burman War had begun. Others, who did not have proof that they were Burmese, had to apply to become "associate citizens" or "naturalized citizens."[21] This new citizenship law was a problem for immigrants, including the Indians and the Chinese. Those who had come during colonial rule still could not be granted full citizenship, and many minorities were excluded.

Oppressed, poor, and threatened, many of the Burmese had suffered greatly. Some readily became insurgents, and others were

directly involved in other anti-state activities, to express their anger over being bullied in their own homeland. Insurgencies showed no end in sight. It seemed that the more Burmese were oppressed, the stronger the military junta became. To the government, the unity of the state was most important, and it did not matter that they achieved it largely through intimidation. The regime continue to oppress and suppress the Burmese people.

Another important event occurred. On September 5, 1987, the junta announced that Kyat (Burmese currency) notes 25, 35, and 75 would be invalid by 11 a.m. on that day. Angry over the announcement, Rangoon Institute of Technology (RIT) students rebelled by smashing traffic lights and burning government vehicles. By October of the same year, students took their activities underground, it was clear their rebellious activities would not be tolerated by the government. In fact it was not an exaggeration to say that engaging in any anti-government activities was considered almost suicidal because so often ended in death. Rangoon and Mandalay, the two biggest cities in the country, by then had secret student anti-government activities going on. In the following month, another student riot broke out in Sittwe, in Arakan state. This was later followed by another riot by the Agricultural College students in Pyinmana, located in central Burma. The social unrest in the country was spreading rapidly by end of 1987.[22]

In the following year, thousands of people marched to the capital city of Rangoon demanding political reforms. The demonstrations were stopped when thousands were arrested, and at least 42 people died.[23] The riot was a sign, however, that the regime had begun to lose support. Ne Win, the BSPP chairman and the head of the government, and San Yu the president, and the head of the state, both resigned. The government also closed colleges and schools, as it had done whenever riots took place.

In the middle of June of 1988, once again, students protested throughout Rangoon and in other cities, and several more were shot to death. As a result, the government imposed a national curfew and once again closed the schools, colleges and universities. Ne Win hand-picked his own successor, General Sein Lwin, notoriously known among the Burmese as "the Butcher" due to his major role in the 1962 and 1974 uprisings and again in the recent 1988 riots. In addition, Ne Win in a stern voice warned the Burmese, "In continuing to maintain control, I want the entire nation, the people, to know that if in the future there are mob disturbances, if the army shoots, it hits. There is no firing into the air to scare [people]."[24] Ne Win's speech illustrated the policy of

oppression and intimidation of the military. Since the military took control in 1962, they had already shot many anti-government civilians. Therefore, although the warning was meant seriously, the Burmese people continued their struggles for survival. Beginning that midnight and for the next four days, the Burmese army began to shot to disperse the crowd. The death toll for the 1988 August demonstration increased to more than 3,000.[25] However, the demonstrations at least forced Sein Lwin to resign as the head of the government after only 18 days in power. Once again, the schools were closed and in fact remained so for almost three years, until May 1991.

During the ensuing political turmoil, Ne Win installed his own successor, Dr. Maung Maung, a civilian, on August 19, 1988. After only one month, the military carried out another *coup d'etat*, overthrew Maung Maung, which ended the prospect of democracy, and begun a third phase of military rule. The military coup set up their own government on September 18th 1988, calling it the State Law and Order Restoration Council (SLORC). The SLORC was led by General Saw Maung, who immediately proclaimed martial law. The SLORC banned gatherings of more than 4 people, forbade criticism, of the government, and imposed a curfew. Newspaper, television and radio continued to be controlled by the regime. They also replaced the civil courts with military tribunals, and there was no legal or other institutional checks on military officers.[26]

The peaceful pro-democracy demonstrations of August 1988 became known as "the August Massacre." Many of those who had survived went underground and an estimated 8,000-10,000 fled the country.[27] They found refuge in the bordering countries of Bangladesh, in Indian states of Manipur and Mizoram, in Laos, and in Thailand—including the areas controlled by Karen, Mons and Kachin insurgents. Some went to the area controlled by Pa-O guerrillas in the Inle Lake mountain areas. A few went to the area controlled by the BCP and Khun Sa's Mon Tai Army. Along the Burma-Thai border the pro-democracy survivors formed the All-Burma Students Democratic Front (ABSDF), combining several resistance groups that were made up of people from different ethnic backgrounds.

It was also at this time that Daw Aung San Suu Kyi became popular. To the regime, Suu Kyi was a threat to their power and survival.[28] In 1989 she was put under house arrest and only released after six years in 1995. But upon her release she was not allowed to leave the capital city of Yangon, where she lives, and her activities were also restricted by the regime. In September 2000, Suu

Kyi was once again put under house arrest when she traveled outside the capital city. After 18 months under house arrest, she was recently released by the military rulers on May 6th 2002. However, since May 30th 2003, Daw Aung San Suu Kyi is remains in captivity.

Suu Kyi is the Secretary of General of a newly formed political party called, National League of Democracy (NLD). On May 27, 1990, the first national elections since Burma under the regime, was held. The result of the election was stunning, the NLD won 392 out of the 485 seats in the People's Assembly, that were contested.[29] However, the SLORC's promise of free and fair elections proved to be an illusion, as they declared that the results of the election were null and void, and refused to hand over political power to the NLD. Many of the newly elected members of parliament (MP) were arrested and imprisoned. Some managed to find their way to the Burma-Thai border where they formed a "government in exile," called the National Coalition Government of the Union of Burma (NCGUB).

The US and the European Union (EU) tightened sanctions, restricting trade, investment and travel in the country, in protesting of the country's human rights violation. Nonetheless, the SLORC continued to rule inhumanely, oppressing its own people. They attacked women, children and older men, forcing them to move away from their homes, and making them largely dependent on the military for food and shelter. They forced these virtual slaves to be porters in battle zones and even forced them to walk ahead of the army units in areas filled with land mines.[30]

Forced labor and forced portering were also by now considered normal activities of the military in the country.[31] As the SLORC began to shift to a market economy, many civilian prisoners had been forced to help rebuild Myanmar's infrastructure. The government claimed that such development project would benefit all groups in the country. In 1992 alone, 2 million had been forced to work without pay on the construction of roads, bridges, and railways. Hundreds died of beating with irons, exhaustion, accidents and lack of medical care.[32] As this practice of forced labor violated the International Labor Organization (ILO), SLORC claimed that this was a voluntary project—part of the Buddhist spirit despite the fact that some were minorities, or non-Buddhists.

In 1991, the UN passed a resolution demanding that the SLORC "allow all citizens to participate freely in the political process in accordance with the principles of the UN Universal Declaration of Human Rights."[33] The regime continued the oppression and suppression.

Despite the 1991 UN Universal Declaration of Human Rights resolution, between 1991 and 1992, about 270,000 Muslim Rohingyas had fled from Myanmar to Bangladesh, fearing persecution from the regime.[34] They returned to Myanmar only after the UN intervened. However the government argued that the UN resolution demonstrated a different set of cultural values and traditions. The SLORC's brutal policies were by this time well-known to the international community, especially their policy toward the Rohingyas—harassment, tighter immigration checks, forced labor programs etc. In 1995, another huge number of Rohingyas returned to Myanmar under UN supervision. However, there continued to be an ongoing pattern of human rights abuse in Myanmar. Arbitrary detention, denial of freedom of expression and association, forced labor, abuse of humanitarian law in the course of military operations against the insurgents, and discrimination against ethnic groups, as well as the right to participate in their government and to choose their own leaders all were facts of everyday life in Myanmar.[35]

Meanwhile in 1992, Saw Maung's poor health led to his resignation, and he was replaced by Senior General Than Shwe. But the regime remained in power and solve the ethnic problems, by signing cease-fire agreements. With these cease-fire agreements, insurgents were allowed to retain their arms and control their respective geographic territories, as long as they did not initiate war against the regime in power. The agreements also enabled the insurgents to maintain their "businesses." The fact that Burmans also had fought against the regime, made the SLORC continue to look for quick and convenient solutions in order to stay in power, despite being condemned by the international community. It is also believed that there are another 20,000-30,000 armed personnel in Burma who are not under the control of the government.[36]

In 1991, SLORC changed the name to State Peace and Development Council (SPDC). Technically, the SPDC appears not to be any different from the SLORC except in name; its policies have remained much the same. Forced relocation continues to be considered just another normal activity of the regime. Usually residents are given less than 3 days notice to be moved from Rangoon and other big cities, to be resettled in a "satellite town," a newly established settlement on the newly towns. This was apparent to outsiders during the "1997 Visit Myanmar Year," that was designed to attract tourists to the country. The SPDC has failed to give more attention to human security. As a multiethnic nation, the regime's goals

have always included securing national unity by "Burmanizing" the different ethnic groups, pressuring them to become more like Burmans, the fact that threatening the identity of other ethnic groups. Neither SLORC nor SPDC have respected Burmese human rights. Even prominent person such as Suu Kyi was arrested.

Violations of human rights have been most blatant in regard to the non-Burman ethnic groups. Along the border between Myanmar and Thailand, Karen refugees have been documented leaving their homes, some being forced out of their villages, others having their homes burned by the military. Civilians have also been reported as being forced into labor as human porters to carry their food and supplies.[37] The torture of political detainees is also considered a routine phenomenon.

The ILO reported that Myanmar still forces workers into slave-like conditions to work on construction projects and to serve in the military.[38] Over 100,000 ethnic Karen have fled into Thailand, due to continued violence against them. They occupy the territory along the Burma-Thailand border. In total, 1 million workers and other ethnic refugees have crossed the border into Thailand.

THE IMPLICATIONS OF ETHNIC CONFLICT ON NATIONAL AND REGIONAL SECURITY

There are a lot of implications from the ethnic conflict within one state. The HIV/AIDS epidemic in Myanmar, along with widespread heroin abuse among its youth, began around 1988-1989. In 1999, it was estimated that 530,000 people in Myanmar living with HIV/AIDS and 48,000 had died from the disease.[39] Meanwhile, the Kachin, Wa and Shan ethnic groups face devastating epidemics of both drug abuse and HIV/AIDS among their people.[40] The disease exemplified that they can't control the state. Men in the Burmese Army also spread the disease. A large number of minority women are reported to have been infected through being raped by the soldiers of the Burmese army.[41] Unfortunately surveys on the infection rate of the disease have been limited and little information is available to the outside world. However, the World Health Organization (WHO) has estimated the severity of HIV infection in Myanmar to be at a rate comparable to that of Thailand and India.[42] UNICEF estimates that there are about 15,000 orphans in Myanmar as a result of AIDS.

Another threat that relate to ethnic conflict, is organized crime, which have not only arisen in the Golden Triangle area but throughout the region. Organized crime has taken this lawless and chaotic situation as an opportunity to control the illicit arms trade, with Thailand as the center.[43] Weapons trafficking is a natural outgrowth of the existence of so many armed camps in Myanmar. Arms trafficking goes hand-in-hand with illicit drug trafficking, and human trafficking has increased prostitution and child labor in many countries, especially in Vietnam and Thailand.

Because of human rights abuse and job scarcity, about 15.2% of the people are unemployed, and many have left the country and become illegal immigrant workers to the neighboring countries, in particular Thailand. In 1999 alone, it was estimated that more than 1 million crossed the border into Thailand.[44] Along the Burmese-Thai border, the Burmese refugees are still attacked and abused by the *tatmadaw*. They pose a new political, economic and social challenge, and are at least potentially a security threat. The migrating flows of refugees and cheap labor into Thailand and other ASEAN countries disturb the social peace and contribute to depressed wages in the host countries. Economic as well as political refugees from Myanmar are among those that have overflowed to Thailand, a country with a far more successful economy compared to the impoverished Myanmar. Some of these "uninvited guests" become involved in criminal activities, and increase Thailand's internal security problems.

Instead, in reaction against the regime's rule of intimidation, torture, discrimination, repression and forced labor many more insurgents have emerged. When the SPDC replaced the SLORC in 1997, the regime continued to manipulate the problems in the country to provide a basis for staying in power. Such behavior is rationalized by the argument that every government administration justifies staying in power as necessary in order to solve the problems of their country. However, in this case it has prevented real political solutions to the growing internal security problems. This paper has shown clearly that the military regime in Myanmar has chosen Machiavelli's classic approach to teaching security, "It is better to be feared than to be loved." This approach has prevailed throughout its brutal rule.

Those who have chosen to rebel against the regime are mostly acting out of disappointment with the situation in the country. They have become a victim in their own land by the hand of their own government. In reality, despite the regime's name, "State Peace and Development Council," the regime has brought neither peace nor

development to the country. Ceasefire agreements signed between the rebels and the regime only worsen the situation. For example, recent ceasefires have further connected Myanmar more closely with other transnational threats including weapons trafficking, human trafficking, and the HIV/AIDS epidemic. The above overview suggests why regional and national security issues require a human security analytical approach.

CHANGES AND CHALLENGES

Any attempts to ignore the very core of ethnic identity have eventually led to insurgency. Similarly, when peasants become victims in their own homeland, many become illegal immigrants in the neighboring countries, which creates further transnational threats. We can see that HIV/AIDS, weapons trafficking and organized crime are transnational threats that are closely intertwined with illicit drug trafficking, and all are especially threatening to human survival.

The regime does not share the view that national security should also mean protecting the people, by focusing on their human rights, well-being, and development. By focusing on the traditional concept in which the state is the important entity to be protected, Myanmar's government has helped to create vicious transnational threats. The state, as opposed to the people, continues to be their focus. The strong influence of the traditional security framework continues to prevail.

Therefore means must be found to ensure that development will reach the lower levels of the population. The regime should emphasize the promoting of participation in the political process, and generally expanding freedom and responsibility among all the citizens of a developing country. Improving health, alleviating poverty, raising life expectancy, and providing ample education opportunities, all are integral parts of increasing and maintaining security at all levels and generally increasing all areas of societal well-being.

Human security, the security of basic human rights, basic human needs, and social and economic development, should be considered important elements of national security. National security will be seriously flawed when human security is ignored. Concern for the rights and needs of minorities are crucial for social harmony, especially in a multiethnic state like Myanmar. Focusing on the people as the object of security will not only lead to upgrading the well-being of society as a whole, but will also help to promote the security of the state, as opposed to mere survival of a given regime.

I would suggest international organizations such as the UN should play a more active role in combatting the issue. Providing for health, education and safety as well as economic development are preconditions for increasing the degree of human security, which in turn can help improve the lives of the population and therefore reduce ethnic conflict. The concern about national security is on the well- being and the betterment of the people, in this case the Burmese people, to get them out of poverty and to give them the rights that they need and deserve. Therefore, leaving Myanmar to solve the problem on their own will make the people suffer more and worsen the political and economic situation.

The Association of Southeast Asian Nations (ASEAN) can play an important role. Together the ASEAN countries should formulate policies in which human rights is valued. Such policies should be adopted by all member countries. They must develop and embrace a new paradigm that views human rights and economic development as key to improving human security.[45] Hence, socio-cultural and political issues should be factors that heavily influence policy decisions. Members of ASEAN should develop a new way of thinking and the willingness to be flexible in the 21st century world of politics, especially after September 11th 2001 terrorist attacks, which also illustrated that threats to national security can be manifested in many forms. There must be a new thinking in Southeast Asia in which ruling regimes must overcome the "fear of losing state sovereignty." Such a negative mindset is the main reason that so many problems exist and persist, and that mindset must be replaced by a mindset of cooperation among ASEAN members, with support from the international community. ASEAN needs to understand that Maynamr's ethnic conflict is a common threat to the whole region and that it is closely tied to human rights. It must engage in constructive dialogue, discussing these internal problems among themselves, rather than avoiding them out of fear of interfering with each other's domestic problems.

ASEAN must establish a more realistic understanding of what is a domestic concern of an individual country vs. what is a regional concern, one that in affects common security interests in other regions of the world. At the national level, education and distribution of information, health care, with social reintegration of addicts and drug dealers, control measures, administration of justice, and social and economic development projects are greatly needed. But more importantly, Burma/Myanmar's government should accept the fact that

their current Burmese strategies, e.g., cease-fire agreements with the insurgents, are simply ineffective. The current military regime in Myanmar should acknowledge that the problem of their national security regarding insurgency is closely related to the abuse of human rights. The regime must create development and security policies that integrate all ethnic groups, including the minorities, regardless of their background. I would suggest, adopting democratic principles for the solutions to their ethnic problems. Given the fact Myanmar is currently ruled by an authoritarian military regime, suggesting that the time has come for the regime to give way to a democratic government; to correct socio-economic imbalance between and among ethnic groups; to remove all inequalities or privileges; to provide and extend educational opportunity especially for girls and the most at risks group; to provide employment facilities and to provide political rights besides focusing on basic and sustainable development.

By becoming a democratic nation, human rights including the rights of minorities are freely discussed and will be respected as well as protected by law. Peace is needed, but can no longer be defined simply as the absence of war. It must include peaceful coexistence of people from different ethnic backgrounds, without violence, repression, exploitation or oppression.[46]

Many of the above solutions require substantial changes in the behavior of the current regime of Myanmar and it may well be unrealistic to expect those changes to occur. Moreover, efforts thus far to produce a change of regime have been unsuccessful. The non-violent approach that is currently being taken by Daw Aug San Suu Kyi, the Secretary General of the opposition NLD party, while it is highly respected by the international community, has not changed the chronic political and economic problems in Myanmar. Nor is there much evidence that the sanctions by the US and the EU or the constructive engagement of ASEAN have worked. Therefore I would also suggest that the US and EU should lift their economic sanctions and engage more directly with Myanmar in confronting the problems and they have to reevaluate their policy towards Myanmar.

By so engaging with Myanmar, official diplomatic relations can be developed, making it easier for the US to influence the regime, to criticize, to exert pressure and to help improve the overall situation in the country, politically and economically. Whereas isolating the country, because of their poor human rights record does not only lead the country into deeper poverty, but it may contribute to other transnational problems becoming regional and global threats,

including terrorism, and the illegal trafficking in humans, drugs and weapons. Added to the fact that Myanmar is close to another unstable region, South Asia, where both India and Pakistan are currently in conflict, the US should reconsider its foreign policy towards Myanmar.

CONCLUSION

As shown in this paper, ethnic conflict in Myanmar has its roots more than anything else in longstanding abuse of human rights. We have seen how the problems of human rights abuse in Myanmar have impacted not only that country's national security, but also regional security as well. The migration of Burmese people, forced and otherwise, to neighboring countries throughout the region, their involvement with illicit drugs, both as traffickers and as addicts, with human trafficking and prostitution, and with organized crime, has combined with poverty, disease, and continual violence, to promote an increasingly desperate struggle for survival.

The ruling regimes of Myanmar have long denied basic human rights to women, children, whole families, and in general to large groups of its citizens, of ethnic minorities and others. As government abuse and neglect has forced many people to struggle for their survival at even the lowest level, many of the people have in turn participated in abuse of others. Thus, the abuse of human rights leads to on-going conflict and turmoil in this poor country. If Myanmar is ever to become a peaceful and stable country, and thereby allow the whole region to become stable and peaceful, it must begin with establishing a respect for basic human rights, at all levels of its society and in all parts of the country. Conceptually, this requires a shift in thinking, from the narrow traditional concept of national, and regime, security, to a broadened concept of security that not only includes a focus on individual human security, but places that focus as the highest priority.

In such a new way of looking at security, we can no longer define peace as simply the absence of war. We can no longer say that a state is secure, just because it is not facing any immediate external threats. It is the people that create a state, and when their peace and well, being is threatened, the peace and security of the state is threatened as well. And as one state is threatened in this way, so too does the threat spread to the rest of the region and ultimately affect the stability and security of the whole world. Such is the reality of our times.

This writing does not suggest that these complex problems can be solved overnight, but means must be found to reduce the tensions, improve the well-being of the people, and in the long run to bring back stability to this multiethnic state of Myanmar, and thus to the region. The involvement of international organizations, such as ASEAN and the UN, is essential to reduce the tension. Although ASEAN has long used its "noninterference policy" as a reason for not intervening in what it has viewed as Myanmar's "domestic" issues,[47] it must come to see that ethnic conflict is a transnational problem, and that only through respecting and protecting basic human rights can the situation begin to be turned around.

END NOTES

[1] The name of Socialist Union of Burma was changed to Union of Myanmar in 1989. In this paper the term Burma is used when referring to all events before 1989 and Myanmar is used when referring to all events after 1989. Their usage does not indicate any preference of the presenter for either name and all that it symbolizes, but simply mirrors historical events.

[2] Walker Connor, "A Nation is a Nation, is a State, is an Ethnic Group, is a ...." In John Hutchison and Anthony Smith, eds. *Nationalism,* Oxford University Press, Oxford, 1994, p. 43.

[3] Michael Brown, "Causes and Implications of Ethnic Conflict," In Michael Brown, ed. *Ethnic Conflict and International Security,* Princeton University Press, Princeton, 1993, See chapter 1. Brown refers to ethnic conflict as intrastate conflicts.

[4] In Gene Lyons and James Mayall, "Stating the Problem of Group Rights," In Gene Lyons and James Mayall, eds. *International Human Rights in the 21st Century,* Lanham, Rowman & Littlefield Publishers, Inc., 2003.

[5] Burman is the major ethnic group in Myanmar. Burmese refers to citizens of Myanmar of any ethnic origin as well as its official language.

[6] Martin Smith, *Burma: Insurgency and the Politics of Ethnicity,* Zed Books, Ltd., London, 1991, p. 68.

7 Michael Fredholm, *Burma :Ethnicity and insurgency*, CT, Praeger, Westport, 1993.

[8] "Human Rights Abuses in Burma/Myanmar in 1991," *Asia Watch* 4 January 1992, p. 33.

[9] Joseph Silverstein. *Burmese Politics: The Dilemma of National Unity,* Rutgers University Press, New Brunswick, 1980, p. 228.

[10] Joseph Silverstein. *Military Rule and the Politics of Stagnation,* Cornell University Press, Ithaca, 1977 , p. 83-85.

[11] Ibid., p. 98.

[12] Ibid., p. 100.

[13] Chao Tzang Yawnzhwe, "The Burman Military: Holding the Country Together," In Joseph Silverstein, ed. *Independent Burma at Forty Years: Six Assessment,* Cornell, Universiti Press, New York, 1989.

[14]Bertil Lintner, *Cross-Border Drug Trade in the Golden Triangle,* University of Durham, Durham, 1991, p. 14.

[15]Interview with former Shan Hsipaw State *Mahadevi* Inge Howard Sergent, 7/26/00.

[16]Burma is made up of 14 territories, called States and Divisions. There are seven states, inhabited by Burmans ethnic groups: Taninthary, Yangon, Ayeyawardy, Magwe, Mandalay, Pago and Sagaing and seven divisions populated by the ethnic minorities: Mon, Kayin, Kayah, Shan, Kachin, Chin, and Rakhine.

[17]Jon Wiant, "Insurgency in the Shan State," Unpublished manuscript, p. 90.

[18]Christina Fink, *Living Silence: Burma Under Military Rule,* White Lotus, London, 2001, pp, 43 - 44.

[19]Interview with Kerry Wolcott, 8/28/01.

[20]Joseph Silverstein, "Fifty Years of Failure in Burma." In Michael Brown and Sumit Ganguly, eds. *Government Policies and Ethnic Relations in Asia and the Pacific,* The MIT Press, Cambridge, 1997, p. 81.

[21]Ibid., p. 82.

[22]Bertil Lintner, *Burma In Revolt: Opium and Insurgency Since 1948,* Westview Press, Boulder, 1994, p. 274.

[23]Ibid.

[24]Cited in Lintner, *Burma In Revolt: Opium and Insurgency Since 1948,* p. 276.

[25]Alan Clements and Leslie Kean, *The Struggle for Democratic Freedom and Dignity,* CC Offsets Printing, Hong Kong, 1994, p. 42.

[26]"Myanmar Economic and Political Uncertainty: A Silent Coup in Yangon," *Strategic Comments,* January 1998, p. 2.

[27]Lintner, *Burma in Revolt: Opium and Insurgency Since 1948,* p. 286.

[28]Suu Kyi, the only daughter of Aung San's three children, had been only two years old when her father was assassinated. She received her education in India and England and married a British scholar, Michael Aris, an act which was considered by the Burmese regime as destroying the purity of the Burmese race. In March 1988, she visited Burma to care for her mother, who was ill. Her return this time happened to coincide with the pro-democracy

demonstrations that were also taking place. Feeling obligated to support the Burmese fight for democracy, and having inherited Aung San's charismatic ability to lead, Suu Kyi gave her first public speech on August 26, 1988, which drew a huge crowd. After that, she traveled throughout the country, giving lectures and speeches about freedom and democracy, until she was put under house arrest on July 20, 1989 by SLORC, but Suu Kyi continued to give speeches each week at the gate of her home, which attracted massive crowds.

[29]Fink, *Living Silence: Burma Under Military Rule,* p. 69.

[30]K.S. Ventakeswaran. "Burma Beyond the Law, Article 19, London, 1996, pp., 46-53; "Burma: Time for Sanctions," *Asia Watch,* February 1991, "Burma: Post Election Abuses," *Asia Watch* August 1990, "Burma: Rape, Forced Labor and Religious Persecution in Northern Arakan," *Asia Watch,* 14, May 1992, p. 1.

[31]"Burma: Abuses Linked to the Fall of Manerplaw," *Human Rights Watch/Asia.* 7, March 1995, #5, pp. 6-15.

[32]*A Question of Security: A Retrospective on Crossborder Attacks on Thailand's Refugee and Civilian Communities Along he Burmese Border Since 1995,* Images Asia and Bordershore Video, May 1998.

[33]Cited in David Steinberg, *Burma: The State of Myanmar,* Georgetown University Press, Washington DC, 2001, p. 87.

[34]"Burma: Entrenchment or Reform? Human Rights and the Need for Continued Pressure," *Human Rights Watch Asia,* 7, July 1995, 10, p. 4.

[35]Ibid., p. 6.

[36]Bentil Lintner., *Drug Trade in Southeast Asia,* Jane's Intelligane, 1995, #5 p. 10.

[37]Amnesty International, *Myanmar: Compilation of Documents, Kayin, Shan and Kayah States,* Amnesty International, New York, June 1999.

[38]Cited in PRS, "Myanmar," Vol. 5, PRS Groups, New York, 2001.

[39]"Burma," *The World Factbook 2001,* Central Intelligence Agency, Washington DC, 2001, p. 80.

[40]*Out of Control 2: The HIV?AIDS Epidemic in Burma: A Report on the Current Status of the HIV/AIDS and Heroin Eepidemics: Policy Options and Policy Implications,* SAIN, 1999.

[41]*License to Rape,* Thailand: The Shan Human Rights Foundation and The Shan Women's Action Network, 2002.

[42]Cited in Rolf Carries, "Responding to Myanmar's Silent Emergency: the Urgent Case for International Humanitarian Relief and Development," In Peter Carey, *Burma: The Challenge of Change in a Divided Society,* St. Martin's Press, New York 1997, p. 211.

[3]Tara Kartha, "Narcotics and Weapons: The Case of Myanmar," *Strategic Analysis,* June 1996, V. 1. #3, p. 403.

[44]PRS, *Myanmar: Country's Report,* p. 7.

[45]Kenneth Christie and Denny Roy, *The Politics of Human Rights in East Asia,* Pluto Press, London, 2001.

[46]Martin Smith. *Ethnic Groups in Burma: Development, Democracy and Human Rights.* A Report by Anti-Slavery International, London, 1991.

[47]At the 36th ASEAN Foreign Ministers Meeting at Phnom Penh, a new effort was made to discuss Myanmar's domestic issues, in particular the arrest of Aung San Suu Kyi.