



Analysis of the Speech of Sen. Gen. Min Aung Hlaing,

Commander-in Chief of the Myanmar Army, delivered at the third Union Peace Conference: 21st Century Panglong

(1) His speech, in regard to history, is ideologically incorrect. References are incomplete too. His saying as “**We should not become prisoners of history**” is a mere ignorance of the history. It also means that we shall not be tied up with the history. It is untrue. The concept that should be adopted is, out of the historical events, true factors shall be observed, valued, recognized and, continued to be preserved, while taking lessons from mistakes and attempting to avoid similar erroneous practices in the future.

He just invoked only the events in the era of British Colonial days. He did not mention at all about the distinguished independent histories of other non-Myanmar ethnic nationalities: such as the existence of independent Kingdoms of Shan, Mon, and Rakhine (Arakan); the era of Shan Kings who conquered the Myanmar Kingdoms;¹ the prolonged wars between the Mon Kings and Myanmar Kings; Hanthawaddy Army of Mon King occupied Inwa (Ava) of Myanmar King on March 9, 1752.²

It is an undeniable fact that Karen, Kachin and Chin areas were independently governed by their own respective rulers. It is evidently recorded in many historical books that Kachin and Chin vigorously defended their territories from invasion and annexation of the British.³

Before BC 2000, Mon, Ta’ang and Wa lived in central Yunnan once and they had been attacked so often by powerful Mongol-Tatars Chinese Army. Therefore, they migrated into and

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(In connection with the historical events above) British ruled Shan State separately after they occupied Upper Burma. “Ethnic Nationalities Affair and 1947 Constitution Vol.1” Written by U Kyaw Win, U Mya Han, U Thein Hlaing and edited by Myanmar’s True Historical Event Composing Group, Published and distributed by University Press in April, 1990.

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Hman-Nan Yazawin (Glass Palace History) 3. Burma Affairs in Konbaung Era (1714-1752) Author - Dr. Yi Yi, Senior Researcher, Department of Historical Research, Ministry of Culture (1973)

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Page-13, “Ethnic Nationalities Affair and 1947 Constitution Vol.1” Written by U Kyaw Win, U Mya Han, U Thein Hlaing and edited by Myanmar’s True Historical Event Composing Group, Published and distributed by University Press in April, 1990.

settled down in Yawnaka Region (aka) Dali-Fu Region, east of upper Mekong River around BC 2000. They have established Kyay (aka) Kawthami Kingdom and elected the Kings since then.⁴

Min Aung Hlaing also did not mention at all about the Karenni State which existed as a sovereign independent state throughout its history and had never been under the Myanmar Kings nor British colonial rule in history.

Kinwun Mingyi U Kaung, Chief Minister, on behalf of Burmese King Mindon and Sir Douglas Forsyth,⁵ representative of the British Government from India, made an agreement on June 21, 1875 even before British occupied the upper Burma in 1885. In that agreement, it mentioned as below:

British Government and Myanmar King's Government agreed that Western Karenni Territory shall exist as an independent state and any sovereign power or administrative power shall not be demanded nor shall be exercised upon the Karenni State.⁶

The Karenni Territory, differently from the Shan Territories, has never been under any part of British India. However, it enjoyed an equal status like Indian Princely States.⁷ British did not annex the Karenni Territory, instead left it as an independent state.⁸

(2) In his speech, he stated as saying, **“In accord with the theory of ‘cause’ and ‘effect’, we must seek and criticize ‘causes’ correctly.”** However, unfortunately, diverting from the said commitment, his criticisms were incorrect. What are the causes? He revealed no specific factors. The pivotal causes of civil war in Burma, among others, are as below:

1. No recognition was made by chauvinistic Myanmar military leaders and politicians that the ethnic nationalities and their territories are independently preexisted along the history. None of their rights, reflected their independent histories, were incorporated in any law, nor any protection was provided accordingly.
2. The Communist Party of Burma (CPB) was not allowed to exist as a political party and was forcefully outlawed albeit multi-party democracy was exercised under the 1947 Constitution.
3. Legality of the Panglong Agreement under national laws as well as international law has been denied by the Myanmar military leaders and majority of the Myanmar politicians. As of now, full right of self-autonomy has not yet been granted to the Ethnic States.

4 Ta'ang (Palaung) People's History by Mai Aik Kaw, Page 18

5 “Ethnic Nationalities Affair and 1947 Constitution Vol.1” Page-23

6 Shan States Manual, p.343

7 “Ethnic Nationalities Affair and 1947 Constitution Vol.1” Page - 24

8 “Ethnic Nationalities Affair and 1947 Constitution Vol.1” Page - 25

4. Land, natural resources and environment owned by the ethnic States have been exploited by the Myanmar governments (especially successive Myanmar military leaders) at their discretion since its independence.

5. Since the military coup d'état led by Myanmar Army Gen. Ne Win in March 2, 1962, all ethnic nationalities have been repressed and human rights violations have remained unabated.

Consequently, the ruling regime has started to encounter potential international actions.

(3) “There exist no big or small problems between the Tatmadaw and the armed groups but discontents and demands have surfaced between the respective governments and the armed organizations.” said Min Aung Hlaing in his speech. It's also a blatant pack of lies. He is trying to avoid the responsibility of Myanmar Army in the history of civil war in Burma. He cornered the NLD government by saying apparently that Myanmar Army is getting along with the ethnic armed organizations and, as such, the incumbent NLD Government is responsible for all underlying issues.

During the struggle of independence, a serious incident happened at the Irrawaddy Division when the British withdrew from Burma and Japanese Army invaded the country. The Burma Independence Army (BIA) under the command of Colonel Mogyo, (Col. Keiji Suzuki, Imperial Japanese Army) massacred a number of the Karen national revolutionaries, led by Shwe Tun Kyar who received arms and ammunitions from the British and fought against the Japanese then.⁹ It was a heinous crime which is not relevant to the responsibility of the government.

Myanmar Army also committed a number of human rights abuses against Shan people during the time of offensives against the Nationalist Chinese (Kuomintang, or KMT) in Shan State. Therefore, Shan armed resistance groups came into emerge. After military coup in 1962, the military murdered a hundred students from Rangoon University on July 7 and many students joined the Communist Party of Burma and other ethnic armed resistant organizations. The students and youths established the All Burma Students' Democratic Front (ABSDF) after over 3,000 innocent people were killed by Myanmar Army during the 8888 democratic uprising in 1988. All ethnic nationalities established their respective armed groups and launched the armed struggles against the Myanmar Army because the latter committed war crimes, crimes against humanity and genocide in the ethnic States respectively.

The most hideous and atrocious war crime committed by Myanmar Army throughout the history of seeking cease-fire agreements since SLORC military regime was Mongkoe massacre. Kokang group which was the first renegade group diverged from the Communist Party of Burma on March 12, 1989 and became the first group – known as the Myanmar National Democratic Alliance Army - MNDAA who reached to a ceasefire agreement with the SLORC military regime. That group suffered the first and most brutality.

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Brigadier General (Rtd.) Kyaw Zaw's Autobiography, Vol.1, Page 86-88

The group controlled areas runs from Laukkai, Chin Shwe Haw to Mongko and the military regime recognized as Shan State Special Region (1). There was a dispute between ‘Pheung’ (Pheung) clan led by Peng Jia Sheng, Peng Jiafu, Peng Tashin and ‘Yan’ one led by Yan Monglian, Yan Mong-ang, Yan Jian Wai, Yan Jian Ci in 1995 in which ‘Pheung’ clan gained upper hand. But, both sides had to accept the deployment of Myanmar Army which entered the territory to side with ‘Pheung’. Myanmar Army involved in adjudication when Lenin Mint tried to take over after purging Mong Sarla, the leader of Mongko. It slaughtered about 150 people, including Lenin Mint, on the spot in Hay Monglon area and buried the corpses in the mass graves. The locals and Chinese ancestors in the area labelled it as the “Second Nanking Massacre”.

Observing such above precedents, it is concerned that the Ethnic Armed Revolutionary Organizations and their people may assume Min Aung Hlaing’s saying of “no big or small problems between Myanmar Army and EAOs” as the “sky full of lies.”

(4) **“Our army personnel who have to fight in battlefields unavoidably are the ones who want peace most”** continued Min Aung Hlaing in his speech. What does the term ‘Peace’, elaborated by Min Aung Hlaing, mean? He never portrayed it clearly. But, referencing his how-dare-you speech, his meaning of peace evidently indicates that all EAOs lay down arms, set up the political parties, run for elections under the 2008 constitution, and facilitate prolonging of military dictatorship. This path will never lead to a genuine peace.

Peace, envisaged to seek, should be the prevailing of stable, tranquil and peaceful situation with the underpinning that the individual rights of all citizens and the collective rights of all ethnic states and nationalities are prescribed and protected under a “new” Federal Democratic Constitution along the respective (Province) State Constitutions; accordingly, the existence of the independent, impartial and efficient State Organs and State Institutions be guaranteed; and, if the above mentioned rights are infringed in one way or another, legal actions against the perpetrators – who committed repressions, breaches and violence – are taken by these institutions in order to seek justice and to compensate for the injuries of the victims on the basis of the Rule of Law.

The obstinate path that “all EAOs must surrender”, firmly clutched by Commander-in-Chief Min Aung Hlaing and successive military leaders will never be successful. There will definitely be the armed resistance as long as there are the armed oppressions. Min Aung Hlaing should learn from the historical experience of the Palaung State Liberation Organization (PSLO) and Ta’ang National Liberation Army (TNLA).

PSLO reached a ceasefire agreement on May 1, 1991 with the military regime led by then Gen. Khin Nyunt. It was just a “Gentlemen Agreement” without having an official written accord. Later, PSLO had to lay down arms due to various pressures imposed by the Myanmar military leaders through Major General Myint Hlaing, the then commander of northeastern command. The surrender ceremony was held in Mong Tong town on April 29, 2005.

In that ceremony, on behalf of SPDC military regime, then Prime Minister General Thein Sein, Northeastern Command Commander Major General Myint Hlaing, Central Command Commander Major General Ye Myint, Information Minister Major General Kyaw San, Agricultural & Irrigation Minister Major General Htay Oo, Livestock and Fisheries Minister Major General Maung Maung Thein, and Railway and Transportation Major General Aung Min were present.

On that day of surrender ceremony, Prime Minister General Thein Sein publicly stated by saying, “You do not need to worry at all. In my capacity as a Prime Minister, I promise that the State will not only bring development of your area more than this, but also take full responsibility for your individual security.”¹⁰

However, the situation of Ta’ang (Palaung) people and their area had been deteriorating, contrary to General Thein Sein’s hollow promise. They suffered from various types of oppression and human rights abuses committed by Myanmar Army and also faced socio-economic hardships. Therefore, the Ta’ang National Liberation Army (TNLA) was established on October 13, 2009 and has been combatting the Myanmar Army. Now, the fighting power of the TNLA has reached ten times greater than when the PSLO laid down their arms.

Only when the Myanmar Army – which invaded, occupied and has oppressively governed the ethnic states without granting their right to self-determination and full autonomy – withdraw from the territories of the Ethnic States, peace seeking process will be expedited and peace will be achieved sooner.

(5) “The root cause of emerging KIO armed group in Kachin region where armed conflicts are occurring up to now was based on religion which Union Party government led by Prime Minister U Nu promulgated Buddhism as State religion on 26 August 1961; only after that, the KIO claimed for the ethnic rights.” Min Aung Hlaing misquoted as saying so. In fact, the KIO was formed as a people-based armed revolutionary organization in order to regain political rights of Kachin people since before Prime Minister U Nu promulgated Buddhism as State religion on 26 August 1961. Min Aung Hlaing’s irrational statement is an insult to the revolutionary spirit of the Kachin peoples to rise up against unjust oppressions, and also to the political commitment of the KIO.

(6) “We shall have behaviors, practices and undertakings conducive to the democracy. The peace processes should be implemented based on democratic standards and the agreements endorsed by the majority.” He continued bluffing so. What is the democratic standards? In general understanding, democracy is a system of governing the people by the representatives who are elected by the people. In conducting elections in democracies, there are basically two types– direct democracy and representative democracy.

If Min Aung Hlaing accepts this, all military personnel who seat in the respective parliaments (Hluttaws) and the three Generals – who run the three ministries Ministry of Home Affairs, Ministry of Defense and Ministry of Border Affairs – without being elected passing

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through any democratic electoral system, should leave their posts right away. Besides, all military personnel should also give up their respective portfolios in the current ostensible peace process. Because, the sole government democratically elected by the people alone must carry out this duty to initiate, lead, discuss and implement the peace process. The Armed Forces is just a state servant organization under the direct supervision of the government in every democratic country.

In this regard, Min Aung Hlaing should recall and comply with the speech given by late Commander-in Chief Senior General Saw Maung on the 44th Armed Forces Day on March 27, 1989.

“After undertaking necessary tasks beyond the elections, a new government formed with the people’s representatives legally elected by the people will emerge. I hope this government will lead the country its best for the sake of people’s interest. All Tamadawmen (army personnel) have to go back to their barracks in order to continue carrying out our main duties as I mentioned here....”

Besides, Sen. Gen. Saw Maung, in regard to the state power transfer, said on January 9, 1990 as below:

“I have said many times concerning with the state power (transfer). The government will be legally formed after the elections and assume state power. The elections will make that government. It is our duty too. It is not our Tamadaw’s (military’s) duty to form a government legally after the elections. I have to clearly and openly say this now.”

“Tamadaw will not create any suspicion (among people) by saying this or that and breaking promise. The government is the organization elected by the majority of people and representing them. The Tamadaw must be under control of the government.”

Min Aung Hlaing who rhetorically articulated about democracy, should practically comply with the article, “The Union practices genuine disciplined multi-party democratic system”¹¹ as provided in the military-made 2008 constitution. If so, the Communist Party of Burma (CPB) must be allowed as a legal political party. Banning the CPB was one of the key causes that made civil war broke out in Burma as mentioned above.

(7) Min Aung Hlaing has reiterated the words “**perpetuation of sovereignty**” like a mantra before. He repeats it now again in his speech. What does it mean? He did not elaborate manifestly. Application of the sovereignty is different between the Unitary States and the Federal States.

In federal countries, how the three sovereign powers - legislative power, executive power and judicial power – will be divided between federal (or national) level and state (or provincial) level depends on the federalism principle, or type of federalism, that the respective founding States want to adopt and implement.

(1) Under ‘Dual Federalism’ federal government is endowed only limited power and is prevented from interfering in the remaining power of state governments; and, powers are

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Article 7, Chapter 1 and Article 405 (a) of the 2008 Constitution

apportioned separately in parallel like railways. Will dual federalism be adopted and practiced in Burma?

(2) Is it 'Cooperative Federalism' in which federal, state and local governments exercise the power cooperatively and collaboratively?

(3) Is it 'Centralized Federalism' in which the three sovereign powers are primarily exercised by the federal level?

(4) Is it 'Confederated Federalism' in which the three sovereign powers are primarily assumed by the state/province governments?

As mentioned above, the three sovereign powers are defined and exercised in accordance with the Federal/national Constitution and State/province Constitutions based on the type of Federalism that a country want to establish.

Since its independence, Burma practiced a sort of federalism, in terms of form, but predominantly focused on centralization in accordance with 1947 Constitution. U Chan Tun, one of its writers, himself pointed that it is, not a federalism, but a unitary system in essence. Rigid centralization has been exercised by the Myanmar Army since the military coup in 1962. Continuously up to date, the unitary system, which exercises rigid centralization unyieldingly, is still in place under the 2008 Constitution, as was the case for the country under the 1974 Constitution. As consequences, the situation of the country is deteriorating day by day due to political instability and lack of the rule of law. Economic development for grassroots people cannot even be dreamt. Rather, the entire country is leading to a fall into abyss of poverty.

Therefore, this is the time for the ethnic states to take the helm in establishing a genuine federal union. The type of federalism in which the Ethnic States primarily assume the three sovereign powers should be exercised. It should be implemented by adhering to Popular Sovereignty and Provincial Sovereignty, by exercising asymmetrical federalism with the underpinning of symmetrical federalism, and by seeking optimum centralization after giving up rigid centralization.

There may be many hurdles in exercising such confederated federalism. It, however, will be definitely achieved if the two conditions are fulfilled:

First condition is that Myanmar Army leaders led by Min Aung Hlaing stop discriminatory actions and 'divide and rule' policy being practiced inter and intra ethnic organizations and their communities.

Second one is that the Ethnic States enjoy to exercise the fundamental democratic rights such as freedom of expression and speech, freedom of association and assembly, the right to organize, the right to protest, etc. in accordance with the Panglong Accord.

If these conditions are met, ethnic leaders and their organizations in ethnic States have capacity and capability to tackle their issues by themselves; to overcome all obstacles, and to achieve their goals. It must be recognized.

There is no other alternative for Min Aung Hlaing, if he really loves his country and people, and wants to develop the country fast, but to realize all above mentioned policies and practices.

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