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Asymmetrical Federalism in Myanmar: A Modern Mandala System?

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Protesters take part in a demonstration against the military coup in Yangon on 10 November 2021, AFP.

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EXECUTIVE SUMMARY

- The military coup that took place in Myanmar on 1 February 2021 amounted to a de facto suspension of the country's 2008 Constitution.
- Following the coup, Myanmar's democratic opposition, which had long opposed the constitution, announced its abolition. It is now working towards developing, and adopting, a federal system of government for the country.
- This federal future is largely inspired by Myanmar's political organization in the precolonial era, i.e. before the imposition of the Weberian state. Pre-colonial Burma, like much of the rest of the region, was defined by shifting power relations that have been described as a "Mandala" system.
- Today, Myanmar's ethnic armed groups have developed "proto-states" that deliver services and other forms of governance independently of the central state.
- Ethnic demands for federalism include asymmetric territorial arrangements, involving terms such as "Reserved Territories" or "Autonomous Regions". The 2008 Constitution itself enshrined the existence of six "Self-Administered Zones" for ethnic nationalities that were not granted the status of "state".
- Any future federal system in Myanmar is therefore likely to be "asymmetrical" in nature, though it is highly unlikely that Myanmar will do away with the modern Weberian state.
- Asymmetrical federalism in Myanmar will thus be a system where a modern Mandala system and the Weberian state co-exist.

INTRODUCTION

On 1 February 2021, the Burmese military staged a coup d'état, and assumed power under the State Administration Council (SAC). This ended an experience of limited, and yet very real, democratization, that lasted exactly ten years.¹ While the coup amounted to the *de facto* suspension of the 2008 Constitution,² the military insisted that its assumption of power was in fact constitutional, stating that its objective was to protect and maintain the constitutional order and to organize fresh elections once more accurate voters' lists had been produced.³

On 3 February, elected members of parliament from the ousted National League for Democracy (NLD)⁴ formed in response a Committee Representing Pyidaungsu Hluttaw (CRPH).⁵ Two and half months later, on 16 April, the CRPH appointed a National Unity Government (NUG) consisting of members of the NLD, ethnic political parties, civil society organizations and ethnic armed organizations (EAOs).

The three most important “decisions” made by the CRPH, beyond denouncing the SAC, were to lift the status of terrorist organizations from all EAOs, to symbolically abolish the 2008 Constitution, and to produce a Federal Democracy Charter. These were published on 31 March.⁶

Constitutions, and the vexing issue of federalism, have long been at the center of Burmese politics.⁷ Political and armed organizations claiming to represent the interests of ethnic nationalities have demanded greater levels of autonomy, and the adoption of a federal system. These demands have been and remain a contentious issue in relations between these organizations and the central state,⁸ which is widely seen as being dominated by the country's Buddhist Bamar majority.⁹ The storied Panglong Agreement signed by Aung San and “representatives of the Shan States, Kachin Hills and the Chin Hills” on 12 February 1947—a date still celebrated as Union Day in contemporary Myanmar—is probably more relevant for the much-discussed but elusive¹⁰ “Panglong Spirit” that it inspires than for its actual content. Nevertheless, it remains the foundation on which both ethnic nationalities¹¹ and, more recently, the NLD¹² and now the CRPH/NUG¹³ would build a federal system.

While the text of the Panglong Agreement does not mention the words “federal” or “federalism”, it has left many in Myanmar's body politic with the lasting notion that the country should be independent, democratic, and federal.¹⁴ Critically, that text does stipulate that “full autonomy in internal administration for the Frontier Areas is accepted in principle”.¹⁵

With the military's *de facto* suspension of the 2008 Constitution, its symbolic abolition by the CRPH/NUG, and its quasi-universal rejection by the people of Myanmar,¹⁶ the country is once again trying to imagine a future for itself.¹⁷ A consensus seems to exist in favour of freedom from military rule, of democracy and federalism, and of moving beyond the limits of the hybrid system that defined the political order of the past decade.¹⁸

FEDERALISM: A MANDALA SYSTEM OR A WEBERIAN STATE?

Demands for federalism in Myanmar often go beyond challenging military rule. Fundamentally, the emphasis put on the recognition of ethnic rights, including autonomy and self-determination, in those demands call into question the European concepts that led to the colonial creation of the “modern” state¹⁹ in Burma,²⁰ as in so many other parts of the world.²¹ From necessarily inaccurate and misleading lists of ethnic groups²² to the concepts of nation-state, the centralized state, and even fixed borders—not to mention the monopoly over the legitimate use of violence²³—it is the Weberian State itself that is challenged, if not opposed, by many ethnic political organizations. For instance, they insist that their “communities” be defined as “ethnic nationalities”, and not as “ethnic minorities”. That is not only because of the large number of “non-Bamar” in Myanmar, but also because many of these groups consider themselves “nations” that never lived under Bamar domination prior to colonization. This conviction is central to their relationship, or their opposition, to the state, and to their understanding of federalism.²⁴

From a historical perspective, using the phrase “pre-colonial Burma” and thus suggesting that the country’s history is defined by a period “before” and “after” European intrusion, one is faced with the reality that Myanmar as we know it today simply did not exist prior to colonization.²⁵ Ethnic nationalities regularly insist on this truth.²⁶ In that sense, the debates around federalism are debates meant to answer not only the question “how do we make sense of this territory as one single ‘country’, when historically we never were one nation?”, -but also “how does federalism reflect the fact that Myanmar is made up of several nations, and not just one?”

It is striking that in the course of decades of struggle against the central state, a number of EAOs²⁷ have built proto-states.²⁸ Health care provision is a case in point. Nilar Khaing and I have argued elsewhere that, “as with all nation building efforts, both [the central state and EAOs] see the provision of health care – along with education²⁹ and other services – as a way to establish their authority, and to control territories and populations”.³⁰

In these competing nation-building projects, we can recognize both James C. Scott’s idea of the hill tribes of Burma as “self-governing peoples . . . that have, over the course of two millennia, been fleeing the oppression of state-making projects in the valleys”,³¹ and Benedict Anderson’s definition of the nation as “an imagined political community – and imagined as both limited and sovereign”.³² In other words, both ethnic nationalities and the central state—and particularly the Burmese military—resort to nationalism, in the sense that “it invents nations where they do not exist”.³³

Seen in this light, the work done within the framework of the Myanmar peace process,³⁴ demands for federalism, and the provision in the 2008 Constitution for subnational parliaments and governments and for Self-Administered Zones³⁵ amount to a reconstruction of the political order that existed prior to Britain’s colonization of Burma, the so-called “mandala system”.³⁶ In characterizing that system, Oliver Wolters noted that “the map of earlier South East Asia was defined by “a patchwork of mandalas, or circles of kings . . . In practice, the mandala represented a particular and often unstable political situation in a

vaguely definable geographical area without fixed boundaries and where smaller centers tended to look in all directions for security ... Happenings on the mandala fringes were as significant as those at the centers".³⁷

PRE-COLONIAL BURMA'S MANDALA SYSTEM

Aurore Candier, who likens the mandala to the notion of a "sphere d'influence", tells us that this system stands on the submission and loyalty of subordinates at the peripheries of the kingdom, symbolized by the payment of tribute to the king.³⁸ She refers to the palace and its direct vicinity as the "central mandala", and the rest of the kingdom as the "second mandala". The mandala has also been referred to as a "segmentary state" and a "galactic polity".³⁹

Inasmuch as the mandala system is seen as a series of circles centered around the king, it is important to distinguish between two distinct, but related, types of circles. The first would be drawn along social, economic, and political lines, what I have dubbed the "social stupa".⁴⁰ According to Michael Aung-Thwin, "Burmese social organization was arranged horizontally into a pyramidal scheme of three major divisions. At the top was the royalty, their clearly definable kin and the higher (court) officialdom; below them were the lower (provincial) officialdom; and at the bottom lay the commoners, the bulk of Burmese society".⁴¹

The second would separate what the British would later call "Burma Proper", and the "Frontier Areas" along geographic and ethnic lines. As William J. Koenig puts it, "pre-colonial society was characterized by major divisions between the lowland and upland people . . . The primary ethnic division was between the Burmans and the subject Mon and Shan".⁴² Koenig included neither the Kingdom of Arakan⁴³ nor the Chin, Kachin or Karen tribes in this list. This exclusion supports the claims of the political leaders of these communities since the struggle for independence that their "nations" were not natural elements in the building of a country called "Burma".

Koenig describes the second mandala as the "myo-za system", made of towns (*myo*) and villages, with a *myo-za* at the head of each town and a *ywa-za* serving as the village headman. He includes the Shan *sawbwa* as rulers of local fiefs, indicating the closer relations that Shan "princes" entertained with the palace in Mandalay, although, in typical mandala fashion, they often also looked as vassals to Siam or China. This would be comparable to the *mueang* of Siam, in their shifting relations to centers of power within and beyond the territory now known as Thailand. From the perspective of the palace in Mandalay, Koenig considers that "the administrative goal was to prevent other centers of power from developing within the polity and competing with the monarchy"⁴⁴.

The Burman kings also developed relations of overlord to vassal with upland peoples, though these relations were characterized by more violence. For Oliver B. Pollak, "poor communications and ethnic diversity created center-periphery tensions between the Irrawaddy heartland and the outlying areas. An uneasy state of conquest, incorporations and

vassal status existed between the central Burmans and the encircling Chin, Kachin, Shan, Karen and Mon”.⁴⁵

FEDERALISM AS A MODERN MANDALA SYSTEM

Recent processes of decentralization on the one hand and on the other hand, the existence of Self-Administered Zones enshrined in the 2008 Constitution, the peace process, and demands for federalism—not least those associated to the creation of “Reserved Territories” or “Autonomous Regions”⁴⁶— have unmistakable similarities to the mandala system of old. Nor is the possibility that Myanmar may organically evolve in the direction of its political organization prior to colonization and the colonial creation of the “modern” Weberian State, in a return to some sort of “original” state, surprising.

The violence that has followed the coup is in itself a reminder of Myanmar’s political geography. Urban guerrilla warfare in the main cities, resistance in rural areas that witnessed communist insurgency in the post-independence era and continued civil war in ethnic “states” represent circles of resistance to an over-centralized state, led by a military for whom G. E. Harvey’s qualification of Burma’s pre-colonial monarchy as “sanguinary despotism” seems to fit like a glove.⁴⁷

But Myanmar has evolved significantly in recent years, both in its political and demographic reality. If circles were to be drawn today, with a central mandala based in Naypyidaw, and a second mandala made of the supposedly “Bamar” regions that would include both Yangon and Mandalay, it should be noted that those regions have themselves developed a strong interest in decentralization.⁴⁸ This development is related to the fostering of local political eco-systems.⁴⁹

A third mandala, then, would be comprised of the areas of ethnic states, including their seven respective capitals. Even in the context of a federal system, these areas are likely to remain within the political and administrative reality of the Myanmar state because of the inertia of a state apparatus that had already struggled at the local level with the new responsibilities granted to it by the process of decentralization.⁵⁰ The fact that “ethnic states” are now more diverse, that their population tends to vote in ways largely similar to the rest of the country, and show a “relatively strong attachment to Myanmar”, is another relevant factor.⁵¹ Federalism, in that sense, would see a necessarily limited transformation of the Myanmar state apparatus, as opposed to its complete overhaul. It is not impossible, though, that ethnic states would be granted powers broader than those granted to the seven Bamar-majority regions.⁵²

Both the 2008 Constitution, through the creation of “Self-Administered Zones”, and the draft for a federal constitution developed by organizations representing ethnic nationalities, with its reference to “Reserved Territories” and “Autonomous Regions”, recognize the *de facto* existence of territories controlled by EAOs. The reality of conflict suggests that a form of *status quo* is likely to continue as long as it remains impossible for the country’s military to eradicate the EAOs, and that it is just as impossible for EAOs to take, let alone control,

any major city—including the seven capitals of ethnic states where subnational governments and parliaments are based.

The activities of most EAOs do not respect administrative boundaries defined by the Myanmar state. The Kachin Independence Organization is active in northern Shan State, the Karen National Union in Mon State, and the Arakan Army in Chin State. The notion of “contested areas”,⁵³ over which both the central government and EAOs claim control and in which they both provide services, as well as the overlapping maps of what each group considers its territory, demonstrate the fluidity of political control that defines the mandala system—already a reality in many parts of the country.

In that sense, Myanmar’s political geography is not only made of a series of circles of power, but also of a series of centers of power, the most obvious being the headquarters of various EAOs. Entire communities either exist in a social pyramid at the top of which one does not find generals from the Myanmar military but rather the leaders of the local EAO, or feel the sway of competing polities,⁵⁴ or both.

A MODERN MANDALA SYSTEM WITHIN A WEBERIAN STATE?

This *de facto* recreation of a poly-centric political system reminiscent of the “mandala” of pre-colonial Burma, with multiple layers and a great variety in the relations between various centers and various peripheries, has led David C. Williams to refer to the concept of asymmetrical federalism.⁵⁵ Any modern mandala system, or form of asymmetrical federalism, needs to be understood with reference to two different sets of power systems. One is the political and administrative system of the Myanmar state, in which political parties, including ethnic political parties, participate.⁵⁶ The other is the reality of conflict, and the power bases of various ethnic armed organizations.⁵⁷

EAOs strive to establish “proto-states”, developing administrative systems able to provide services in sectors such as health, education or justice. The more successful these efforts are, the more the territories under their control will—ironically—experience the development of a state with Weberian attributes.

In that sense, the issue is less that of a retreat, or collapse, of the Weberian state and its replacement by new forms of mandala systems, and more the co-existence of both systems, in an asymmetric form of federalism.⁵⁸

¹ Mael Raynaud, “The Dynamics Behind Myanmar’s Political Consensus”, *Tea Circle*, 29 June 2017. (<https://teacircleoxford.com/2017/06/29/the-dynamics-behind-myanmars-political-consensus/>, downloaded 25 October 2021).

² For a comprehensive analysis of the 2008 Constitution, see Melissa Crouch, *The Constitution of Myanmar: A Contextual Analysis* (Melbourne: Hart Publishing, 2019).

³ The coup took place the very day that the two chambers of parliament, elected on 8 November 2020, were to convene and elect the president and the two vice presidents. The president was in turn to form a new government. The reasons given for the coup—widespread fraud during the elections and widely inaccurate voters' lists—contradict the observations of the European Union, international monitors such as the Carter Center and local monitors such as the People's Alliance for Credible Elections, which all deemed the elections free and fair.

⁴ Members of parliament from ethnic parties later joined the CRPH. While lacking access to the resources and powers of the state, the group immediately found legitimacy not only in the fact that its members, contrary to those of the military junta, had been elected, but also in the tens of thousands of posters and banners carried by many protesters, asking for the release of all political prisoners, the return to democracy, and specifically supporting the CRPH. I spent February and March 2021 (and many years before that) in Yangon and was witness to this support granted by an entire people to the CRPH, as well as to detained leaders, starting with State Counsellor Daw Aung San Suu Kyi and President U Win Myint.

⁵ The Pyidaungsu Hluttaw is Myanmar's bicameral parliament.

⁶ The Irrawaddy, "Myanmar's Shadow Government Vows a New Constitution and End to Dictatorship", 1 April 2021 (<https://www.irrawaddy.com/news/burma/myanmars-shadow-government-vows-new-constitution-end-dictatorship.html>, downloaded 25 October 2021). The text of the federal democracy charter is available on the CRPH's website (<https://crphmyanmar.org/wp-content/uploads/2021/04/Federal-Democracy-Charter-English.pdf>, downloaded on 25 October 2021). A final draft of the Federal Constitution is apparently going to be published in December 2021; Saw Thonya, "Draft Federal Union Constitution to be finalized in December", *Burma News International*, 24 May 2021 (<https://www.bnionline.net/en/news/draft-federal-union-constitution-be-finalized-december>, downloaded 25 October 2021).

⁷ Tinzar Htun and Mael Raynaud, "Schedule Two of the 2008 constitution - Avenues for reform and decentralization and steps towards a federal system" (Yangon: Konrad Adenauer Stiftung, 2018).

⁸ Indeed, the issue is the cause of what is often referred to as "the longest civil war in the world". See for instance Bertil Lintner, "Why Burma's Peace Efforts Have Failed to End its Internal Wars" (Washington: United States Institute of Peace, Peace Works n°169, 2020).

⁹ Michael Siegner, "In Search of the Panglong Spirit: The Role of Federalism in Myanmar's Peace Discourse" (Yangon: Friedrich Ebert Stiftung, 2019).

¹⁰ Matthew J. Walton, "Ethnicity, Conflict, and History in Burma: The Myths of Panglong", *Asian Survey* 48:6 (2008), pp. 889-910.

¹¹ Ethnic Nationalities Solidarity and Cooperation Committee, *The New Panglong Initiative, Rebuilding the Union of Burma*, edited by Chao-Tzang Yawngnaw and Lian H. Sakhong (Chiang Mai: UNLD Press, 2003).

¹² As shown with the branding as "21st century Panglong" of the cycle of peace conferences organized by the NLD governments in 2016, 2017, 2019 and 2020, and discussed in Mael Raynaud, "Panglong Spirit Under the 2008 Constitution", *Tea Circle*, 22 July 2016 (<https://teacircleoxford.com/2016/07/22/panglong-spirit-under-the-2008-constitution/>, downloaded on 25 October 2021).

¹³ The CRPH/NUG federal democracy charter, published on 31 March 2021, states that "it is essential to implement once again the Panglong Agreement, Panglong Commitment and Panglong

Principle which are the original convention of the Union in order to build peaceful and prosperous Federal Union.”

¹⁴ This is my interpretation, based on two decades working with political activists from Myanmar, and in particular those representing ethnic nationalities.

¹⁵ For the full text of the Panglong Agreement and additional related documents, see Chao Tzang Yawngwe, *The Shan of Burma: Memoirs of a Shan Exile* (Singapore: Institute of Southeast Asian Studies, 2010), pp. 239–245.

¹⁶ Frontier Myanmar, “The Constitution is Invalid Now: NLD patron fires back at Military” (<https://www.frontiermyanmar.net/en/the-constitution-is-invalid-now-nld-patron-fires-back-at-military/>, downloaded 25 October 2021).

¹⁷ Bertil Lintner, “Finding a Federal Model that Fits”, *The Irrawaddy*, 8 March 2014 (<https://www.irrawaddy.com/opinion/finding-federal-model-fits.html>, downloaded 25 October 2021).

¹⁸ Mael Raynaud, “Educating for Peace, the Rule of Law and Development in a New Myanmar”, *Journal of Human Rights and Peace Studies* 2:2 (2016): 35-74.

¹⁹ See Robert H. Taylor, *The State in Myanmar* (London: Hurst, 2009).

²⁰ The author refers to the country as “Burma” prior to 1989, and “Myanmar” since, as is now common practice in Myanmar studies.

²¹ This is also true in countries that were never formally colonized, such as neighbouring Thailand. See Chris Baker and Pasuk Phongpaichit, *A History of Thailand* (Port Melbourne: Cambridge University Press, third edition 2014).

²² Nicolas Salem-Gervais and Mael Raynaud, “Teaching ethnic minority languages in government schools and developing the local curriculum: elements of decentralization in language-in education policy” (Yangon: Konrad Adenauer Stiftung, 2020).

²³ While the concept of a federal army, supported by a number of ethnic organizations as well as the National Unity Government, would require an article of its own to discuss, it might be the clearest example of a demand reminiscent of the mandala system, and arguably in direct contradiction with the definition and the practice of Weberian states, in the sense that no centralized security forces would be able to control the entire territory.

²⁴ The irony of ethnic nationalities referring to the rather modern and European concepts of “nation” or “sovereignty” has been noted by many scholars, among them Mandy Sadan, *Being and Becoming Kachin* (Oxford: Oxford University Press, 2013).

²⁵ It is thus difficult to describe the geographic area known as Myanmar, before colonization in any other way than as “pre-colonial Burma”.

²⁶ Author’s field notes, Thailand and Myanmar, 2002-2008.

²⁷ Such as the Kachin Independence Organization, the United Wa State Organization, the Restoration Council for Shan State, the Karen National Union or more recently the Arakan Army. The most detailed description of one of these forms of governance can be found in Kim Jolliffe, “Ceasefires, Governance and Development: the Karen National Union in Times of Change” (Yangon: The Asia Foundation, 2016). Jolliffe has also co-authored a series of reports for the Asia Foundation on topics such as the provision of education, health, or justice services by EAOs or organizations closely associated with them.

²⁸ There is no negative undertone to this phrase. It simply reflects the fact that the objective is indeed to build a form of governance that shares many of the attributes of a state, even as these

forms of governance do not fit internationally accepted definitions of a state that could, for instance, join the United Nations. Whether these proto-states are based in camps literally in the jungle, or in some of the most developed cities in Myanmar, on the Chinese border, or across the border with Thailand, they remain out of the reach of the Myanmar state, and, for that matter, of most citizens of Myanmar.

²⁹ Nicolas Salem-Gervais and Rosalie Metro, “A textbook case of nation-building: The Evolution of History Curricula in Myanmar”, *Journal of Burma Studies*, Volume 16 n°1 (2012): 27-78.

³⁰ Nilar Khaing and Mael Raynaud, “Covid-19, Decentralization and the 2020 Elections in Myanmar”, *ISEAS Perspective*, 20 October 2020 (<https://www.iseas.edu.sg/articles-commentaries/iseas-perspective/2020-120-covid-19-decentralization-and-the-2020-elections-in-myanmar-by-nilar-khaing-and-mael-raynaud/>), downloaded 2 November 2021).

³¹ James C. Scott, *The Art of Not Being Governed* (New Haven: Yale University Press 2009), p. ix.

³² Benedict Anderson, *Imagined Communities: Reflections on the Origins and Spread of Nationalism* (London: Verso 1983) p. 6.

³³ Ernest Gellner, *Thought and Change* (London: Weidenfeld and Nicolson, 1964) p. 169.

³⁴ The peace process was initiated by then President U Thein Sein in August 2011, and continued under the NLD administration as “the 21st century Panglong”. For a sober analysis of the state of the peace process, see David Mathieson, “Myanmar’s Nationwide Ceasefire Agreement is Dead”, *The Irrawaddy*, 15 October 2021 (<https://www.irrawaddy.com/opinion/guest-column/myanmars-nationwide-ceasefire-agreement-is-dead.html>), downloaded 25 October 2021).

³⁵ The 2008 Constitution divides the national territory into seven (supposedly) Bamar majority “regions” and seven “ethnic” states. Within Sagaing Region and Shan State, it grants “self-administered zones” to six ethnic nationalities that were not given “their own states”: the Naga, Danu, Pa-O, Palaung, Kokang, and Wa. The latter groups territory is distinguished from that of the others, under the name of the Wa Self-Administered Division.

³⁶ Mael Raynaud, “Towards a Normalization of the Political Sociology of the Elites in Myanmar”, *Tea Circle*, 30 January 2017 (<https://teacircleoxford.com/2017/01/30/towards-a-normalization-of-the-political-sociology-of-the-elites-in-myanmar-part-one/>), downloaded on 25 October 2021).

³⁷ W.O. Wolters, *History, Culture and Region in Southeast Asian Perspectives* (Singapore: Institute of Southeast Asian Studies, 1982) pp. 27-28.

³⁸ Aurore Candier, *La réforme politique en Birmanie pendant le premier moment colonial (1819-1878)* (Paris: EFEO, 2020).

³⁹ Baker and Pasuk, p. 9.

⁴⁰ Mael Raynaud, “Towards a Normalization of the Political Sociology of the Elites in Myanmar”, *Tea Circle*, 30 January 2017 (<https://teacircleoxford.com/2017/01/30/towards-a-normalization-of-the-political-sociology-of-the-elites-in-myanmar-part-one/>), downloaded on 25 October 2021).

⁴¹ Michael Aung-Thwin, “Hierarchy and Order in Pre-Colonial Burma”, *Journal of Southeast Asian Studies*, Volume 15, n°2 (September 1984): 224-232.

⁴² William J. Koenig, *The Burmese Polity, 1752-1819* (Ann Arbor: University of Michigan Press, 1990), p. 37.

⁴³ Arakan was invaded by the Burmese in 1784.

⁴⁴ William J. Koenig, p. 99.

⁴⁵ Oliver B. Pollak, “Crisis of Kingship: Dynasticism and Revolt in Burma, 1837-1852”, *Journal of Southeast Asian Studies*, Volume 7, n°2 (September 1976): 187-196.

⁴⁶ “Article 195: Reserved Territories” of the second draft of the Constitution of the Federal Republic of the Union of Burma, adopted on 12 February 2008, states that: “(A) An area or part of an area, belonging traditionally to a particular indigenous minority group in a Member State of the Federal Union, may be reserved as a territory for that group.”

⁴⁷ G.E. Harvey, *The History of Burma, from the Earliest Times to the Beginning of the English Conquest* (London: Longmans, Green, and Co., London, 1925), p. 361.

⁴⁸ Thein Than Win and Mael Raynaud, “Decentralization: Bamars Care About Governing Their Own Regions, Too”, *Tea Circle*, 8 April 2019

(<https://teacircleoxford.com/2019/04/08/decentralization-bamars-care-about-governing-their-own-regions-too/>, downloaded 25 October 2021).

⁴⁹ Nicolas Salem-Gervais and Mael Raynaud, “Teaching ethnic minority languages”.

⁵⁰ Tinzar Htun and Mael Raynaud, “Schedule Two of the 2008 constitution”.

⁵¹ Jangai Jap, “Understanding Recent Survey Data on Kachin’s Heterogeneous Attitudes Toward Myanmar”, *Tea Circle*, 2 July 2020 (<https://teacircleoxford.com/2020/07/02/understanding-recent-survey-data-on-kachins-heterogeneous-attitudes-toward-myanmar/>, downloaded 25 October 2021)

⁵² I have addressed the issue of the “8 States solution”, i.e. the idea developed by a number of politicians and scholars representing ethnic nationalities to organize Myanmar around eight or nine ethnic states, and one large Bamar region, in the second part of the article “Panglong Spirit Under the 2008 Constitution”, cited above.

⁵³ Adam Burke, Nicola Williams, Patrick Barron, Kim Jolliffe, Thomas Carr, “The Contested Areas of Myanmar: Subnational Conflict, Aid, and Development” (Yangon: The Asia Foundation, 2017).

⁵⁴ Ashley South, “Hybrid Governance and the Politics of Legitimacy in Myanmar’s Peace Process”, *Journal of Contemporary Asia* (2017) (DOI: 10.1080/00472336.2017.1387280).

⁵⁵ David C. Williams, “Asymmetrical Federalism in Burma”, in *Social Difference and Constitutionalism in Pan-Asia*, edited by Susan H. Williams (New York: Cambridge University Press 2014) pp. 137-164. The concept is also used in Tinzar Htun and Mael Raynaud, “Schedule Two of the 2008 constitution”.

⁵⁶ This article considers what a federal system may look like if adopted, while recognizing that democracy has been suspended until a time that remains unknown. It is, for instance, highly doubtful that any party enjoying any real degree of popular support would participate in future elections, if these were organized by the current military regime.

⁵⁷ Mael Raynaud, “Asymmetric Constitutional Arrangements and Federalism in Myanmar”, *ISEAS Perspective*, forthcoming.

⁵⁸ Melbourne Forum on Constitution-building in Asia and the Pacific, “Asymmetric Constitutional Arrangements in Decentralized Systems”, *Melbourne Forum Constitutional Insights* n°3 (October 2018).

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