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## **A COMPARATIVE STUDY OF THE EFFECTIVENESS OF TEACHING LISTENING MODELS\***

Su Khine Oo<sup>1</sup>

### **Abstract**

Four models, namely Traditional Model, Metacognitive Model, Process Model and Adapted Model, for the development of the listening skill were trialled on 56 2<sup>nd</sup> Year Physics students of the Hpa-an University to discover which of the four would be most suitable for Myanmar students at the tertiary level. The results were analyzed and it was found that the Adapted Model was most suitable.

**Keywords:** Traditional Model, Metacognitive Model, Process Model, Adapted Model

### **Introduction**

Listening can be regarded as one of the important life skills which is evidently used in daily communication. According to Spataro and Bloch (2017), listening is a critical communication skill and an essential element of management education which helps students understand the basics of cooperation and team work. Attentive listening is composed of non-verbal signs such as simile (e.g. 😊), eye contact, posture, distracting and mirroring and of verbal signs such as remembering, reflecting, clarifying and summarizing. Most Myanmar students are weak in listening in English as listening skill has been neglected in the curriculum for years. Therefore, there is an urgent need for students to develop their listening skill with the help of the methods which suit student levels. Demographic factors such as student levels, age, gender, educational background, family, needs and expectations were taken into consideration in carrying out this research.

### **Literature Survey**

Of all four skills of a language, listening and reading are receptive skills whereas writing and speaking are productive skills. Wolvin and Coakely (1996) claimed that listening is much more successful if students know their purpose of listening. They are known as (1) Discriminative

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\* Best Paper Award Winning Paper in English, (2018)

listening, (2) Comprehensive listening, (3) Therapeutic listening, (4) Critical listening, and (5) Appreciative listening. Different frameworks for listening proposed by Rost and Wilson (2013) are (1) Affective, (2) Top Down, (3) Bottom Up, (4) Interactive Frame, and (5) Autonomous Frame.

### **Listening Sub-Skills**

Listening skill is composed of sub-skills which are required for students to get better results in doing listening comprehension questions. Once students know its sub-skills, they are more likely to be successful listeners. Vandergrift and Goh (2012) proposed sub-skills for listening. They are: (1) Listening for gist, (2) Listening for details, (3) Predicting, (4) Making inferences, (5) Inferring meaning from contextual clues, and (6) Evaluating. All these listening sub-skills can be regarded as the fundamentals for improving listening skills.

### **Think Aloud Training**

Think-Aloud process is of vital importance in examining why students make mistakes. Teachers can think of remedial work on less able students by observing their responses based on metacognitive process. O'Malley, Uhl Chamot and Kupper (1989) cited in McLafferty (2015) proved that "students need to think through content in a conversational manner to engage the metacognitive thinking process." Vandergrift (2003) also asserted that teachers can check students' understanding by training students to engage in Think-Aloud process.

### **Teaching Listening Models**

Different scholars proposed various teaching listening models which they believe are the best for improving students' listening skills. They are known as (1) Traditional Model, (2) Metacognitive Model by Vandergrift and Goh (2012), and (3) Process Model by Field (2008). What is more, principles from these listening models were adapted into adapted model. Steps and procedures for each model can be seen in the following.

### **Traditional Model**

Traditional model used in teaching listening had been used over time before the emergence of other effective teaching listening models. There are three main stages known as Pre-listening, While-listening and Post-listening. The steps used in each stage are as shown in the following diagram.



**Figure 1: Traditional Model**

Although Traditional Model used to be popular in most English language classrooms, most language teachers had realized its shortcomings. In short, this model focuses on what to answer listening questions rather than how to answer.

### **Metacognitive Model**

In order to compensate the limitations of traditional model, Vandergrift and Goh (2012) proposed another teaching listening model known as Metacognitive Model. There are three main stages in this model namely, (1) Planning, (2) Monitoring and (3) Evaluating Approach and Outcomes.



**Figure 2: Metacognitive Model**

The weakness of this metacognitive model is that it puts too much focus on thinking aloud. Too much reflection sections consume more time than is necessary. Metacognitive process throughout the section can cause fatigue, disappointment and lack of interest.

## Process Model

There is another model proposed by Fields (2008) and it is known as Process Model. If compared to Traditional Model and Metacognitive Model, Process Model has more strengths rather than weaknesses.



**Figure 3: Process Model**

Process model has become popular among English language teacher worldwide. However, this model does not focus on how to listen. Its focus is only on language functions and inferences using contextual clues and other listening strategies have been neglected.

Think-Aloud training was given as it is a bridge which communicates teacher and students, and which helps teachers figure out ways to develop students' listening skill. Think-Aloud sessions adapted from the Think-Aloud theory by Vandergrift (2003) were given to students. In the first half of June 2017, students were given half-drawn pictures and had to think of what the pictures were. In the second half, students had to reflect the thoughts which led them to predict what the pictures were. Starting from the first half of July 2017, students were exposed to A1 listening exercises and the researcher elicited the thoughts on how they got the answers. Then A2 listening exercises were given and the students had to reflect how and why they get answers in the second half of July. Starting from August, listening exercises from Straightforward B2 were taught in order using teaching listening models proposed by scholars such as Vandergrift and Goh (2012) and Fields (2008).

Al Amin and Greenwood (2012) used a qualitative quasi-experimental study to explore the impact of metacognitive listening strategy on students' listening comprehension. It is proved that there was "a slight improvement on the students' listening performance and their metacognitive listening awareness". Vandergrift and Goh (2012) cited in Doddis (2016) stated that metacognitive strategies facilitate the improvement on the listening skills of each individual student.

It is pressed in this paper that models of teaching listening should be designed and modified to suit the needs of our students. The results of the research proved that students' performance dramatically improved when they engaged in a teaching listening model which was designed to suit their needs and abilities.

### **Aim and Objectives**

This paper aims to provide the effectiveness of different teaching listening models with regard to their results.

This paper attempts to answer the following questions.

1. What are the benefits of Think-Aloud section?
2. How teaching listening model is adapted to suit the needs of target students?
3. What are the results of different teaching listening models – traditional model, metacognitive model, process model and adapted model?
4. How effective is the adapted model in developing the students' listening skill?

### **Methods**

Mixed method which includes both qualitative method and quantitative method was used in this research. Students' answers were analyzed using quantitative method and the possible causes of errors were interpreted through qualitative method. In carrying out this research, data were collected from 56 students attending Second Year BSc Physics at the University of Hpa-an. Their ages range from 18-21 years old. First, students were given a 6-hour Think Aloud training in which they have to express what they think and reflect their mind. In this training, students were encouraged to think aloud based on half-drawn pictures, given situations and sample listening exercises. That training is of vital importance in doing this research as there was only limited time for the researcher to go through interviewing session with each student. After that training, students were exposed to listening exercises using different teaching listening models such as

Traditional Model, Metacognitive Model, Process Model and Self-Designed Model.

### **Research Subjects**

The subjects chosen in doing this research were Second Year BSc students specializing in Physics in the University of Hpa-an in 2017. Their ages range from 18-21 years old. They come from similar family background which includes breadwinners who earn their living by fishing, farming, doing hard labour in border areas, and buying and selling. Some students also do part-time jobs like shop assistants in local mini-stores and in the grocery stores of their family, and workers in boarder areas during the holidays between first semester and second semester.

### **Straightforward 2B**

Straightforward 2B is written by Philip Kerr, Ceri Jones and John Waterman and published by MacMillan. It is well-known for its components such as transparent structure, pragmatic methodology and varied content. Its version has been done for sale in Myanmar only. It focuses on the following criteria:

1. Clear student progression and self-checking
2. Pick-up-and-use practicality
3. Intuitive, easy-to-follow format
4. Flexibility and adaptability
5. Supported by one of the most comprehensive Teacher's Books around.

The nature of Straightforward series is that exercises were put in linear order. The following table reinforces this order in Straightforward 2B. The easiest exercises were at the beginning of the course book and the most difficult ones were at its end.

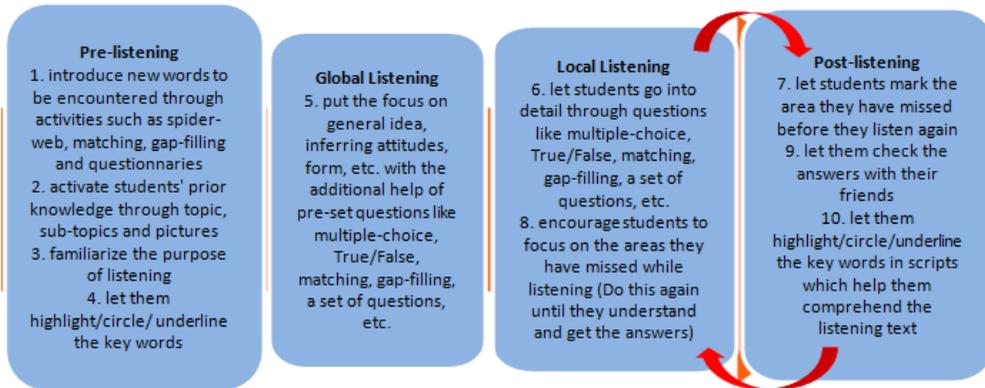
**Table 1: Level of listening comprehension exercises**

		1B	1D	2B	2D	3A	3B	3D	4B	4D	5B	5D	6B	6D
Q&A	Fam		3		2	2		2	2+1		2		1	
	Ans	7		6		1	1		2+1	4	3	2	3	
GF		5										9+5		5
EI			5											
M	MPh			6	3	5	6	4						1
	MSe						8							
T/F					6			6			4			6
IC		1	1	1				1					1	1
Opinion		1				2		1		5	1		1	
NT							1			1				
Seq									8	6			(6)	
Roleplay											1			
MCQ													1+(6)	
Ref.													6	
Total		14	6	13	9	8	16	12	11	16	9	16	18	13
		41				36			36			47		
Q&A=Question and Answer						MSc=Matching (Sequencing)								
Fam=Familiarizing						T/F=True/False								
Ans=Answer						IC=Inferring meaning from contextual clues								
GF=Gap filling						NT=Note Taking								
EI=Error Identification						Seq=Sequencing								
M=Matching						MCQ=Multiple choice question								
MPh=Matching (Phrases)						Ref.=References								

Listening exercises from Unit 1B to 2D were taught using traditional model, from 3A to 3D, using metacognitive model, from 4B to 5B, using process model, and from 5D to 6D, using adapted model. The level of difficulty level has been shown using colours. Yellow represents listening for gist, orange symbolizes listening for specific details, red for making inferences and evaluation, and green for lead-in questions whose purpose is to familiarize students with what they are going to listen.

## Adapted Model

In order to minimize the shortcomings of different listening models, an adapted model for teaching listening has been designed.



**Figure 4:** Adapted Model

This model focuses not only on new words but also on language expressions. In addition to these, inferring attitudes of speaker(s) helps students improve their thinking skill in their real-life context. What makes this adapted model stand out from other models of teaching listening is that this model allows students to compensate the areas they have missed. Besides, this model lets students learn from their peers in collaborative learning environment.

### Teaching Listening using traditional model

The following lesson plan is based on the discipline of traditional model which is teacher-centred and students listen passively with focus on correct answer.



## Lesson Plan

**Class: Second Year Foundation**

**Semester: Second Semester**

**Resources: Straightforward Coursebook, Audio Aids, whiteboard**

Week	Day	Time	Lecture topic/ Procedures/ Activities	Interactions
1	3	15 mins	<p><b>Topic: Unit 3B: Unusual homes</b></p> <p>Lesson Aim:</p> <ul style="list-style-type: none"> <li>➤ To introduce Ss to the advantages and disadvantages of living in a residence</li> <li>➤ To improve Ss' listening strategies</li> </ul> <p>Lesson Objectives:</p> <ul style="list-style-type: none"> <li>➤ To introduce different types of residence</li> <li>➤ To give Ss exposure to real-life problems with living</li> <li>➤ To enable Ss to predict, make sense using contextual clues, to listen for gist, to evaluate their listening strategies and respond based on what they have known from listening</li> </ul> <p><b>Planning the task (Pre-listening)</b></p> <p>T tells Ss to list different types of houses in pairs.</p> <p>T tells Ss to think of disadvantages of living in such houses.</p> <p>T lets Ss know that predicting and making sense of context before listening is useful.</p> <p>T lets Ss scan pictures on Page 26.</p> <p>T tells Ss to match the pictures with the types of houses.</p> <p>T tells Ss to discuss the strategies they use in thinking about types of houses.</p>	<p>(T=Teacher, Ss=Students)</p> <p>T→Ss</p> <p>T→Ss</p> <p>T→Ss</p> <p>Ss↔Ss</p>
		25 mins	<p><b>Monitoring (While-listening)</b></p> <p>T tells Ss to listen to the audio and answer the places where each person lives.</p> <p>T lets Ss check their answers with their friends and share their thoughts on how they get their answers.</p> <p>T plays the recording again and lets Ss make notes on the best and worst things about where they live.</p> <p>T checks Ss' answers.</p> <p>T tells Ss the effectiveness of using strategies like predicting and making sense of context.</p>	<p>T→Ss</p> <p>Ss↔Ss</p> <p>T→Ss</p> <p>T↔Ss</p>
		10 mins	<p><b>Evaluating (Post-listening)</b></p> <p>T encourages Ss to reflect the usefulness of strategies they have discussed when they listened to the recordings in pairs.</p> <p>Then, T tells Ss to share their effective strategies in groups of 4.</p> <p>T winds up the strategies used in previous listening activities.</p>	<p>T↔Ss</p> <p>Ss↔Ss</p> <p>T→Ss</p>

### **Teaching listening using process model**

Fields (2008) proposed process model which is composed of pre-listening, extensive listening, intensive listening and post-listening. This model is much more systematic than traditional model and metacognitive model as it encourages students understanding of general ideas first, and only after that, detailed comprehension. In addition, language functions are focused and are used in activity that follows post-listening stage. Sample use of process model in teaching listening can be seen in the following lesson plan.

## Lesson Plan

**Class: Second Year Foundation    Semester: Second Semester**

**Resources: Straightforward Coursebook, CD player, whiteboard**

Week	Day	Time	Lecture topic/ Procedures/ Activities	Interactions
1	1	15 mins	<p><b>Topic: Unit 5B: Cold calling</b></p> <p>Lesson aim:</p> <ul style="list-style-type: none"> <li>➤ To arouse Ss' prior knowledge on junk calls</li> <li>➤ To improve Ss' listening strategies</li> </ul> <p>Lesson Objectives:</p> <ul style="list-style-type: none"> <li>➤ To introduce Ss to a series of cold calling</li> <li>➤ To encourage Ss to predict possible answers with regard to contextual clues</li> <li>➤ To enrich phone language expressions</li> </ul> <p><b>Pre-listening</b></p> <p>T tells Ss to discuss some unknown phone calls from telephone operators and advertisers in groups of 4. T also takes part in discussion. T invites one representative from each group to share their story at the front of the class. T tells Ss to guess the answers to the questions on Page 46. T let Ss discuss in pairs.</p>	<p>(T=Teacher, Ss=Students)</p> <p>T→Ss</p> <p>T↔Ss</p> <p>T→Ss</p>
		20 mins	<p><b>While-listening</b></p> <p><b>(a) Extensive Listening</b></p> <p>T plays the recording and lets Ss answer True/False. T checks their answers.</p> <p><b>(b) Intensive Listening</b></p> <p>T tells Ss to listen to the dialogue again and note down five differences between the credit card that the salesman describes and the credit card on the envelope. T tells Ss to check their answers.</p>	<p>T→Ss</p> <p>T→Ss</p>
		15 mins	<p><b>Post-listening</b></p> <p>T highlights useful words and phrases in listening scripts. T asks Ss to repeat the dialogue by using the information on the envelope. T winds up the lesson by revising the main idea of listening comprehension, detailed information about phone language and highlighted words and phrases.</p>	<p>T→Ss</p> <p>T→Ss</p>

### Teaching listening using adapted model

In order to weaken the shortcomings of teaching listening models as much as possible, a model for teaching listening is proposed. It is composed of pre-listening, while-listening which can be divided into global listening and local listening, post-listening and follow-up activities. What makes this model more significant is that it includes back-and-forth stage which allows students to go back to local listening stage from post listening stage, thereby encouraging students to consciously hunt what they have missed. This model does not teach theories or strategies for effective listening directly. In addition, follow-up activities are used to digest what students have learned from listening comprehension.

### Lesson Plan

**Class: Second Year Foundation**

**Semester: Second Semester**

**Resources: Straightforward Coursebook, PowerPoint, activity sheets, whiteboard**

Week	Day	Time	Lecture topic/ Procedures/ Activities	Interactions
12	1	15 mins	<p><b>Topic: Unit 5D: Paperwork</b></p> <p>Lesson aim:</p> <ul style="list-style-type: none"> <li>➤ To help Ss enrich their vocabulary</li> <li>➤ To improve Ss' listening skills</li> </ul> <p>Lesson Objectives:</p> <ul style="list-style-type: none"> <li>➤ To introduce Ss with vocabulary for office supplies</li> <li>➤ To encourage Ss' observant nature</li> <li>➤ To expose Ss to the format of the order form used in business</li> <li>➤ To enable Ss to hunt information quickly</li> <li>➤ To introduce Ss to the verbs used in business</li> </ul> <p><b>Pre-listening</b></p> <p>T elicits Ss the stationery used in offices and schools using a spider web.</p> <div style="text-align: center;"> <pre> graph TD     Stationery((Stationery)) --- Pen     Stationery --- Pencil     Stationery --- Books     Stationery --- Folders     Stationery --- Stapler                     </pre> </div>	<p>(T=Teacher, Ss=Students)</p> <p>T↔Ss</p> <p>T→Ss</p>



Week	Day	Time	Lecture topic/ Procedures/ Activities	Interactions						
		30 mins	<p><b>Follow-up activities</b></p> <p><u>Activity 1</u></p> <p>T tells Ss to repeat the dialogue after her while she reads out with correct pronunciation and accent.</p> <p>T puts Ss in pairs and lets them practise the dialogue between Pippa and Dave</p> <p>T tells Ss to swap their roles.</p> <p>T randomly calls forth 5 or 6 pairs of Ss and lets them practise in front of the class.</p> <p><u>Activity 2</u></p> <p>T elicits Ss the office supplies they have learned again.</p> <p>T reminds Ss to think of any other office supplies besides these.</p> <p>T elicits more office supplies.</p> <p>T puts Ss in groups of 5 and demonstrates the Conversation Chain activity.</p> <p>T tells Ss to use a certain kind of office supplies one time only.</p> <p>T: Conversation, conversation starting with office supplies – Clip</p> <p>S1: Paper, S2: Stapler, S3: Pen, S4: Folder, S5: Biros, S1: Card, S2: Sellotape, S3: Pin, S4: Calculator, S5: Phone...</p> <p>Ss who cannot continue with another kind of stationery have to leave the game until only one S who is left is the winner.</p> <p>T winds up the lesson by letting Ss reflect KWL chart</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 33%;">What I KNOW</th> <th style="width: 33%;">What I WANT to know</th> <th style="width: 33%;">What I have LEARNED</th> </tr> </thead> <tbody> <tr> <td style="height: 30px;"></td> <td></td> <td></td> </tr> </tbody> </table>	What I KNOW	What I WANT to know	What I have LEARNED				<p>T→Ss</p> <p>Ss↔Ss</p> <p>T↔Ss</p> <p>T→Ss</p> <p>T↔Ss</p> <p>Ss↔Ss</p> <p>T↔Ss</p>
What I KNOW	What I WANT to know	What I have LEARNED								

### **Findings**

The listening performance of students is presented through the use of numbers and percentages. Grey areas refer to the exercises which were asked to activate students' prior knowledge and to provoke their critical thinking. There were no accurate answers for such questions. For this reason, answers for questions in grey areas were not graded. Percentages were calculated based on how many percentage of the answers was correct. In student's

thinking aloud for why they get a particular answer, **a** refers to "translation", **b** refers to "prediction", **c** refers to "keyword" and **d** refers to "detail understanding".

### Outcomes of Traditional Model

In this section, students were taught listening exercises through Traditional Model. Firstly, students' prior knowledge was activated through pictures, topic and sub-topics. Then they had to engage in looking for facts and details. They had to use their schema and what they heard from listening. According to Table 2, most students relied on translation and prediction to get the answer when they were taught using traditional model. In addition, the percentage of getting correct answers was very low up to 25% on average. The followings are the results of students' listening performance after teaching listening sections through Traditional Model.

**Table 2: Outcomes for teaching listening using Traditional Model**

No.	Unit	Page No.	Question Type	Focused listening sub-skills	No. of Ques.	Questions	Why do you use this answer?				Score	%	
							a	b	c	d			
1	1B: Daily lives	6	Question and Answer	Listening for Details (LfD)	7	1							
						4.(1)	20	34	1	1	15	27	
						2	14	42	0	0	16	29	
						3	21	28	5	2	11	20	
						4	15	39	1	1	14	25	
						5	25	24	6	1	16	29	
						6	12	30	12	2	12	21	
	Total										84	25	
				Gap-filling	Listening for Gist (LfG)	5	5 (1)	20	26	6	4	24	43
							2	23	26	5	2	17	30
							3	19	28	5	4	16	29
							4	21	31	3	1	19	34
							5	20	31	3	2	25	45
	Total										101	36	

No.	Unit	Page No.	Question Type	Focused listening sub-skills	No. of Ques.	Questions	Why do you use this answer?				Score	%	
							a	b	c	d			
2	1D: First Impressions	10	Question and Answer	Inferring	3	1.							
						2.							
						3.							
				Error Identification	5	1	23	22	5	6	27	48	
						2	14	39	1	2	15	27	
						3	15	41	0	0	18	32	
			4			12	42	2	0	8	14		
			5	17	38	1	0	20	36				
<b>Total</b>										<b>88</b>	<b>31</b>		
3	2B: Unusual journeys		Matching	Listening for Gist (LfG)	6	1	12	23	18	3	28	7	
						2	3	16	26	11	33	8	
						3	16	12	13	15	39	10	
						4	1	11	23	21	48	12	
						5	4	13	21	18	54	14	
						6	0	37	2	17	38	10	
	<b>Total</b>										<b>240</b>	<b>71</b>	
				Question and Answer	Listening for Specific Information (LfSI)	6	1	1	33	12	10	46	14
							2	4	20	23	9	32	10
							3	11	13	28	4	21	6
							4	6	38	11	1	7	2
							5	3	37	12	4	12	4
			6				12	36	4	4	11	3	
<b>Total</b>										<b>129</b>	<b>38</b>		
			Information Check	Listening for Specific Information (LfSI)	1								
4	2D: Getting around	20	Matching	LfG	3	1	23	15	12	6	24	43	
						2	29	11	11	5	16	29	
						3	2	12	4	38	44	79	
	<b>Total</b>										<b>84</b>	<b>50</b>	
				True/ False	LfSI	6	1	16	11	6	23	30	54
							2	21	12	2	21	27	48
			3				3	20	21	12	20	36	
			4				9	22	25	0	12	21	
			5				4	38	11	3	7	13	
			6				12	32	12	0	7	13	
<b>Total</b>										<b>103</b>	<b>31</b>		

### Outcomes of Metacognitive Model

In the first stage of Metacognitive model, teacher aroused students' attention through pictures, topic and sub-topics. Next, students were encouraged to discuss listening strategies which they believed would be helpful for upcoming listening exercise. In the second stage of Metacognitive model, students had to evaluate what they understood and check if listening strategies they had discussed worked. The last stage is known as Evaluating Approach and Outcomes in which students had to engage in reflection section again. In unit 3A to 3D, most of the sub-skills for listening are listening for gist and listening for specific information. The average percentage of correct answers for all the exercises done is 46%. When it came to reflection section, it is found that only a few students could explain how they got the answer to the questions whereas most of them would say that they were only guessing. It can be seen in the following table that students used guessing most of the time.

**Table 3: Outcomes for teaching listening using Metacognitive Model**

No.	Unit	Page No.	Question Type	Focused listening	No. of Ques.	Questions	Why do you use this answer?				Score	%
				sub-skills			a	b	c	d		
1	3A: Dream homes	24	Asking for opinion		1							
			Matching	LfG	5	1	12	33	10	1	26	46
						2	12	23	21	0	17	30
						3	11	31	8	6	23	41
						4	16	31	7	2	15	27
						5	10	33	11	2	22	39
Total											103	37
			Follow-up Asking for opinion		1							
2	3B: Unusual homes	26	Matching	LfG	6	1	7	39	9	1	21	38
						2	8	31	13	4	28	50
						3	7	25	17	7	31	55
						4	3	21	23	9	24	43
						5	0	26	25	5	25	45
						6	16	23	17	0	22	39
Total											130	39

No.	Unit	Page No.	Question Type	Focused listening	No. of Ques.	Questions	Why do you use this answer?				Score	%		
				sub-skills			a	b	c	d				
			Question and Answer	LfSI	1		15	22	17	2	11	20		
			Note-taking	LfD	1									
			Matching	LfG	8	1	17	23	15	1	18	32		
						2	19	22	14	1	23	41		
						3	17	23	15	1	24	43		
						4	13	23	17	3	27	48		
						5	11	22	14	9	20	36		
						6	17	23	13	3	28	50		
						7	13	21	15	7	21	38		
						8	20	19	15	2	27	48		
<b>Total</b>											<b>188</b>	<b>42</b>		
3	3D: Dinner invitation	30	Question and Answer	Predicting	2									
			Matching	LfG	4	1	4	20	23	9	46	82		
						2	11	13	28	4	34	61		
						3	6	38	11	1	24	43		
						4	3	37	12	4	32	57		
		<b>Total</b>											<b>136</b>	<b>61</b>
			True/False	LfSI	6	1	20	29	3	4	24	11		
						2	23	26	5	2	17	8		
						3	11	32	9	4	42	19		
						4	21	31	3	1	16	7		
						5	20	31	3	2	42	19		
						6	7	38	11	0	14	6		
		<b>Total</b>											<b>155</b>	<b>46</b>
		Follow-up Asking for opinion	Evaluating	1										
	31	Error Identification	LfSI	4	1	13	31	8	4	27	48			
	2				23	26	5	2	17	30				
	3				19	28	5	4	23	41				
	4				21	31	3	1	9	16				
<b>Total</b>											<b>76</b>	<b>34</b>		
		Follow-up Matching	Evaluating	4										

### Outcome of Process Model

In order to help students improve their listening skills, Process Model was used to teach listening exercises from Unit 4B to 5B. In pre-listening stage, teacher familiarized students with what they were going to listen. If necessary, vocabulary to be encountered in listening text was pre-taught. In extensive listening stage, students had to listen for general information and detail information was required in intensive listening. After listening, students had to learn language functions and were encouraged to learn how to infer meaning from contextual clues. As this model emphasized language functions, an average student got 98% in sequencing which based on connectives. What made the results of Process Model different from those of other models was that more students were likely to use searching keywords and became confident about the answer they gave according to their reflection on why they chose such answers.

**Table 4: Outcomes for teaching listening using Process Model**

No.	Unit	Page No.	Question Type	Focused listening sub-skills	No. of Ques	Questions	Why do you use this answer?				Score	%	
							a	b	c	d			
1	4B: Twists of fate	36	Question and Answer	LfG	2		0	23	22	11	19	34	
							2	48	6	0	7	13	
		<b>Total</b>										<b>26</b>	<b>23</b>
			Question and Answer	LfSI	1							0	0
			Sequencing	LfD	8		28	7	21	0	25	45	
										27	48		
										27	48		
										23	41		
										31	55		
										31	55		
								20	36				
					32	57							
<b>Total</b>										<b>216</b>	<b>48</b>		



## Outcomes of Adapted Model

The purposes of designing an adapted model for teaching listening are to lessen the weaknesses of different teaching listening models and to come up with more effective steps for local students to improve their listening skills. In addition to improving listening skills, students became more critical and creative with regard to the fact that their performance was dramatically better in listening questions such as Question and Answer and Error Identification questions. Besides, collaborative learning environment gave rise highly to the cooperative teamwork.

**Table 4: Outcomes for teaching listening using Process Model**

No.	Unit	Page No.	Question Type	Focused listening	No. of Ques.	Questions	Why do you use this answer?				Score	%
				sub-skills			a	b	c	d		
1	5D: Paperwork	50	Question and Answer	Predicting	2							
			Gap-filling	LfG	9	1	9	10	26	11	21	38
		2				7	5	31	15	47	84	
		3				1	11	23	21	28	50	
		4				4	13	21	18	39	70	
		5				3	16	26	11	38	68	
		6				7	11	23	15	46	82	
		7				5	5	25	21	41	73	
		8				4	5	29	18	36	64	
		9				0	37	2	17	49	88	
	<b>Total</b>										<b>345</b>	<b>68</b>
		Gap-filling	LfG	5	1	2	13	23	18	52	93	
	2				3	11	31	11	45	80		
	3				7	11	23	15	48	86		
	4				5	3	27	21	43	77		
5	3				6	29	18	37	66			
<b>Total</b>										<b>225</b>	<b>68</b>	
2	6B: Getting away	56	Question and Answer	Predicting	1							
			Multiple Choice	LfSI	1					243	72	
			Question and Answer	LfSI	3	1	12	10	22	12	55	98
		2				8	23	22	3	51	91	
		3				9	11	29	7	40	71	
<b>Total</b>										<b>146</b>	<b>87</b>	

No.	Unit	Page No.	Question Type	Focused listening	No. of Ques.	Questions	Why do you use this answer?				Score	%	
				sub-skills			a	b	c	d			
			Gap-filling/ Multiple Choice	LfG	6	1	23	3	22	8	49	88	
						2	28	0	9	19	52	93	
						3	9	0	22	25	43	77	
						4	23	3	22	8	43	77	
						5	28	0	9	19	40	71	
						<b>Total</b>							
			Reference to the Context	LfSI	6	1	0	6	26	24	56	100	
						2	8	13	21	14	55	98	
						3	3	16	26	11	48	86	
						4	7	11	23	15	48	86	
						5	0	5	30	21	34	61	
						6	4	13	21	18	42	75	
		<b>Total</b>										<b>283</b>	<b>84</b>
	Asking for Opinion	Evaluating	1										
13	6D: Travel plans	60	Matching	LfG	4	1	7	5	27	17	53	95	
						2	5	1	34	16	45	80	
						3	15	3	26	12	40	71	
						4	1	2	39	14	39	70	
						<b>Total</b>							
			Completion	LfG	5	1	2	5	27	21	55	25	
						2	4	1	34	17	55	25	
						3	6	0	33	17	52	23	
						4	0	5	41	10	42	19	
						5	6	6	27	17	36	16	
		<b>Total</b>										<b>240</b>	<b>86</b>
			True/False	LfSI	6	1	5	5	27	19	56	100	
						2	0	1	38	17	52	93	
3	4					6	27	19	48	86			
4	4					2	33	17	42	75			
5	6					5	28	17	43	77			
6	5					2	26	23	34	61			
<b>Total</b>										<b>275</b>	<b>82</b>		

The research revealed that traditional model did not allow students to come up with outcomes. They might be able to get answers to listening exercises with the help of teachers' explanation. In addition, after learning how to do well in listening exercises, they might not have confidence and satisfaction. They were not taught how to answer listening questions. Another

teaching listening model requires students to focus too much on listening strategies. The most thought-provoking question to be answered by this model is “Do students engaging in metacognitive model actually know the strategies?” This model sometimes causes students to get exhausted in discussing listening strategies in detail.

Of all models proposed by scholars, process model can be regarded as a model from which students can get better results. What was more, students could learn language functions and usages. However, students were not exposed to different listening strategies except inferring meaning from contextual clues. This leads to the fact that there is still an urgent need to design a model which suits the needs of students. As adapted model was used in accordance with the needs of target students, the results were much more impressive. The strength of this model according to this research is that students had a chance to learn from their peers and to think aloud well as Think-Aloud sections had been given at the initial state of adapted model. Furthermore, after different lessons were done through scholarly models and the adapted model, the outcomes are as in the followings.

**Table 6: Findings on the research**

No.	Model Factors	Traditional Model	Metacognitive Model	Process Model	Adapted Model	
1	Strength	Vocabulary enrichment	Listening strategies	Lead-in and focus on language functions	Lead-in and focus on language and language functions	
2	Shortcomings	Spoon-feeding method	Too much focus on reflection	Rigid	Time constraint	
3	Percentage of correct answers	40%	40%	60%	77%	
4	Keller's Model of Motivation	Attention	No	No	Yes	Yes
		Relevance	No	Yes	Yes	Yes
		Confidence	No	Yes	Yes	Yes
		Satisfaction	No	Neutral	Yes	Yes

All the results of survey showed that every model had its strengths and weaknesses. Although traditional model was at its best in enriching students' vocabulary, it focused on answers only. Metacognitive model helped students learn listening strategies but too much focus on reflection caused fatigue and lack of interest. Process model resulted in more promising outcomes. However, the steps were not flexible and there was no mentioning of remedy for less able students. Adapted model also focused on language expressions but, unlike process model, this model is a "back and forth" model as it allows students to check and modify their answers if necessary. The percentage of correct answer increases and the highest percentage can be found in adapted model. In terms of Keller's ARCS model, students felt satisfied with their performance most in adapted model.

### **Discussion**

Al Amin and Greenwood (2012) insisted that inconsistency between curriculum and examination system is the main cause of avoiding listening skill at secondary level education in Bangladesh. With regard to students' reflection, it is also true in Myanmar context as one of the reasons why students in Myanmar are weak in listening skills is that listening has been neglected in curriculum and is not tested in examination.

As Vandergrift and Goh (2012) cited in Doddis (2016) pointed out, the outcomes of teaching listening using metacognitive model showed that "metacognitive pedagogical sequence incorporates a cooperative pedagogical approach, since the discussions with other learners facilitate the improvement on the listening skills of each individual student". Results of teaching listening using metacognitive model in this research are in line with what Vandergrift and Goh stated. Awareness on listening strategies helps students have better understanding of the listening text. Lesson plans on teaching listening should be based on teaching how to listen rather than teaching what to listen.

## **Conclusion**

This paper suggests models for teaching listening, and proved the effectiveness of teaching listening models and the development of students' listening proficiency level through different models. In addition, the benefits of Think-Aloud sections can be seen in stages of research. Having done in Think-Aloud training, students could express how they engage in listening activities. Moreover, strengths and weaknesses of each teaching listening model were displayed through students' performance. In addition, results of the research reinforced that a model worked at its best when it was designed to suit the needs, levels, capacities and expectations of target students. In Myanmar, an implementation on developing listening skills of students starting from pre-school level to tertiary level is required. Most students are weak in listening proficiency due to the fact that it is a skill neglected for decades. The limitation of this research is that proposed model has never been used with students at school level and those at other universities besides Physics Specialization in University of Hpa-an. Further research on teaching listening to students at school level using adapted model can be done. It is hoped that practices in this paper can be useful for teachers who are teaching listening skills and students who would like to improve their listening proficiency.

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# **A STUDY OF EXPLICITATION AND IMPLICITATION TO INVESTIGATE THEIR CAUSES IN THE TRANSLATION OF THE SHORT STORY “NOT TILL AFTER INDEPENDENCE” WRITTEN BY THEIN PE MYINT**

Aung Kyi\*

## **Abstract**

In this paper a study of explicating and implicating shifts was made in the translation of the short story “Not Till After Independence” written by Thein Pe Myint. The major aim of the study is to know why and how the translator Patricia M. Milne used explicitation and implicitation in her translation of the short story. Explicating and Implicating shifts were identified at the phrase level. They were identified according to formal-semantic criteria. Additions, omissions and substitutions of nouns, pronouns, proper names and adjectives were formally identified and distinguished. Shifts were functionally categorized into interactional, cohesive and denotational shifts according to Victor Becher (2011). In the data analyzed, instances of explicitation were found to be more frequent than instances of implicitation. The study identified a number of factors that caused explicitation. These factors made it difficult to perceive explicitation instances as having a universal tendency. Professional translators as well as budding translators should consider that explicitation strategy should be applied both meaningfully and logically with a clear purpose.

**Keywords:** explicitation, implicitation, interactional, cohesive, denotational, shifts

## **Introduction**

Nowadays, the world has become a global village in which communication between different nationalities is very important. Translation and interpretation become necessary to transfer accurate messages. According to Blum-Kulka (1986), translation-inherent process is mainly responsible for explicitation. This does not take into consideration any specific differences between two particular languages and other pragmatic factors that might cause explicitation in translation.

According to Catford (1965), translation is the replacement of textual material in the target language (henceforth TL). According to Bell (1991),

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translation is the replacement of a source text (henceforth ST) in one language with an equivalent text in another language. Nida and Taber (1982) stated that translation consists in rewriting in the TL the closest equivalent message written in the source language (henceforth SL), first in terms of meaning and secondly in terms of style. Based on this definition, translating means transferring the original message from SL into TL. So meaning is the most important in translation. When the translator is translating the message, sometimes he adds certain linguistic items to make things more explicit. This is an instance of explicitation. The opposite procedure is implicitation in which the translator leaves things implicit through omission.

Explicitation in translation is a phenomenon that adds certain linguistic items in translation. Explicitation is used by the translator to further extend or expand the ideas originally conceived in the SL. As explicitation is a translation process intentionally performed by the translator to achieve his purpose, his skill plays an important role in translating. According to Dimitrova (2005), professional translators tend to explicitate earlier than students. They are usually better than students. The phenomenon of explicitating and implicitating shifts have not been explored yet in the translation of Myanmar short stories into English. There has been no previous study on explicitation in translation between Myanmar and English. This study is the first of its kind in translation studies. This is why, an attempt was made to do a research on the explicitating and implicitating shifts in the translation of Thein Pe Myint's short story by Patricia M Milne.

It is assumed that translating a short story involves making certain expansions or reductions in the target text (henceforth TT). The main problem with Explicitation Hypothesis of Blum-Kulka (1986) is that translated texts are universally characterized by translation-inherent features of translation process. Why expansions are made in the translation are not assumed to be caused by translation process itself. It is assumed that expansions or reductions are caused by pragmatic or language-specific factors.

### **Research questions**

1. Which shifts are found more frequently at the phrase level?
2. Which factors cause these shifts?

### **Aim and Objectives of the study**

The aim of the study is to specify the conditions under which explicitating and implicitating shifts are made by the translator Patricia M Milne in her translation of Thein Pe Myint's short story *Not Till After Independence*.

The objectives of the study are as follows:

1. To identify every instance of explicitation and implicitation at the level of noun phrase and adjective phrase
2. To explain the factors that make the translator explicitate and /or implicitate in the translation

### **Literature Review**

Explicitation means making implicit information in the ST explicit in the TT. It is a strategy often used in translating. The concept of explicitation was first proposed by Vinay and Darbelnet (1958). In the book "Comparative Stylistics of French and English: A Methodology for Translation (1995)" Vinay and Darbelnet made a contrastive stylistic analysis of French and English. They chose nine texts with their translations for their study. In their study of comparing French and English stylistics, they created the term 'explicitation' for the field of translation. Their study revealed many of the structural differences between the two languages. So they concluded that explicitation was a stylistic technique in translating STs into TTs. Now this term has become a well-established term in the field of translation studies.

In her book "Shifts of Cohesion and Coherence in Translation" an Israeli scholar Blum-Kulka formulated her 'explicitation hypothesis' as follows:

"The process of translation, particularly if successful, necessitates a complex text and discourse processing. The process of interpretation performed by the translator on the source text might lead to a TL text which is more redundant than the SL text. This redundancy can be expressed by a rise in the level of cohesive explicitness in the TL text. This argument may be stated as "the explicitation hypothesis", which postulates an observed cohesive explicitness from SL to TL texts regardless of the increase traceable to differences between the two linguistic and textual systems involved. It follows that explicitation is viewed here as inherent in the process of translation" (Blum-Kulka 1986: 19)

In the paper “Pragmatics and the Explicitation” (1988), Seguinot states that Blum-Kulka’s central thesis of Explicitation Hypothesis is a part of translation process. However, there are several problems with the theory. The scope of the definition of explicitation is narrow because explicitness does not necessarily mean redundancy. Blum-Kulka’s view is that explicitation is a universal strategy inherent in the process of translation. Seguinot (1988) did research on French-to-English translations of insurance corpus (over 17000 words) and company report corpus (about 3000 words). Seguinot distinguished between explicitation due to language system differences and stylistic and text-type-related reasons on the one hand and explicitation due to the process of translation. The scholar argued that the term ‘explicitation’ should be reserved for additions in a translated text which cannot be explained by structural, stylistic, or rhetorical differences between the two languages. According to her categorization, explicitation can take place in three ways: translation is performed for something that is not present in the ST; translation is performed for something that can be inferred, but not given in the ST; and translation is performed for something that is not given greater focus or emphasis. She argues that structural, stylistic and rhetorical changes in the translated text should not be considered when trying to identify instances of explicitation. She confines the instances of real explicitation to the ones in which the text is not clear and specific to the TT reader.

In the paper “Reporting ‘that’ in translated English: evidence for subconscious processes of explicitation” Olohan and Baker (2000) did research on the optional use of the complementizer ‘that’ after the reporting verbs ‘say’ and ‘tell’ in translated vs. non-translated English texts (‘reporting that’). Baker (2000) defined explicitation as making the implicit information given in the ST explicit. Its main purpose is to convey the original message more clearly and precisely. Moreover, she claimed that explicitation was a universal character of translation. Olohan and Baker have utilized the Translational English Corpus (TEC) and a comparable sample from the British National Corpus (BNC) to test Blum-Kulka’s Explicitation Hypothesis. The TEC is composed of English TTs from four different genres translated from “a range of SLs” (Olohan & Baker 2000:151). The BNC sample is composed of non-translated English texts. Both corpora contain about 3.5 million words. They attempted to prove Blum-Kulka’s Explicitation

Hypothesis by investigating the spelling out of the English particle “that”. Baker and Olohan (2000) saw explicitation as the provision of “extra information” while using encoded/inferred method of classification as the basis of their explicitation research based on their definition of explicitation “spelling out of information otherwise implicit in the SL” (Baker 2000:142).

In response to the explicitation hypothesis Klaudy and Karoly proposed “Asymmetry Hypothesis”, in which explicitation in one direction is not counterbalanced or neutralized by implicitation in the opposite direction (Klaudy, 2004; Karoly, 2005). According to them, such an approach can be used to validate that explicitation is a translation universal. In Klaudy and Karoly’s hypothesis specification is seen as an aspect of explicitation, while generalization is associated with implicitation. Klaudy (1998) proposes the following four categories of explicitation:

1. Obligatory explicitations originate in the structural differences between languages. For example, syntactic and semantic explicitations are obligatory because without them TL sentences would be ungrammatical. According to Klaudy (1998), translation of preposition-free Hungarian into English requires numerous additions of prepositions. Semantic explicitation consists of choosing more specific words in the TT. A good example of this is the translation of kinship terms from Myanmar into English. Myanmar has more detailed kinship terms than English. “Brother,” for instance, in English cannot be translated into Myanmar without the specification of “younger brother” (‘nyi’) if you are a male or (“maung”) if you are a female.
2. Optional explicitation is ascribed first to differences in text-building or text-organizing strategies and secondly to stylistic or textual differences between languages. These are optional in the sense that without them some sentences seem to be unnatural in the TL even though they are grammatical. Stylistic or textual explicitations can therefore involve the additions of connective elements to strengthen cohesive links and the additions of emphasizees to give further information on the focus in a sentence. The omission of them would not disturb the grammatical correctness of the sentence.

3. Pragmatic explicitations are due to socio-cultural differences between the source and target languages, differences in world knowledge of SL and TL readers or different communicative norms. Besides cultural-specific items and geographic names, translating for a different target audience under different situations or with different purposes also requires pragmatic explicitations.
4. Translation-inherent explicitations have to do with the inherent nature of translation process itself. Translation means explicitation in a way. According to Klaudy (1998), pragmatic explicitation is due to a pervasive feature of translation activity that is language-independent.

In his dissertation for PhD “Explicitation and Implication in Translation (2011)” Becher (2011) studied explicitating and implicating shifts in a corpus of English and German business texts and their translations in both directions on the basis of both formal and functional criteria. Becher (2011) claimed that every instance of explicitation and implication could be explained as a result of lexico-grammatical and pragmatic factors rather than the universality of explicitness. He argued that explicitations in one translation direction was often not counterbalanced by implications in the other direction. He made a list of factors which he claimed regularly led translators to explicitate or implicate. Quite obviously he basically followed Vinay and Darbelnet’s traditional concept of explicitness. This is seen in his definition of explicitation: “the verbalization of information that the addressee would be able to infer if it were not verbalized” (Becher 2011:18).

The encoded/inferred system of explicitness and implicitness

Explicit	Encoded
Implicit	Inferred

Explicitness based on the traditional encoded / inferred meaning levels

(Murtisari, 2013: 317)

### **Defining explicitation and implication**

The following terms are provided with definitions as used in the study.

### **Implicitness and explicitness**

**Implicitness** is the non-verbalization of information or decoded information or non-expressed or not clearly expressed information that the addressee might be able to infer. **Explicitness** is the verbalization of information or encoded information or clearly expressed information that the addressee might be able to infer if it were not verbalized or encoded or expressed.

### **Explicitation and implicitation**

**Explicitation** occurs where a given TT is more explicit than the corresponding ST. **Implicitation** occurs where a given TT is less explicit or (more implicit) than the corresponding ST.

### **Units of analysis**

According to Quirk and Greenbaum (1973:59), “Noun phrase typically functions as subject, object, complement of sentences, and as complement in prepositional phrases.”

According to Dictionary.com based on Random House Dictionary (2018), “Adjective phrase is a group of words including an adjective and its complements or modifiers that function as an adjective.”

According to Halliday (2014), there are three classes of words: nominal, verbal and adverbial. Nominal groups include nouns (common, proper and pronoun), adjective, numeral and determiner. Verbal groups include verbs and prepositions. Adverbial groups include adverbs and conjunctions. The focus of analysis is on the nominal groups such as noun and adjective phrases excluding numerals and determiners.

### **Materials and Method**

The study was carried out on Patricia M. Milne’s translation of the short story *Not Till After Independence* written by Thein Pe Myint. The analysis of the story proceeded as follows. First, TT sentences were aligned with their corresponding ST sentences to pick out all the noun phrases and adjective phrases. Then, all the nominal groups, that is, the noun phrases and adjective phrases were underlined to identify all the explicitating and implicitating shifts according to the formal-semantic criteria. Shifts were

classified as (a) additions, (b) substitutions, and (c) omissions depending on the type of linguistic operation the translator performed. Explications and implicitations were identified on phrase level, but not on sentence level. However, the whole of the sentence was taken into account in interpretation. Syntactic upgrades and downgrades were not counted as shifts. One example of syntactic upgrade is adjectives changed into prepositional phrases whereas one example of syntactic downgrade is relative clauses changed into prepositional phrases.

Multiple shifts of the same denotational type occurring inside the same phrases were counted as a single shift. For example, in the case of adjective-based explication and noun-based explication occurring inside the same phrase, only the hierarchically highest shift was regarded as a single shift. Multiple shifts of different types (interactional and denotational, for example) were not counted as a single shift. Only the TT sentences with their parallel ST sentences where the shifts were focused on were described in the study.

The following shifts were not counted in the study.

Obligatory shifts. These shifts refer to occurrences where translators have to explicitate or implicitate due to particular lexicogrammatical differences between the two language systems involved.

Article-based shifts. Additions, omissions and substitutions of the definite or indefinite article were not explored in the study. The use of articles in English and Myanmar is strongly constrained by language-specific lexicogrammatical rules. So these shifts are obligatory.

Verb-based shifts. These shifts were not counted in the study because according to Doherty (2006) quoted in Becher (2011) the verbs can easily move into the syntactic upgrade or syntactic downgrade without the translator being aware of their movement.

Preposition-based shifts. Additions, omissions and substitutions of prepositions were not counted in the study as they are very complex semantically.

Modal marker-based shifts. These shifts comprise additions, omissions, and substitutions of modal adverbs (e.g. possibly, probably), modal verbs (e.g. can, shall, may, will, etc.), and modal particles (e.g. already, just, yet, etc.) They do not have denotational meanings.

Adverb-based shifts. These shifts comprise additions, omissions and substitutions of adverbs. Adverbs usually modify verbs or adjectives or the whole sentences. This study is focused on nouns and adjectives.

Cases that are ambiguous were not counted as shifts.

Moreover, the syntactic category of the explicitated / implicitated words was determined (for example, noun, pronoun, proper name and adjective). Finally shifts were classified according to functional / pragmatic criteria as (a) interactional, (b) cohesive, and (c) denotational shifts.

In identifying and classifying shifts in the study Becher's (2011) framework was used. The aim of his framework is to be able to identify explicitating and implicitating shifts, and to tell whether the shift mainly affects the interactional, cohesive, or denotational meaning of the TT as compared to the ST. The framework distinguishes between the following three types of shifts:

1. Interactional shifts concern the appearance of the ST author and the TT addressee in the TT.
2. Cohesive shifts concern the cohesion of the TT as compared to the ST.
3. Denotational shifts concern the description of the states of affairs expressed by the TT.

### **Interactional shifts**

According to Becher (2011), shifts involving reference to the author or reader of a text are interactional shifts. By the term 'author of a text' Becher meant 'the writer-in-the-text', i.e. the participant that is responsible for the text. Becher's scale of interactional explicitness is as follows:

1. High degree of interactional explicitness: reference to author or reader by means of personal pronouns (I, we= author; you= reader)
2. Medium degree of interactional explicitness: reference to author by means of company's name, e.g. XYZ Corporation (the addition of the proper name 'XYZ')
3. Low degree of interactional explicitness: reference to author or reader by means of a descriptive expression (the company, the Group, the organization= Author; the reader= Reader)

4. Lowest degree of interactional explicitness: no explicit reference to author or reader, e.g. in passive constructions (Author: e.g. New products will be launched ... (cf. We will launch new products ...)  
(Reader: e.g. It is easy to see that ... (cf. You can easily see that ... )

### **Cohesive shifts**

Cohesion concerns the formal or linguistic connectedness of a text. On the other hand, coherence concerns the text's functional or pragmatic connectedness. The study was focused on cohesive shifts involving co-referential expressions. The term co-reference subsumes Halliday and Hasan's (1976) ideas of "reference, substitutions, ellipsis and lexical cohesion." Becher's modified scale of coreferential explicitness is as follows:

1. Low degree of cohesive explicitness through pronominalization. Referent not specified additionally (e.g. the company ... it)
2. Medium degree of cohesive explicitness. Pronoun + adjective / noun. Referent of pronoun specified by additional lexical means (e.g. the company ... this enterprise)
3. High degree of cohesive explicitness through lexical repetition. Reader does not need a context to establish referent (e.g. the company ... the company)

### **Denotational shifts**

According to Becher (2011), denotational shifts are concerned with the description of states of affairs in such a way as to make the text comply with the requirements of the communicative norms of the TL. In denotational shifts it is very important to distinguish between additions and omissions on the one hand and substitutions on the other hand. According to Becher (2011), from a formal semantic point of view, the addition of a linguistic item represents an explicitation:

1. If the item further specifies a state of affairs (in an inferable way) expressed by the surrounding discourse,
2. If the item expresses an additional state of affairs (that would be inferable if it were not verbalized).

### Findings

In studying the translation of the short story *Not Till After Independence*, all three kinds of shifts were found. The results of interactional shifts involving pronouns and proper names can be seen in Tables 1 and 2 below.

**Table 1: Pronoun-based interactional shift**

Explicitation	Addition	Substitution
	73	3
Implication	Omission	Substitution
	1	0

**Table 2 :Proper name-based interactional shift**

Explicitation	Addition	Substitution
	2	6
Implication	Omission	Substitution
	0	0

Interactional shifts involving proper names are not many in the data analyzed. When the translator felt that she needed to mention the names of the characters, she explicitly substituted the proper names in place of the pronouns as seen in the example below:

TT [It was now almost two years since the betrothal of Kyaw Mya and Ei Nyun; they had exchanged their vows on the south-east corner of the platform of the noble Shwedagon Pagoda on the same day that a big All-Burma A.F.P.F.L. conference was being held on the middle terrace.] (Sentence 1, Paragraph 1 of Part I)

ST [သူတို့လက်ထပ်ရန် ရွှေတိဂုံမြတ်ဘုရားအား တိုင်တည်၍ အဓိဋ္ဌာန်ပြုကြသည်မှာ နှစ်နှစ်နီးပါး ရှိလေပြီ။ ထိုနေ့တွင် အလယ်ပစ္စယံ၌ ဖ ဆ ပ လ ပြည်လုံးကျွတ် ညီလာခံကြီးသည် ကျင်းပလျက်ရှိစဉ် ရင်ပြင်တော်ရှိ အရှေ့တောင်ထောင့်၌ သူတို့နှစ်ယောက် သစ္စာထားကြသည်။]

In the ST there was no mention made of who was involved in the making of a vow. But in the TT the names of those involved in this were mentioned explicitly with reference to the surrounding text. The pronoun ‘they’ was not specific.

Consider another example,

TT [When she heard the announcement that people were pulling off their necklaces to present them to General Aung San, she too wanted to get up and give something, but, unlike the others, she didn't possess a necklace.] (Sentence 6, Paragraph 2 of Part I)

ST [ဆွဲကြိုးဖြတ်၍ မိုလ်ချုပ်လက်အပ်လိုက်ပြီဟူသော ကြေညာချက်ကို ကြားရသော အခါသူလည်း တစ်ခုခု ထ၍ လှူလို၏။ သို့သော် သူ့တွင် သူများလိုဆွဲကြိုးမရှိ။]

The term 'general' is not specific in the TT. Anybody can be a 'general'. In the context of the target audience the general is unknown. If the translator had used the term 'general', it would have been unspecific. The reader would not know who that person was. So the name 'Aung San' was added to make the TT phrase specific. Therefore, the translator added proper names rather explicitly because in the data there were no instances of omission of proper names.

Interactional shifts involving speaker deictic pronoun 'I' referring to the addresser, speaker-plus deictic pronoun 'we' referring to both the addresser and the addressee and hearer deictic pronoun 'you' referring to the addressee can be found considerably in the data analyzed. There are altogether 73 occurrences of interactional pronoun addition and 3 occurrences of interactional pronoun substitution making up a total of 76 explicating shifts. In the ST sentences, all the interactional pronouns such as 'we', 'I' and 'you' were left out on most occasions. However, it is quite easy to make inferences about who was saying what to whom because of the contextual clues in the ST. The implicit information in the ST was made explicit when it was rendered into English. For example,

Example 1,

TT [We know each other well enough, Ko Mya.] (Sentence 3, Paragraph 11 of Part II)

ST [ 'ဓာတ်သချင်းပါ ကိုမြရယ်၊ ]

Example 2,

TT [That's not fair, Ma Nyun. I couldn't manage it because I was at work. And if I miss a day's work, I lose a day's pay."] (Sentence 5, Paragraph 4 of Part I)

ST [“မဟုတ်ပါဘူး၊ အလုပ်မအားလို့ပါ။ အလုပ်ဖျက်ပြန်ရင် နေ့တွက်လျော့ဦးမယ် မညွှန်ရဲ့။”]

In Example 1, the pronoun ‘we’ referred to Ei Nyun and Kyaw Mya. Even though the addresser was not present in the ST, it was made explicit in the TT for explicitation purpose. Speaker-plus deictic pronoun ‘we’ instead of speaker-only deictic pronoun ‘I’ was used because there were two participants involved in the conversation. In Example 2, speaker-only deictic pronoun ‘I’ was found four times in the TT although it was absent in the ST. It is found that the purpose of using these pronouns is to make the TT explicit interactionally.

Moreover, the translator used the all-inclusive pronouns such as the nominative ‘we’ and the accusative ‘us’ to represent all the people of Burma. Consider the following examples:

Example 3,

TT [Since he was a very junior mechanic in the Bombay Burmah Factory, he applauded loudly when they said “We must take over the English companies”; he could almost visualize the way they would do it.] (Sentence 3, Paragraph 2 of Part I)

ST [“အင်္ဂလိပ်ကုမ္ပဏီကြီးတွေကို သိမ်းပစ်ရမည်” ဆိုသောအချက်၌ လက်ခုပ်တီးခဲ့သည်။ သူသည် ဘုံဘေးဘေးမှားစက်မှမထွင်းနစ် လေးဖြစ်သဖြင့် လက်ခုပ်တီးစဉ် ခဏတွင်ပင် အင်္ဂလိပ် ကုမ္ပဏီကို ဘယ်လို သိမ်းပိုက်လိုက်မည်ဟု မျှော်မှန်းထင်မြင်မိလေသည်။]

Example 4,

TT [Kyaw Mya and Ei Nyun, together with the crowd, shouted themselves hoarse, chanting “Fight for Freedom!” and “Give us Freedom now!”] (Sentence 10, Paragraph 2 of Part I)

ST [ကျော်မြင့်နှင့် အေးညွန့်တို့သည် လူထုကြီးနှင့်အတူ “ လွတ်လပ်ရေး တိုက်ယူ” ၊ “လွတ်လပ်ရေး ချက်ချင်းပေး” စသည့်ဖြင့် သံကုန်အော်ခဲ့ကြသေးသည်။]

Example 5,

TT [I’m talking about the item which said that we are going to get independence.”]

ST [လွတ်လပ်ရေးရတော့မယ်ဆိုတာကို ပြောတာ’] (Sentence 22, Paragraph 5 of Part II)

In Examples 3, 4 and 5 the pronoun ‘we’ represents not just the addresser and the addressee, but also all the people of Burma. It was used to make the TT interactionally explicit. As for the omission of interactional pronouns, only one instance was found in the data.

Example 6,

TT [How typical of Burma!”]

ST [တို့မြန်မာပြည်နဲ့တူသေးတော့” ဟုပြောနေဦးမည်။]

The pronoun ‘our’ as an all-inclusive pronoun was dropped in the TT. Thus the omission of ‘our’ made the phrase an instance of interactional implicitation.

As for the results of cohesive shifts, they were shown in the following tables:

**Table 3: Pronoun-based cohesive shift Table 4: Noun-based cohesive shift**

Explicitation	Addition	Substitution
	46	2
Implicitation	Omission	Substitution
	2	6

Explicitation	Addition	Substitution
	8	3
Implicitation	Omission	Substitution
	1	3

**Table 5: Adjective-based cohesive shift**

Explicitation	Addition	Substitution
	2	0
Implicitation	Omission	Substitution
	0	1

There were altogether 48 occurrences of pronoun-based cohesive explicating shifts (46 additions and 2 substitutions) as compared to only 8 occurrences of pronoun-based cohesive implicating shifts (6 substitutions and 2 omissions). Pronominalization was used in the absence of pronouns for explicitation purposes. Consider the following:

Example 1,

TT [We must unite and fight this together...”] (Sentence 40, Paragraph 5 of Part II)

ST [တစ်ညီတညာတည်း တိုက်ပွဲဆင်ရမှာပဲ]

Example 2,

TT [This would take two hundred kyats at the very least.] (Sentence 7, Paragraph 9 of Part II)

ST [အဖျင်းဆုံး ငွေ ၂၀၀ကျပ်မျှ ကုန်လိမ့်မည်။]

In Example 1, the demonstrative pronoun ‘this’, which was absent in the given ST, was used to refer to the dismissal of 23 workers from their jobs. The implicit information contained in the ST was made explicit minimally in the TT. Without ‘this’, it would be stylistically awkward. The stylistic constraint put on the TT phrase made the translator insert ‘this’ for an explicating cohesive shift. In the same way, the subject ‘this’ in Example 2 refers to ‘buying items for the new household’. The empty syntactic slot was filled with ‘this’ to make the TT phrase explicit.

Moreover, possessive pronouns followed by lexical specifiers (either added or substituted) also made the phrases explicit. Consider the following:

Example 3,

TT [“I was up very early this morning, and so I’ve been tired all day.] (Sentence 2, Paragraph 7 of Part III)

ST [ မနက်အစောကြီးကတည်းက နိုးနေပြီး တစ်နေ့လုံး မောနေလို့ပါ။]

Example 4,

TT [As Kyaw Mya was getting up that morning, he heard the Independence gun salute.] (Sentence 2, Paragraph 1 of Part III)

ST [ နံနက်ကဆိုလျှင် ကျော်မြမှာ ကျော်မြ အခန်းတွင် လွတ်လပ်ရေး အမြောက်သံကို နာခံ၍ ထခဲ့သည်။]

Example 5,

TT [Her heart was pounding.] (Sentence 13, Paragraph 10 of Part III)

ST [ ရင်မှာလည်း တဒိတ်ဒိတ် ခုန်နေ၏။]

In Example 3, possessive pronoun ‘this’ was added. It was followed by the same noun ‘morning’. However, the demonstrative pronouns ‘this’ in Example 3 and ‘that’ in Example 4 made the referents easier to identify. Without them, it would be very difficult to make a co-referential connection between the two referents. In Example 5, the use of the explicit possessor ‘her’ made the co-referential relation between ‘her’ and its antecedent easy to identify. Moreover, co-referential explicating shifts involving the addition of pronouns followed by the substituted nouns were found as follows:

Example 6,

TT [His wages were barely enough to live on.] (Sentence 3, Paragraph 13 of Part II)

ST [ရသော လခမှာလည်း စားဖို့ပင်မလုံလောက်။]

Example 7,

TT [Ei Nyun straightened herself, and shook her fingers nervously.] (Sentence 4, Paragraph 6 of Part II)

ST [အေးညွန့်သည် လက်များကို ဆတ်ခနဲခါပြီး အညောင်းဆန့်လိုက်သည်။]

In Example 6, the possessive pronoun ‘his’ was followed by the noun ‘wages’. The term ‘wages’ was substituted in place of ‘salary’. This made the TT phrase more explicit. Similarly in Example 7, the possessive pronoun ‘her’ followed by the more specific word ‘fingers’ was used to make the TT phrase more explicit. Moreover, in the following examples, not just pronouns but also adjectives and nouns were added to make the TT phrases more explicit cohesively.

Example 8,

TT [But during the two years, their financial position had worsened.] (Sentence 3, Paragraph 9 of Part II)

ST [သို့သော် သူတို့၏ အခြေအနေမှာ ၂နှစ်အတွင်း ပိုကြပ်ခဲ၏။]

Example 9,

TT [Ei Nyun sat down, mixing the ginger salad with her fingers, and tried to persuade him, “Come on, tell me.] (Sentence 9, Paragraph 10 of Part III)

ST [အေးညွန့်သည် ထိုင်လိုက်၏။ ဂျင်းသုပ်ကိုနယ်၍ ကဲပြောပါအုံး။ ဟုဖျောင်းဖြုတ်၏။]

Example 10,

TT [At this news, Ei Nyun’s anger subsided and a wave of compassion filled her heart.] (Sentence 27, Paragraph 5 of Part II)

ST [သည်တွင် အေးညွန့်မှာ ဒေါသအရှိန်ကလေး ကျသွားပြီး ကရုဏာရေစင်ကလေး အသည်းမြွှာမှ ဖြာကျလာ လေသည်။]

Example 11,

TT [On that day, two years ago, as they climbed up to the platform to make their vows, they could hear the flow of stirring words from the conference meeting on the middle terrace.] (Sentence 1, Paragraph 2 of Part I)

ST [သူတို့သည် ရင်ပြင်တော်ပေါ်တက်၍ သစ္စာပန္နက် မစိုက်မီ အလယ်ပစ္စယ်ညီလာခံ အစည်းအဝေး၌ သွေးတက်ကြွစေသော စကားများကို ကြားခဲ့ရသည်။]

In Example 8, the adjective ‘financial’ was added to make a cohesive tie stronger to explicitate the position of Ei Nyun and Kyaw Mya. Without the adjective ‘financial’ the phrase was not lucid. So it was an instance of cohesive explicitation. In Example 9, the possessive pronoun ‘her’ and its lexical specifier ‘fingers’ were added to make co-referential relation of the TT phrase explicit cohesively. The same pattern can be found in Examples 10 and 11. In Example 10, the demonstrative pronoun ‘this’ and its lexical specifier ‘news’ were added in the TT phrase even though they were not mentioned in the ST. In Example 11, the demonstrative pronoun ‘that’ and its lexical specifier ‘day’ were added for cohesive explicitation. The syntactic options offered by the TL and the degree and extent of explicitness offered by the communicative norms of the TL enabled the translator to make appropriate choices. Thus the translator added the appropriate lexical specifiers to suit the context.

There were only 6 instances of pronoun-based cohesive implicating shift of substitution type and only 2 instances of pronoun-based cohesive

implicating shift of omission type found in the data examined. Similarly, 1 instance of noun-based cohesive implicating shift of omission type and 3 instances of noun-based cohesive implicating shift of substitution type were found in the data. Consider the following examples:

Example 12,

TT [His small room on the lower floor of the workers' quarters was silent and there was no sign of him.] (Sentence 2, Paragraph 3 of Part II)

ST [အလုပ်သမားတန်းလျား အောက်ထပ်ရှိ ကျော်မြ၏ အခန်းကလေးမှာ လူရိပ်လူခြည် မတွေ့ရ။ တိတ်ဆိတ်နေ၏။]

Example 13,

TT [If he had been a young child, she could have picked him up and shaken him.] (Sentence 20, Paragraph 5 of Part II)

ST [သူ့ထက် ငယ်သူကလေးများဆိုလျှင် ကျောမြကို ဆွဲဆောင်မိပေလိမ့်မည်။]

Example 14,

TT [And they say they'll help look for jobs for the people who've been sacked, but they can't guarantee to find them one.] (Sentence 38, Paragraph 5 of Part II)

ST [ထုတ်အဝင်ခံရလည်း သူတို့အလုပ်ရှာပေးပါမယ်တဲ့။ အလုပ်ရစေမယ်လို့ အာမခံမလားဆိုတော့ မခံနိုင်ဘူးတဲ့။]

Example 15,

TT [As Kyaw Mya was getting up that morning, he heard the Independence gun salute.] (Sentence 2, Paragraph 1 of Part III)

ST [နံနက်ကဆိုလျှင် ကျော်မြမှာ ကျော်မြ အခန်းတွင် လွတ်လပ်ရေး အမြောက်သံကု နာခံ၍ ထခဲ့သည်။]

In Example 12, the use of 'his' instead of the name 'Kyaw Mya' made the phrase an instance of cohesive implicitation. The name was already mentioned before in the preceding discourse. The distance between the two same names referring to the same person was too close for the name to be mentioned again. So the translator used the pronoun to establish a cohesive co-referential relation with Kyaw Mya. In Example 13, the pronoun 'him' replaced the name 'Kyaw Mya'. This made the phrase an instance of pronoun-

based cohesive implicitation as in Example 12. This substitution was made because its antecedent was already there in the preceding discourse. The syntactic option the translator made was not to repeat the name again. In Example 14, the translator used the pronoun ‘one’ to refer to the job. Elsewhere in the same sentence she had already used the word ‘jobs’. So she made the syntactic option of using a pronoun. In Example 15, the only instance of noun-based cohesive implicitation was found because Kyaw Mya’s room was altogether dropped in the TT phrase. It was in his own room where he got up to listen to the gun salute of Independence Day Celebration. As it was easy to recover the information in the TT, it was left implicit.

As regards the results of denotational shifts found in the data, they were shown in the following tables:

**Table 6 :Noun-based denotational shift**

Explicitation	Addition	Substitution
	17	15
Implicitation	Omission	Substitution
	5	5

**Table 7: Adjective-based denotational shift**

Explicitation	Addition	Substitution
	10	1
Implicitation	Omission	Substitution
	4	2

As regards denotational shifts there were more explicating shifts than implicating shifts in the data analyzed. There were 32 noun-based denotational explicating shifts (17 additions versus 15 substitutions) as opposed to 10 noun-based implicating shifts (5 omissions versus 5 substitutions). On the other hand, there were 11 adjective-based explicating shifts (10 additions versus 1 substitution) as opposed to 6 adjective-based implicating shifts (4 omissions versus 2 substitutions).

The tendency of the translator to fill the nominal argument slots with words belonging to nominal groups (nouns and adjectives) can be observed in the following sentences:

Example 1,

TT [On that day, two years ago, as they climbed up to the platform to make their vows, they could hear the flow of stirring words from the conference meeting on the middle terrace.] (Sentence 1, Paragraph 2 of Part I)

ST [သူတို့သည် ရင်ပြင်တော်ပေါ်တက်၍ သစ္စာပန္နက် မစိုက်မီ အလယ်ပစ္စယ်ညီလာခံ အစည်းအဝေး၌ သွေးတက်ကြွစေသော စကားများကို ကြားခဲ့ရသည်။]

Example 2,

TT [“Why didn’t you vote? Don’t you want independence in a year’s time?” asked Ei Nyun somewhat sharply, with a hint of sarcasm in her voice.] (Sentence 4, Paragraph 4 of Part I)

ST [ထို့ကြောင့် အေးညွန့်က “ဘာဖြစ်လို့ မဲမပေးသလဲ။ တစ် နှစ်အတွင်း လွတ်လပ်ရေး မလိုချင်လို့လား” ဟု ခပ်ငေါ့ငေါ့ ခပ်ဆတ်ဆတ် မေးသည်။]

Example 3,

TT [When they had finished, they leaned over the brick wall and gazed towards the east, hearing now only the tinkling of a solitary small temple bell.] (Sentence 5, Paragraph 3 of Part I)

ST [အုတ်တံတိုင်းကို လက်ထောက်ကာ အရှေ့ဘက်ဆီသို့ မျှော်မှန်းကြည့်နေကြစဉ် တစ်ခုတည်းသော ဆည်းလည်း၏ ထူးခြားစွာ တီးမြည်းသံကို ကြားကြရသေးသည်။ ]

Example 4,

TT [The young couple and their parents were pleased when they heard people praising the delicious halva and fragrant coffee as well as the excellent salad of fresh ginger, and the other food.] (Sentence 3, Paragraph 2 of Part III)

ST [ကော်ဖီက တယမွှေး၊ ရွှေကြည်က တယ်ဆီမ့်၊ ဂျင်းသုပ်ကလည်း တယ်ကောင်း စသည်ဖြင့် ချီးမွမ်းသံများကို ကြားရသဖြင့် သူတို့နှစ်ယောက်နှင့် ယောက်ျားမများပါ ဝမ်းသာနေကြ၏။]

The goal of expository prose is to provide a lucid description of the states of affairs. The prose is good if it represents a clear state of affairs. The translator of the short story tended to be more on the side of explicitness when determining which states of affairs should be verbalized and which ones should be left implicit. In Example 1, ‘stirring words’ was not enough. The empty syntactic slot for the words ‘flow of’ was filled to increase the degree

of explicitness. In the same way in Example 2 ‘a hint of sarcasm’ was used in the TT filling the empty slots for the words ‘a hint of’. The addition of adjectives ‘small’ in Example 3, and ‘fresh’ in Example 4 were clear instances of argument additions.

It hinges on the translator whether to add or to omit or to substitute. The additions or omissions or substitutions have nothing to do with the inherent nature of the translation process. The translator also made substitutions of nominal words for explicitation purposes. For example,

Example 5,

TT [As they sat there ready to make their vows, the wind from the north rustled gently among the recesses and shrines of the pagoda, and the autumn leaves fluttered around them.] (Sentence 3, Paragraph 3 of Part I)

ST [သူတို့ သစ္စာပန္နက် စိုက်ကြမည့်နေရာတွင် ထိုင်မိသောအခါ မြောက်လေကလေးသည် ဘုရားကြို ဘုရားကြားမှ ရှေ့ခတ်လာ၏။ သစ်ပင်ပေါ်မှ သစ်ရွက်ခြောက်ကလေးများသည် ပျံဝဲကာ သူတို့ အနီးတွင် သက်ဆင်း၏။]

Example 6,

TT [The demand for independence within a year was gradually replaced by a more insistent, more specific demand for independence by January.] (Sentence 1, Paragraph 1 of Part II)

ST [“တစ်နှစ်အတွင်း လွတ်လပ်ရေး ရရမည်” ဟူသော အသံမှ “ ဇန်နဝါရီလအတွင်း လွတ်လပ်ရေးရတော့မည်” ဟူသော ပိုမိုတိကျ၍ ပိုမိုခိုင်မာသည့် အသံသို့ ကူးပြောင်းခဲ့လေပြီ။]

Example 7,

TT [“A protest meeting, because the Company is going to sack twenty-three men, including me, from the factory.”] (Sentence 26, Paragraph 5 of Part II)

ST [‘စက်ထဲက အလုပ်သမား ၂၃ယောက်ကို ကုမ္ပဏီက ထုတ်ပစ်မယ်ဆိုလို့ ကန့်ကွက်တဲ့ အစည်းအဝေးပဲ။ ထုတ်ပစ်မယ်ဆိုတဲ့ စာရင်းထဲမှာ ကိုယ်လည်းပါတယ်’]

In Example 5, the translator substituted the word ‘autumn’ in place of ‘dried’. There is no season of autumn in Myanmar. But the translator apparently considered that autumn represented dry and hot weather. During

this dry weather the leaves become dry. This decision to use the word ‘autumn’ was purposeful and did not have anything to do with the nature of translated texts. In Example 6, the word ‘demand’ was used instead of the general word ‘voice’. The word ‘demand’ in the phrase ‘demand for independence’ was more specific. The translator changed the original word to comply with the communicative norms of the TL. Otherwise, it will be difficult for the TT readers to understand the text. In Example 7 ‘men’ was used instead of ‘workers’ to explicitate the TT phrase because an assumption could be made from the context that the workers working at the factory were all men. Those workers were going to be laid off. So the precise word was used. Moreover, instances of denotational implicating shifts through substitution were found in the data.

Example 8,

TT [Instead of getting married then and there, however, they had agreed to put off the ceremony until the day Burma achieved her independence, when they would be wed and live as husband and wife for ever after.] (Sentence 2, Paragraph 1 of Part I)

ST [သို့သော် နေ့ချင်းညချင်း ညားကြပါစေဟု သစ္စာထားကြ သည်မဟုတ်။ လွတ်လပ်ရေး ရသောနေ့တွင် မင်္ဂလာဆောင်ပြီး ဇနီးမောင်နှံ ရာသက်ပန် မြဲကြရန် သစ္စာထားခဲ့ခြင်းသာ ဖြစ်လေသည်။]

Example 9,

TT [Kyaw Mya and Ei Nyun, together with the crowd, shouted themselves hoarse, chanting “Fight for Freedom!” and “Give us Freedom now!”]

ST [ကျော်မြင့်နှင့် အေးညွန့်တို့သည် လူထုကြီးနှင့်အတူ “ လွတ်လပ်ရေး တိုက်ယူ ” ၊ “ လွတ်လပ်ရေး ချက်ချင်းပေး ” စသည့်ဖြင့် သံကုန်အော်ခဲ့ကြသေးသည်။ ] (Sentence 10 (Paragraph 2) of Part I)

Example 10,

TT [By the time they reached the platform where they would make their promises to one another that they would marry, they could no longer hear the shouts of the crowd; the setting sun bathed the noble Shwedagon with its golden rays.] (Sentence 1, Paragraph 3 Part I)

ST [သူတို့ သစ္စာပန္နက် စိုက်ကြသောအချိန်တွင်ကား လူထု ကြွေးကြော်သံတို့ကို မကြားရတော့ပြီ။ ဝင်ခါနီး နေမင်းကလည်း ဝါနသော နေခြည်ရောင်ဖြင့် ရွှေတိဂုံ အရှင်မြတ်အား ကန်တော့ပန်းဆင်မြန်းနေလေပြီ။]

Example 11,

TT [He would also be expected to provide new pillows and blankets, things for the new household.] (Sentence 6, Paragraph 9 of Part II)

ST [မင်္ဂလာဦးတွင် ခေါင်းအုံးသစ်၊ စောင်သစ်ကလေးများ ဝယ်နိုင်မည်ဆိုက ကောင်းလေစွ။]

Example 12,

TT [With more than a hundred guests present, it was very well attended for a wedding of ordinary people.] (Sentence 2, Paragraph 2 Part III)

ST [ပရိတ်သတ်အားလုံးပေါင်း ၁၀၀ကျော်လာသဖြင့် လူအစည်းကားဆုံးသော ဆင်းရဲသား လက်ထပ်ပွဲဖြစ် နေ၏။]

In Example 8, the word ‘ceremony’ was too general. It can refer to any set of ceremonies. It can refer to wedding ceremony, Christening ceremony, donation ceremony, etc. So it is less specific. The use of this word made the phrase an instance of implicating shift through substitution. In Example 9, the use of the word ‘freedom’ was not as specific as the word ‘independence’ which was more specific in the context of the TT. Being implicit here does not mean that the translator was taking a risk. The target audience could still guess the implication of these less specific words. In Example 10, the word ‘shouts’ was more general than the word ‘slogans’. From the formal semantic point of view ‘slogans’ was an element of the set of all shouts. So the word ‘shouts’ was less specific than ‘slogans.’ In Example 11, the new household was not an exact word. Instead of using the exact expression ‘the first marriage’ the translator used ‘the new household’ to comply with the TL’s communicative norms because the expression appropriately referred to the newly-married couple’s new household. In Example 12, the word ‘ordinary’ used in the expression ‘for a wedding of ordinary people’ was not specific. ‘Poor’ would be more specific in the context of the TT. However, the message was left implicit for the reader. Any intelligent reader could guess that people of ordinary class were not rich.

Moreover, instances of denotational implicating shifts through omission were found in the data. There were 5 instances of noun-based denotational implicating through omission and 4 instances of adjective-based denotational implicating through omission. For example,

Example 13,

TT [Kyaw Mya especially approved of the conference's argument that the poverty of Burmans was due to the fact that they had been exploited by the blood-sucking English companies.] (Sentence 2, Paragraph 2 of Part I)

ST [ကျော်မြအဖို့ မြန်မာတွေ မွဲရတာ အင်္ဂလိပ်ကုမ္ပဏီကြီးတွေက သွေးစုပ်နေလို့ ဖြစ်သည်ဟူသော ညီလာခံ၏ ခွဲစိတ်ဖော်ပြမှုကို အထူးသဘောကျလေသည်။]

Example 14,

TT [“When did you get here?” asked Kyaw Mya, as he gave the bag of rice to his mother, who disappeared into the back of the house with it. “A little while ago”] (Sentence 1, Paragraph 5 of Part II)

ST [‘ဘယ်တုန်းက ရောက်နေတုန်း’ ဟုကျော်မြသည် ဆန်နှစ်ပြည်ပါသော အိတ်ကို မိခင်အား အပ်ရင်း မေးသည်။ ‘မကြာသေးပါဘူး’ ဒေါ်မိုးသည် ဆန်အိတ်ကိုယူ၍ နောက်ဖေးဘက်သို့ ဝင်သွားသည်။]

Example 15,

TT [Kyaw Mya put his left hand under her chin, turned her face towards him and kissed her on the cheek.] (Sentence 19, Paragraph 10 of Part III)

ST [ကျော်မြသည် အေးညွန့်၏ မေးကို ဘယ်လက်ဖြင့် မော့ယူပြီး ဘယ်ဘက်ပါးပေါ်တွင် မွှေးလိုက်၏။]

Example 16,

TT [As soon as he started work he would present one month's wages to the foreman, and he would repay the hundred kyats at fifteen kyats a month.] (Sentence 4, Paragraph 11 of Part III)

ST [အလုပ်ရသောအခါ တစ်လအတွက်ကို ဆရာအား ပူဇော်ပါမည်။ ငွေ၁၀၀ကျပ်ကိုလည်း တစ်လ ၁၅ကျပ် တိုးဖြင့် ဆပ်ပါမည်ဟု ကတိစာချုပ်ပြုထားရလေသည်။]

In Example 13, the translator failed to translate the word ‘huge’. The fact that the English companies were monopolizing Myanmar market and exploiting the native people was translated in the TT. However, the word ‘huge’ pointing out the size of the companies was filtered out. So it was an instance of adjective-based implicating shift of omission type. More focus was put on the blood-sucking English companies in the TT. In Example 14, 2 viss was omitted in the TT. It was quite obvious that cultural filtering was in operation in the TT phrase. The translator opted not to translate it. The amount

of rice Kyaw Mya bought was not much. The fact that the bag of rice was not big could not be captured in the TT because the translator applied the cultural filter in translating this particular phrase. In Example 15, the word 'left' was omitted in the TT. It could be used either as an adjective or a noun. However, it did not appear in the TT. Kyaw Mya kissed Ei Nyun on the left cheek in the ST. However, no mention was made of this fact in the TT. It was left implicit. It was the optional choice of the translator. In Example 16, Kyaw Mya was supposed to repay 100 kyats at an interest of 15 kyats a month. However, the word 'interest' was dropped in the TT. Thus the omission of the word 'interest' made the phrase an instance of noun-based denotational implicating shift of omission type.

### Discussion

In the study of explicitation and implicitation in the translation of the short story *Not Till After Independence* instances of explicitation were found more frequently than those of implicitation. The translator explicitated the TT phrases when she wanted to specify more clearly the given states of affairs in the ST. Therefore, more denotational explicitating shifts were found than denotational implicating shifts. The translator added nouns and adjectives to describe more specific states of affairs by filling the argument slots for these nominal words. This has nothing to do with the inherent nature of explicitation in translation process as Blum-Kulka (1986) said. Blum-Kulka (1986) stated that explicitation phenomenon was an inherent nature of translation process. However, Seguinot (1988) tried to prove that it was not an inherent nature of language that explicitation occurred in translation by limiting the explicitation phenomenon to specific instances. Denotational implicitation was also found in the study because explicit information was not deemed to be necessary in the TT phrases. Language system differences can cause explicitation. However, this explicitation does not provide any new information about the explicitation phenomenon in translation. Therefore, obligatory or mandatory explicitation was ignored in this study as Becher (2011) ignored it in his study of explicitation. However, Becher did research on both translation directions using asymmetry hypothesis of Klaudy and Karoly (2005) to specify the conditions under which explicitation and implicitation occurred.

However, Becher followed Vinay and Darbelnet's (1958) traditional concept of explicitation. Based on this simple idea of explicitation through addition and implicitation through omission, Becher constructed a theoretical framework of interactional, cohesive and denotational shifts to identify explicitation and implicitation. In this study the English translator added more personal pronouns and proper names to maximize the textual lucidity and lexical cohesion of the TT. A disproportionate percentage of interactional explicitation was found in the data because of the communicative preferences of the English language for more interactional pronouns. Similarly a large percentage of cohesive explicitation was found in the data to optimize the co-referential explicitness of the TT. On the other hand, cohesive implicitation was also found in the study when the explicit information in the ST could be left implicit in the TT without undermining the textual lucidity of the TT.

### **Conclusion**

In the data analyzed, instances of explicitation were found to be more frequent than instances of implicitation. There were more interactional explicitations than interactional implicitations in the data. The first reason for this might be that the translator explicitated to increase the lucidity of the TT. In the ST interactional pronouns were left implicit on most occasions. However, in the TT interactional pronouns were added whenever there were syntactic slots for them in the TT. This may be due to distinct lexicogrammatical factors between Myanmar and English. Another reason might be that the translator explicitated to comply with the communicative norms of the TL.

Moreover, the translator frequently added and substituted pronominal and nominal words to increase textual cohesiveness of the text, thus making it easier for the reader to understand coreferential relations between the referents and their antecedents. The main reason might be that the translator explicitated if the antecedent of a coreferential expression was not easy to identify in the TT. Another reason might be that the translator explicitated if the cohesion of the TT lacked coherence when the SL text was translated. As for cohesive implicitation, there were fewer occurrences as opposed to cohesive explicitation because the translator might have felt that the result of cohesive implicitation could not destroy the textual cohesion of the TT.

Moreover, the translator added nouns and adjectives to fill the argument slots of nouns and adjectives for denotational explicitness. The main reason for this might be that these nominal words were added to give more precise states of affairs in the TT. Another reason might be that the translator explicitated if the TL offered empty additional syntactic slots to increase the degree of explicitness of the TT. As for denotational implicitness, there were fewer occurrences. The main reason might be that the given states of affairs were clear enough and needed no more precise description. For these reasons it is very difficult to perceive explicitation instances as having a universal tendency.

Explicitating shifts found in the data had nothing to do with the inherent nature of translation process. Explicitation was initiated by the translator, not by the inherent nature of language itself. Explicitation did not occur on all occasions to exclude implicitation. Explicitation and implicitation occurred within the same text. Explicitation should not be confined to the TT only. Neither should implicitation be confined to the ST only. Both explicitation and implicitation can occur based on the needs of the TT for the target audience. In other words, explicitation was brought about by the specific factors including the translator's free choice in applying the explicitation strategy. Future research should seek to identify explicitating and implicitating shifts in both translation directions – Myanmar-English translation and English-Myanmar translation to test the asymmetrical relationship between explicitation and implicitation and to highlight the phenomenon of explicitational asymmetry in translation.

Professional translators as well as budding translators should consider that explicitation strategy should be applied both meaningfully and logically. It must have a clear purpose. What is the problem with the translators is that they want to be on the safe side so they explicitate. They fail to implicate when the ST requires implicitation. It is obvious that they want to avoid rather than take risks.

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## ASSESSMENT OF HISTORICAL FACTS FROM THE *SITTANS OF PATHEIN 32 MYOS\**

Khin Myo Win<sup>\*\*</sup>

### Abstract

Although it earned the name as the *Sittans* of Pathein 32 *Myos*, these *Sittans* were only recorded about towns of Pathein *Myoma*, KheBaung, and Pann Taw. The study of these *Sittans* inquested in 1145 M.E (1784 AD) and in 1164 M.E (1802AD) reveals historical facts on administrative affairs such as hereditary lineages, boundaries of jurisdiction, taxation, and customary tributes to the capital, the duties and privileges of headmen. Moreover, the data on economic conditions of these towns such as paddy cultivation as main occupation and maritime trading, salt making, fishery, and coconut plantation are found as subsidiary businesses found in these *Sittans*. This paper also analyzes the similarities and different historical facts and data when *Sittans* were inquested in these three towns in the years 1145 and 1164 M.E. It is learnt that the facts and data recorded in these *Sittans* for these towns are informative and comprehensive. The assessment of the *Sittans* of Pathein 32 *Myos* could provide some useful information for the study of administrative, economic, and political conditions of Pathein Township during King Badon's reign (1782-1819)

**Keywords:** *Pathein(32) Myos, Sittans,*

### Introduction

Collection of the *Sittans* is said to have been carried out in the reign of Min-gyi-swa-saw-ke' (1368-1401) but these *Sittans* were no longer available. The earliest extant *Sittans* in Myanmar now available are the *Sittans* of King Thalun (1629-1648) in Nyaung Yan period (1597-1752).

The purposes of collection of *Sittan* can be generally assumed to know the information about the history of the region, hereditary lineage of headmen, taxations, religious land and customarily duties and presents to the king. In other words, it is ensured hereditary succession of headmen to offices. In theory of Myanmar kingship, it is believed that the clearly division of "Ayuk (inferior class), *Alatt* (middle class) and *Amyat* (noble class) could strengthen

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the central administrative system that hereditary succession of administrative position could provide administrative mechanism well. However, because of the internal wars in Innwa period (1364-1555) all the *Sittans* of this period were destroyed together with perish of Innwa royal capital.

In Konbaung period (1752-1885), after consolidating the political situations of the country, King Myedu (Sinbyushin) (1763-1776) collected the *Sittans* which were most important sources for hereditary positions of headmen. He, however, was not able to collect the *Sittan* widely because of the Chinese invasions.

The nationwide collection of the *Sittans* was conducted and successfully completed during King Badon reign (1781-1819). The *Sittans* of King Badon collected in 1145 ME (A.D 1784) and 1164 ME (A.D 1802) were not to know the information about economic conditions of the country and taxations. Although some *Sittans* like the *Sittans* of Mottama 32 *Myos* and Rammawaddy (Rambye) *Sittan* emphasized to describe the settlements and the lists of taxation, most of the *Sittans* mainly described about the territories of religious land and hereditary lineages of headmen. Thus, it can be generally assumed that the *Sittan* collected in King Badon reign as ‘*AyoSittan* (Record hereditary lineage)’.

Pathein earned several names in the course of history. It is said that Pathein was named as Lawka Atti Thinzar Nagara during King Siri Dhamma Soka, and it transformed from Kuthimaradha to Kutheima, and thence Kuthein to Pathein. It is assumed that Pathein was once called as Passi as it was ruled by Passi king. Two Mon princes assassinated the last Passi king and occupied the throne by renaming the town as Pathein. Later they changed the name of town into classical Pali name, Naga Vular or Nagara Vupula. However, the people are fond of calling their town as Pathein because the Pali name was difficult to pronounce.

According to the geographic position, Pathein and its adjoining towns were grouped and called as Pathein 32 *Myo s*. In this *Myo s*, King Badon collected the *Sittans* in Pathein *Myo ma*, Panntaw and Khebaung. This paper is an attempt to reveal the historical information, socio-economic and political information of these three *Myo's* by studying the *Sittans* of 1145 ME and 1164 ME collected during King Badon's reign.

## **Research Questions**

The research questions are as follow,

- How many facts and administrative, economic, social and political conditions of Pathein Township during king Badon's reign relating to king is available in this *Sittan*?
- How can we analyze the historical value of the town Pathein according to the *Sittan* collected by King Badon?
- How did the town Pathein stand in Kongbaung period?

## **Literature Reviews**

Learning the researched books on the town Pathein, three books are found. They are; "History of District (1958-1968)", compiled in 1992 by May Thet Tun, "Economic Conditions of Pathein District (1962-1988)" compiled in 2008 by Myat Myat Soe, and "History of Pathein District (1886-1948)" compiled in 2009 by Tin Tin Aung. There have not been any widely researched written books based on the *Sittans* collected in the reign of King Badon who was the king of the longest reign in Myanmar history. Due to this necessity, this paper was compiled after learning the *Sittans* of Pathein Myos based on the *Sittans* collected by King Badon.

## **Aim and Objective**

This paper is aimed at providing a partial contribution of administrative, economic, social and political conditions of Pathein Township during king Badon's reign.

## **Data and Method**

The *Sittan* of Pathein 32 *Myos* on *Parabike* is primary source for this paper. Other references are used as secondary sources. Descriptive method and analytical method are used.

## Findings and discussion

U Poe Kyar in his chronicle of Pathein mentions that Pathein is an ancient seaport. In introduction of this treatise, it describes:

In Sakaraj 533 When King Minyin Naratheinkha (Son of King Kala Kya) ascended the throne, he placed a governor in Kuthimaradha (Pathein) which was *Alan U*- First Point where a foreigner would see the Burmese Flag flying, and *KinnBya*- Last point from the Myanmar side where guards are posted and *Sit Tada U*- the first encounter place of war against King Pattikara. ... The town was strongly built. The original name of this town, Kuthimaradha, was renamed as Kuthein (Kuthima) when it prepared to go a war by the learned men and it was already recorded in *Sittan* of royal treasury. The name recorded in *Sittan* was Sakaraj 536 in the astrological constellation of *Saw* and *Tri Pissa Mein*. That is the founding date of Pathein.<sup>1</sup>

The introduction of treatise stated that the learned men renamed military strategic town of Kuthimaradha as Kuthein (Kuthima) during King Minyin Naratheinkha in Bagan period. Later Kuthein became as Puthein (Pathein). It also mentioned the founding date of this town as AD 1174 (Sakaraj 536). However, only this record could not exactly say the founding date of Pathein.

It is also described that Passi races migrated into this town in AD 1221 (Sakaraj 183) and founded a kingdom there which was named as Passi Town. In AD 1233 (Sakaraj 595), two Mon princes assassinated the last king of Passi dynasty and ruled there. The town they ruled was renamed from Passi to Pathein.<sup>2</sup> It is learned the name of the town was frequently renamed from Kuthimaradha to Pathein, and Pathein to Passi, and then Passi to Pathein.

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<sup>1</sup> AmyoTharPyinnyaWun( National Education Inspector) Maung Po Kyar, *ပုသိမ်ရာဇဝင် နှင့်ဦးထွန်းရှိန်အတ္ထုပ္ပတ္တိ* ( *Pathein Chronicle and Biography of U TunShein*), ME 1285 (1923), Fifth Edition, p. 13 (Hereafter cited as Maung Po Kyar, *Pathein Chronicle*)

<sup>2</sup> Maung Po Kyar, *Pathein Chronicle*, pp. 79-80

The record of a European, Ralph Fitch, who visited Myanmar in AD 1586-1588 mentioned the name of the town as Cosmin (Co means island and Smin denotes prince) or Prince Island.<sup>1</sup>

Hand written copy of *Zabyu Kwuncha* Treatise describes why the town was named Ku Thein. It mentions that:

“The town named as Ku Thein because ships came across and harbored there.”<sup>2</sup>

“ပသိန်သမုတ်သည်ကား သင်္ဘောကုရေဝံသည် အရာကိုစွဲ၍ ပသိန်ကို ကူသိန် ဆိတ်မြို့တွင်သည်”

Since it was a port town, foreign ships came across the sea and merchandized there. Thus, the town was named as ‘Ku Thein Seik *Myo* (Trading Seaport). It is assumed that Ku Thein Seik *Myo* was later known as Pathein Seik Kann *Myo* (Pathein Harbour Town).

Geographically, Myanmar king grouped towns and villages into Pathein 32 Towns<sup>3</sup>, Hanthawaddy 32 Towns and Mottama 32 Towns in Lower Myanmar provincial administration<sup>4</sup>. These three provinces of 32 Towns were collectively called as *Rāmaññadesa* (The Land of Ramanya).<sup>5</sup> In these three provinces of *Rāmaññadesa*, the historical accounts of Pathein 32 Towns can be found in Pathein 32 *Myoma Sittans* in 1145 ME (1783 AD) and 1164 ME (1802 AD), Panntaw *Myo Sittans* in 1145 ME (1783 AD) and 1164 ME (1802 AD), Khebaung *Myo Sittans* in 1145 ME (1783 AD) and 1164 ME (1802 AD).

<sup>1</sup> U Magha, *ပုသိမ်ရာဇဝင် (Pathein Chronicle)* Yangon, Zew Press, 1967, p -12 ( Hereafter cited as U Magha, *Pathein Chronicle*)

<sup>2</sup> မြို့ကွန်ချာကျမ်း: (vufa&:rSK) ( *Treatise of ZabyuKwuncha* ( Hand Written Copy) ( Hand Written Copy from TaungdwinGyi Palm-leaf depository Accession No. 479)

<sup>3</sup> See Appendix (I) for the detail of Pathein 32 Towns.

<sup>4</sup> Dr. Toe Hla, *ကုန်းဘောင်ရှေ့ပြည် (Konbaung The Golden Land)*, Yangon, Aung Okkala Press, 1993, p. 37,38 ( Hereafter cited as Dr. Toe Hla, *Konbaung The Golden Land*)

<sup>5</sup> Daw Khin Lay, U Sein Myint, “ဒုတိယမြန်မာနိုင်ငံတော်(ဟံသာဝတီ)”, *မြန်မာ့ရှေးဟောင်းမြို့တော်များ*, “(Second Myanmar Empire Hanthawady)”, *Ancient Cities of Myanmar*, Yangon, Shwe Mintha Press, 2007, p. 93

The *Sittans* in 1145 ME (1783 AD) and 1164 ME (1802 AD) were the *Sittans* collected during King Badon's reign. He fixed the date of collection of *Sittans* at four strikes of Baho Drum three Pada<sup>1</sup> 11 Bizana<sup>2</sup> two Pyan<sup>3</sup> and four Khayar<sup>4</sup> on 8 waxing of Nattaw in 1145 ME (2 December 1783). Following this order, all *NgweKhunHmu* (Collector of Silver), *SachiTaung* (? Clerk), *HsinHmu* (Head of Elephants), *HseGyi* (Supervisor of Dams and Canals), *Hse Saw* (Organizer of Dams and Canals), *TannGaung* (Quarter Master), *Htaung Hmu* (Jailer), *PyiSoe* Hereditary Local Official), *MyaeDaing* (local hereditary official primarily concerned with recording and taking a commission on sales), *Myin Si* (Chief of Calvary), *Thugyi* (Headman) and *ThweThaukGyi* (An Elite Crown Service Unit) are responsible to collect *Sittans* throughout the country.<sup>5</sup>

### Pathein 32 Myoma 1145 Sittan

The *Myo Thugyi* (Hereditary Town Headman) of Pathein who was being examined in 1145 ME *Sittans* was Nga Chan Mya. Introduction part of this *Sittans*, Nga Chan Mya stated his hereditary lineage that his grandfather Nga Kyaw Gyi titled Baya Sekkabo and his father Nga Nyunt ruled and had charge of Pathein.<sup>6</sup> This historical fact shows how Pathein was ruled by hereditary headmen. In other words, it can trace the administration of Pathein in Konabung period.

The *Sittan* of Pathein 32 *Myo s* describes the territory of the town. The tract of Pathein *Myoma* was to the east the middle of the Ayeyawaddy River, to the south the sea, to the west as far as the Nagayit Mountain Range, and to the north the tract of Hpa Ta Shein. There were 32 *Myo s* within four quarters of the tract. Moreover, the territory of Pathein was to the east and southeast as far as Mawtin Island, to the northwest as far as the end of Kattu Creek, to the

<sup>1</sup> Measurement of foot in Myanmar

<sup>2</sup> One sixth of an hour in Myanmar

<sup>3</sup> Numeral classifier indicating number of time in Myanmar

<sup>4</sup> Measure of time equivalent to ten finger snaps in Myanmar

<sup>5</sup> Dr. Toe Hla, *KonbaungThe Golden Land*, pp. 37-38.

<sup>6</sup> ပုသိန် ၃၂ မြို့စစ်တမ်း ဘုရား (*The Sittan of 32 Pathein Myo*), Holding No. Parabaik (Folded Manuscript). 1498, National Library, Folded Part-3 ( Hereafter cited as *Parabaik 1498*)

north as far as Kattu Creek, and to the northeast as far as the mouth of Kattu Creek.<sup>1</sup> The jurisdiction area of Pathein *Myo* explicates geographic history of this town at that time of the day.

There was no pagoda or monastery land within the eight quarters of the tract .The *Sittan* mentioned many villages were available in Pathein *Myo* ma. It is found that most of the villages earned their living in marine and aquatic enterprises. There were six islands where salt was made, three islands where coconuts were grown and 32 fishing ponds. *Kayin* and Chin ethnics were engaged in *Taung-yar* (Hill side) cultivation.<sup>2</sup> Thus, it is learned that the occupations of the people in Pathein were engaged in salt making, coconut growing, fisheries, hillside cultivation, commercial trading, and maritime trading. It was especially important place for maritime trading. The information received from *Sittans* shows economic history of Pathein.

The revenue clerk collected per salt maker 1*Kyat* of *Ywetni* Silver and one basket as present and 2 (mats) per boiling vat of salt as the clerk's fee. The collected crown tax was submitted to the authorities concerned. The *Myo Thugyi* also received a basket of salt per boiling vat. *Taw Gaung* (Chief of Forest Jurisdiction) received a basket of salt from each salt maker. Half of the customary present to the revenue clerk was collected from each female salt maker in the salt tracts. The three coconut growing tracts must submit 500 coconuts annually to the authorities concerned. The revenue clerk traditionally collected for fishery workers main tax of 4 *Kyats* of silver. They had to pay 2 *Kyats* of silver each for *SayeLulin* (carrier) and *Myo Thugyi*. After collecting taxes, revenue clerk submitted these to the authorities concerned. Half of 1 *Kyat* collected per *viss* of silver assessed value of goods brought to market was customarily submitted as crown revenue. The *Sittan* described there were three watch posts to guard Pathein but the names of these watch posts were not mentioned. The revenue officers and clerks collected main tax of 1 *Kyat*, fee of the *wun*'s clerk and carriers of 8 *mu*, and fee of the *Myo Thugyi* of 1 *viss* of beeswax from each *Kayin* and *Chin*

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<sup>1</sup> *Parabaik 1498*, Folded Part-3

<sup>2</sup> *Ibid*, Folded Part-4

engaged in *Taung Yar* cultivation. The main tax is customarily submitted to the authorities concerned.<sup>1</sup>

The taxation system in maritime and commercial trading can also be found in the *Sittan* of Pathein 32 *Myos*. On all ships arriving within the jurisdiction of Pathein, 150 pieces of goods of the captain and 75 of the ship officers are free of crown duty. The crown duty was ten pieces in the 100 of the remainder. There was a warehousing charge of two pieces and a length of cloth for every ten pieces taken as crown duty.<sup>2</sup> It is considered that taxation in maritime and commercial trading is not fixed but collects on numbers of items.

When the goods arrived at the harbour, one piece of cloth was charged for every 100 pieces stamped with the crown seal. There was a fee of 25 *Kyats* for the men who stand watch above and below the vessel. The traditional pilot age was 3 (? *viss*) of silver for a three masted vessel and 2 (? *viss*) of silver for a two masted vessel. The outstanding fee in maritime trading was the fee of translator 40 *Kyats* of silver per vessel. The arrival and departure presents for a vessel were 65 *Kyats* each for the *Myo Wun* (Town Officer) and *Akauk Wun* (Revenue Officer), 60 *Kyats* each for *Akhun Wun* (Revenue Officer) and *Sitke* (Chief Deputy of *Myo Wun*), for two *Narkhans* (Heralds), and for two *Sayegy* (Senior Clerks).<sup>3</sup> Since commercial trade relations with other foreign countries flourished, a new profession as interpreter was available in Pathein.

*Myo Wun* was responsible to decide any legal case of inhabitants and commercial cases within *Myo ma*. *Myo Wun Nga Chan Mya* of Pathein *Myoma* and his officials customarily shared out half of the legal fees and submitted other half to the authorities concerned. If there arose any disputes from revelry among the retainers, *Myo Thugyi* himself decided these disputes. Half of the resulting fees were customarily submitted to the *Myo sa* (Holder of Town) if there was and if there was no *Myosa*, it was submitted to the authorities concerned.<sup>4</sup> The above mentioned historical information from

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<sup>1</sup> *Parabaik 1498*, Folded Part-4

<sup>2</sup> *Ibid*

<sup>3</sup> *Ibid*, Folded Part-5

<sup>4</sup> *Ibid*

*Sittan* involved judicial administration and distribution of legal fees in Konbaung period.

The *Sittan* found that *Myo Thugyi* and *Myo Wun* were not only responsible for the duties of judicial administration but also obliged to submit presents in special royal occasions. When royal coronation ceremony was held, *Myo Wun* of Pathein submitted a silver bowl weighing 7*tical* and a piece of cotton cloth while the subordinate *Thugyi* must each submit a piece of cotton cloth as the homage presents.<sup>1</sup> It is learned that submitting presents in royal special audiences included as one of eleven presents which every governor, local chiefs, and headmen were obliged to present.

### **Pathein 32 Myoma 1164 Sittan**

When the *Sittan* of Pathein 32 *Myoma Sittan* 1164 ME (AD 1802) is investigated, same *Myo Thugyi Nga Chan Mya* was ruling in Pathein and he described his hereditary lineage as he stated in 1145 ME (AD 1783). The territory of jurisdiction in Pathein also did not change in both *Sittans*. However, we did not find exact numbers of villages in the former 1145 ME *Sittans* but the later described as 72 villages in Pathein.<sup>2</sup> The detail number of villages mentioned in 1164 ME showed that *Myo Thugyi Nga Chan Mya*'s deposition on Pathein *Myoma* became more accurate and much more detail.

In the islands included in Pathein jurisdiction, two more islands, Hgnet (Bird) Island and Leik (Tortoise) Island were added apart from Salt making island and Coconut growing island. The fisheries taxes from 32 *ponds* were collected as it was recorded in 1145 ME. So did the salt making. The present to the royal audience by subordinate *Thugyi* to the king in 1164 ME was a piece of cotton cloth as in 1145 ME. However, *Myo Thugyi* of Pathein presented only a silver bowl weighing 5 *ticals* instead of 7 *ticals* which he was previously submitted.<sup>3</sup> Thus, he could present the silver bowl which was 2 *ticals* less than the bowl formerly submitted.

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<sup>1</sup> *Parabaik 1498*, Folded Part-5

<sup>2</sup> *Ibid*, Folded Parts-5,6

<sup>3</sup> *Ibid*, Folded Part-6,7,8

### **Panntaw Myo 1145 Sittan**

Regarding to hereditary succession of Panntaw *Myo* in Pathein 32 *Myo* s, the *Sittan* of 1145 ME described Nanda Ye Khaung, *Myo Thugyi* of Panntaw, stated that Panntaw was ruled by his great grandfather Nga Thar.<sup>1</sup> It is found that hereditary succession of headmen customarily practiced in Konbaung period and it was precisely described in detail in most *Sittans*.

The tract of Panntaw *Myo* was to the east the Ayeyawaddy River, to the southeast Mann Kye Creek, to the southwest Po Khaung Mountain range, to the northwest as far as KaNyin Creek, to the north from Pagoda to Ka Nyin Creek.<sup>2</sup> The jurisdiction area of Panntaw *Myo* was exactly described with specific geographic settings. But, the names of seven places in Panntaw *Myo* were only available although the Panntaw *Sittan* of 1145 ME mentioned the numbers of eight directions for extends of this *Myo*.

*Myo Thugyi* of Pathein, Nga Chan Mya admitted that he did not know how much hereditary taxes were obtained from ponds and canals from eight jurisdiction areas of Panntaw. He confessed he was unable to gather information he engaged with consolidating his jurisdiction area.<sup>3</sup> Thus, it is considered that Panntaw *Myo* was still being built to be furnished with characteristics of a town.

### **Panntaw Myo 1164 Sittan**

The *Sittan* of Panntaw in 1164 ME also described the administrator of Panntaw as *Myo Thugyi* Nanda Ye Khaung. The hereditary list of Panntaw was stated as mentioned in the *Sittan* of 1145 ME.<sup>4</sup> The jurisdiction area of Panntaw was mentioned exactly based on its historical background.

The jurisdiction area of Panntaw *Myo* which was included in Ramanya Daestha was demarcated twice in King Tabinshwe Hti's reign in 907 ME (1545 AD) and in King Thalun's reign in 995 ME (1633 AD) by erecting four inscribed stone pillars and the successive kings followed according to these

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<sup>1</sup> *Parabaik 1498*, Folded Part-8

<sup>2</sup> *Ibid*, Folded Part-9

<sup>3</sup> *Ibid*, Folded Part-10

<sup>4</sup> *Ibid*

demarcated pillars.<sup>1</sup> It is learned that some areas mentioned in demarcated inscribed pillars were not included. Panntaw *Myo* was to the east the creek where the royal daughters and families played<sup>2</sup>. It added some knowledge of Panntaw area according to the four demarcated pillars.

According to the *Sittan* of Panntaw *Myo*, the livelihood of the local people mainly depended on aquatic occupations. The term *Lei Yar* (Paddy Land and Dry Land) and *HseMyaung* (Dams and Canals) recorded in *Sittans* suggests that all two types of cultivation were available in Panntaw *Myo*.<sup>3</sup> Taxes on paddy land, on dry land, on commercial dealings, on watch post and on ferry in Panntaw *Myo* were the evidences of commercial trading and security concerned taxations this town.

The criminal cases occurred in Panntaw *Myo* were decided by *Myo Thugyi* and the legal fees were collected. The *Sittan* of Panntaw stated that village headmen were responsible to collect taxes and they enjoyed one tenth of these taxes and submitted these to *Myo sa* if available. If there were cases of murdering elephants and horses and supervision of stray cattle and slaves, these cases were tried by the office of *Myo Wun* and *Thugyis* were obliged to submit crown taxes twice a year.<sup>4</sup> It is considered that such practice of submitting crown taxes to the authorities concerned prevented any misappropriation of taxes and controlling the taxation system by the authority.

*Myo Thugyi* received 1*Kyat* of silver for 10 *viss* from cultivator. If there was not any *Myosa*, the collected taxes should be submitted to *Hluttaw* with a true list. *Myaedaing* (Local official concerned with recording and taking commission from land) received 1*Kyat* of silver from collected taxes of 10 *Kyat*. *Myo Thugyi* had to present a silver bowl weighing 5 *ticals* and two pieces of cotton cloth, and *Thugyis* from small villages had to submit two pieces of cotton cloth by recording in general and detail lists during annual worshipping ceremony to the king. *Myo Thugyi* had written about it when he was being examined by royal official when they collected the *Sittans*.<sup>5</sup>

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<sup>1</sup> *Parabaik 1498*, Folded Part-10

<sup>2</sup> *Ibid*

<sup>3</sup> *Ibid*

<sup>4</sup> *Ibid*, Folded Part-11

<sup>5</sup> *Ibid*

The taxation and customary presents submitted to the king from Panntaw *Myo* were learned through the *Sittan*. The presents submitted to the king varied according to the positions of *Myo Thugyi* and *Thugyi* of small villages. However, it was some outstanding the fact that in 1164 ME *Myo Thugyi Nanda Ye Khaung* could submit a silver bowl weighing 5 ticals which was 2 ticals reduced from the silver he had previously presented to the king. Moreover, it is learned that when the *Sittan* of 1164 ME was collected, *Myo Thugyi Nanda Ye Khaung* could state more detail about administrative and economic information of his jurisdiction area than the former *Sittan* of 1145 ME because he was engaged with the founding and organizing of his jurisdiction area when the *Sittan* of 1145 ME was collected.

### **Khebaung *Myo* 1145 *Sittan***

The *Sittan* of Khebaung *Myo* was also collected in 1146 ME and *Myo Thugyi Nga Shwe Pann Khwar* was being examined about his hereditary list who ruled Panntaw *Myo*. Nga Hta Gu Kan Khwar firstly ruled Panntaw, and when he was dead, his son NgaTe Ro Net Khwar succeeded the position. When Nga Te Ro Net Khwar passed away, his younger brother Nga Thou Khwar succeeded it and then his son Nga Kaw Ma Khwar continued to rule. The position of Nga Kaw Ma Khwar was succeeded by *Myo Thugyi Nga Shwe Pann Khwar*.<sup>1</sup> The statement of Nga Shwe Pann Khwar about his hereditary list shows that his *Myo Thugyi* lineage was continuous and it was not broken.

The jurisdiction area of Khebaung was divided into four directions in which 23 villages were included. The *Sittan* of Khebaung gives detail village names. It mentions: 'Ma YoThaung Village, Aing Saw Village, Pann Tin Kone Village, ...Zee Kone Village, PyinKado Village, KhweTayar Village.'<sup>2</sup>

There detail village names showed that there were 28 villages in Khebaung *Myo* which had five more villages than the general list of villages previously stated in the *Sittan*. It is considered that *Myo Thugyi Nga Shwe Pann Khwar* was much accurate in mentioning about the names of villages

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<sup>1</sup> *Parabaik 1498*, Folded Part-12

<sup>2</sup> *Ibid*, Folded Part,13

than totaling the numbers of villages he had previously stated. The Khebaung *Sittan* of 1145 ME also provided that its jurisdiction area was extended to eight directions but Khebaung Myo *Thugyi* stated only the names of seven directions. It is found that *Myo Thugyis* were wise enough to state when the *Sittans* collectors were examining them.

There were no pagodas, monasteries; *sima* and religious land in Khebaung Myo and only cultivated lands were available. Half of the total taxes and legal fees collected from Khebaung were enjoyed by *Myo Thugyi* and other half by *Myosa*. Half of fees from supervision of stray cattle, and elephant's tusks were obtained by receivers and the other half was given to *Myosa*. Each *Kayin* cultivator per a knife had to pay 5 *Kyats* and 2 *mats* of silver as main tax. Moreover, 2 *mats*, 1 *pe* as extra, 14 *mats* as loss amount, and 6 *mus* for *Wun*, 3 *mus* for clerk and 3 *mus* for keeper were collected from him.<sup>1</sup> *Kayin* ethnic were available in Khebaung Myo. Moreover, *Kayin* cultivator had to submit a *viss* of beeswax as crown tax. *Thugyi* also collected a *viss* of beeswax per person. No ferry, watch posts, and market taxes were available in Khebaung Myo.<sup>2</sup>

There were 32 fishery ponds in Khebaung Myo. Each fisherman in *Kyun Tan* pond, *Shar Khe Gyi* pond, *Shar Khe Nge* pond, *Kaw Tha Lai* pond, *In Tain* pond, *AitKa Tut* pond, *Kyama Bei Khut* pond, *PowkanNei* pond, and *Gi Neint Nge* pond was obliged to pay 5 *Kyats* 2 *mats* for main tax, 2 *Kyats* 1 *pe* for extra, 1 *mat* 1 *pe* for loss amount, 6 *mus* for *Wun*, 3 *mus* for clerk and 1 *mu* 1 *pe* for keeper. *Myo Thugyi* collected 1 *Kyat* 1 *mat* from per fisherman. Moreover, 40 sheets of *Thinphyuu* ((*mat*) from *Thar* pond, 30 sheets from *Ka mat Pe Lei* pond, 15 *Kyats* of silver from *Pann* pond, 13 sheets of *Thinbyhuu* (*mat*) from *Atami* pond, 15 sheets from *Ben Tayaw* pond, 30 sheets from *GiNeintGyi* pond, 10 sheets from *Pein Kayan* pond, and 5 sheets from *Kyuntatun* pond were presented as presents. If they cultivated monsoon paddy, they had to pay 2 ½ baskets of rice per cultivator to *Myo Thugyi*.<sup>3</sup>

The following information mentioned in the *Sittan* provided hillside cultivation, monsoon paddy land; beeswax and fishery were main occupations

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<sup>1</sup> *Parabaik 1498*, Folded Part-13

<sup>2</sup> *Ibid*, Folded Part -13,14

<sup>3</sup> *Parabaik 1498*, Folded Part-13,14

of Khebaung *Myo*. Apart from collected taxes, *Thinphyuu* (mat) were designated as presents to be submitted according to demanded numbers from each fishery pond. As no taxes were collected from *Thinphyuu* (mat) making but taken these mats as presents, it is assumed that *Thinnphyuu* (mat) making was not a professional occupation at that time of the day.

Khebaung's *Myo Thugyi* was changed when the *Sittan* of 1164 ME was collected. The present *Myo Thugyi* in 1164 ME was Nga Tun Paw. He stated that former *Myo Thugyi* who stated the *Sittan* in 1145 ME was charged for criminal case and sentenced to death in 1154 ME (AD 1792). Thus, the present *Myo Thugyi*'s father *TaingGaung* (Local headman) Nga Oo Mi was appointed in the position of Nga Shwe Pann with royal seal. When his father Nge Shwe Pann was deceased, the present *Myo Thugyi* succeeded as hereditary lineage.<sup>1</sup>

Unlike Pathein and Panntaw *Myo s*, former Khebaung *Myo Thugyi*'s lineage was broken and a new hereditary lineage with the appointment of royal seal emerged and succeeded as *Myo Thugyi*. Thus, it is learned that two hereditary lineages were available in the administration of Khebaung *Myo*.

The jurisdiction area of Khebaung mentioned in the *Sittan* of 1145 ME and in the *Sittan* of 1164 ME were the same. Although the *Sittan* of 1164 ME mentioned there were 20 villages in Khebaung *Myo*, 27 villages were available when the names of villages were counted in detail. It is found that Ma Yann Pin Village and Kyo Pin Kone Village included in the list of the *Sittan* of 1145 ME were not available in the *Sittan* of 1164 ME. It is considered that these two villages were already destroyed. The name of new village, Lwun Taing Village, was mentioned in the *Sittan* of 1164ME.<sup>2</sup> Thus, the changes of the number of villages in the *Sittan* showed the conditions of these villages whether they were destroyed or emerged new ones.

The economic conditions and occupations of the people in Khebaung *Myo* in 1164 ME were the same as mentioned in the *Sittan* of 1145 ME. Moreover, there were no changes in taxation system in Khebaung.

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<sup>1</sup> *Parabaik 1498*, Folded Part,14

<sup>2</sup> *Ibid*, Folded Part-15

The study of two *Sittans* of Khebaung collected in 1145 ME and 1164 ME showed that the information such as the jurisdiction area, economic conditions, taxation, fixing presents to the crown were the same. However, some significant changes such as hereditary rulers and the numbers and names of villages did not match between two *Sittans*. Based on the detail records of villages by the *Sittan* collector, it is conjectured that there might have some remote causes why some villages were destroyed and some were emerged.

### **Conclusion**

The main and usual information included in the *Sittan* are history of the *Sittan* collected *Myo*, hereditary lineage of headmen, duties and responsibilities of the ruler, jurisdiction area, the classification of land, taxes, the judicial decisions made on stray cattle, the lists of retainers and royal servants, legal cases decided by ruler, presents submitted to local headmen, the presents submitted by the local headmen to the king in royal coronation ceremony and royal audiences, the regalia given by the king to the headmen and funeral rites of headmen.

However, not all the *Sittans* composed all information but generally it includes hereditary lineage of headmen, jurisdiction area, duties and responsibilities of headmen, taxation and cases of stray cattle and distribution of meat of dead cattle.

By studying the *Sittans* of Pathein 32 *Myo s*, it is learned what are the differences of information between the *Sittans* of Pathein 32 *Myo s* and the other *Sittans* and what were historical information which could be extracted from these *Sittan sand* comparison of these *Sittans* and other *Sittans* can be made.

Of Pathein 32 *Myo s*, the *Sittans* of Pathein *Myoma*, Panntaw and Khebaung are now available which were collected two times during King Badon's reign in 1145 ME (1783 AD) and 1164 ME (1802 AD). Regarding to hereditary succession of *Myo Thugyi* in these three *Myo s*, the hereditary lineages in Pathein and Panntaw were continuous and successive headmen succeeded when the *Sittans* of 1145 ME and 1164 ME were collected. However, hereditary lineage of Khebaung in the *Sittan* of 1145 ME was

broken and new hereditary lineage was ruling when the *Sittan* of 1164 ME was collected.

The jurisdiction areas of these *Myos* mentioned in the *Sittans* of 1145 ME and 1164 ME were generally unchanged but the name of extend of the directions of jurisdiction areas such as four directions and eight directions do not match with the name of the existing places.

Among the three *Sittans* of Pathein 32 *Myos*, the *Sittans* of Khebaung appeared to be most complete in particularly in describing village names. However, the numbers of 23 villages mentioned in the *Sittan* of Khebaung in 1145 ME did not match with the names of 28 villages mentioned. So did the *Sittan* of 1164 ME, which described 20 villages in number but the names of 27 villages.

The occupations in these *Myos* were mainly agriculture cultivation, coconut growing, salt making, fishery and commercial trading. The fishing ponds were mostly available in Khebaung *Myo*. It is considered that fishery was widely conducted in Khebaung.

In connection with economic enterprises in two Pathein *Myoma Sittans*, a kind of profession called interpreter was available as historical information for social history of Pathein. That profession was urgently needed in foreign trade that it is evident that external trade with other countries flourished in Pathein.

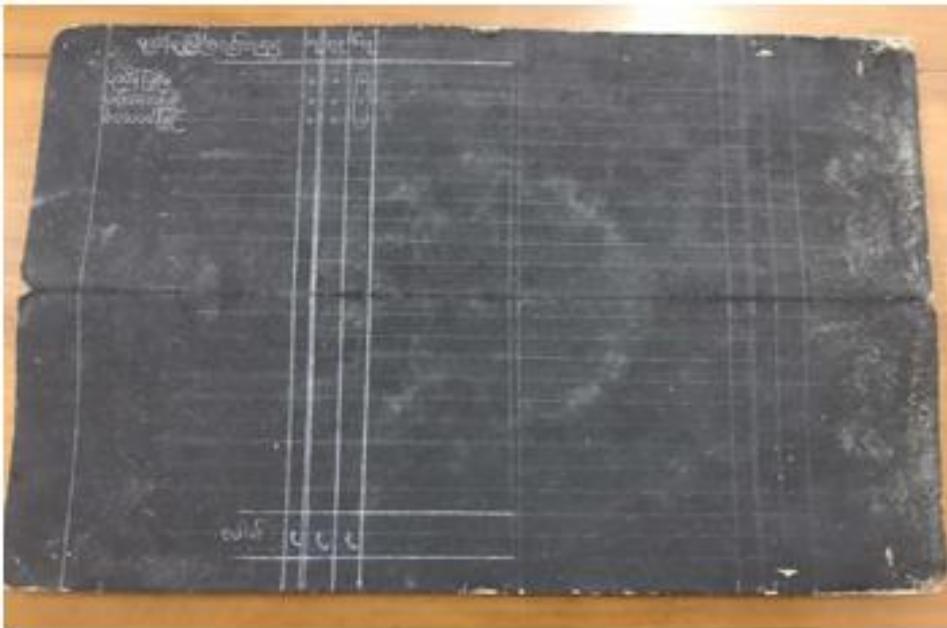
The rates of taxation in each *Myos* Pathein and Khebaung in the *Sittans* of 1145 ME and 1164 ME were the same. The *Sittan* of Panntaw in 1145 ME did have complete information of taxation since this town was still being built when the *Sittan* was collected but it could provide complete information about taxation when *Myo Thugyi* of Panntaw was being examined in 1164 ME.

From the study of the *Sittans* of Pathein 32 *Myos*, geographic settings of these *Myos*, and administrative and historical information such as hereditary lineages of headmen, jurisdiction areas of this *Myo s*, taxations, presents submitted to the king, and economic information such as cultivation, fishery and commercial trading can be extracted. A new professional who earned his living as interpreter also put a new evidence in the study of social history. It is assumed that the information obtained from the study of the *Sittans* of Pathein 32 *Myos* could provide useful primary sources for the study

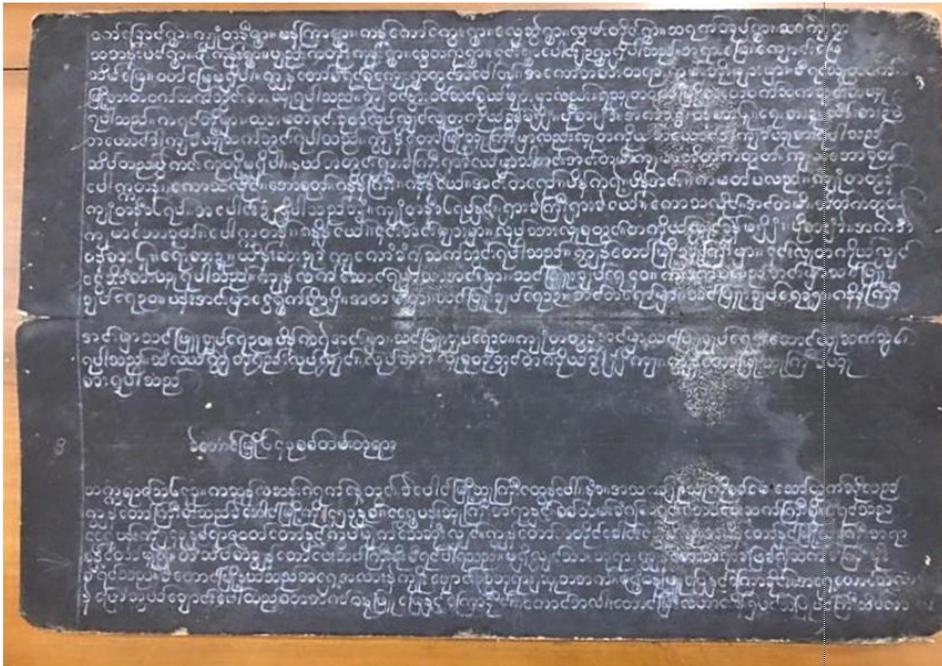
of administration, political and socio-economic conditions of Pathein in Konbaung period.

The main outcome in studying and analyzing this *Sittan* is that knowledge and understanding about the administrative, economic, social and political conditions of Pathein Township during king Badon's reign and it can be handed over and shared to the new generation that the *Sittans* are much used evidences when the historical administrative social, economic, geographical and facts also words usage in ancient times are researched.









From National Library Parabaik Folded Manuscript, 1498

### Acknowledgement

I wish to express my genuine thanks to Dr Kyaw Win,(Secretary of Myanmar Historical Commission), for his kind permission to carry out research. My deepest gratitude is extended to Professor Dr Mo Mo Thant, (Head of History Department, Yangon University), for her help and encouragement during the development of this research work. I would like to express my thanks to Professor Daw Nyo Nyo Tin (Rtd. Head of History Department, Yangon University of Foreign Languages)

### Appendix (1)

	ပဌမအမည်ရင်း	ဒုတိယအမည်	တတိယအမည်
(၁)	အဘိသဇ္ဇာနဂရ	ပုသိမ်	ပုသိမ်
(၂)	ကျိုက်တုံလုံထားမြို့	မြန်အောင်	မြန်အောင်
(၃)	ကျိုက်တော	ကျိုက်တောသုံးမြို့ဆိုင်	ကနောင်
(၄)	ကျိုက်တည်သာရဝေါ	သာရဝေါ	ဟင်္သာတ
(၅)	သုနန္ဒဗလ	ကွင်းဘောက်	ကွင်းဘောက်
(၆)	အင်္ဂပူရ	အုတ်ဖို	အုတ်ဖို
(၇)	ဒူးယား	ဒူးယား	ဒူးယား
(၈)	ကျိုက်တော်သမန္တပူရ	ဇရွန်	ဇလွန်
(၉)	ကျိုက်သလွန်ပွန်ဒေါင်းဖြူ	ခနဖြူ	ခနဖြူ
(၁၀)	ကျိုက်တည်မုဋ္ဌော	သမင်းကုန်း	သမင်းကုန်း
(၁၁)	ကျိုက်ဇရဲထော်	မြောင်းမြ	ယခုသမင်းကုန်းအဝင်။ လပွတ်ကုလားလှ တန်းနယ်။
(၁၂)	ကျိုက်ပွန်	ဆိပ်ကြီး	ဆိပ်ကြီး
(၁၃)	ကျိုက်ကွဲ	ခဲပေါင်	ခဲပေါင်
(၁၄)	ကျိုက်ပတောင်လောင်	မဲလောင်	မဲလောင်
(၁၅)	ကျိုက်ပိ	သစ်ရောင်ချောင်း	ပုသိမ်မြို့ဆင်ခြေဖုံး
(၁၆)	ကျိုက်စော	တကောင်းဘုရား	တကောင်းဘုရား
(၁၇)	ကျိုက်ဘမော်	ပန်းတောရေကြည်	ပန်းတောရေကြည်
(၁၈)	ကျိုက်မော်ဒေါ	ကျုံတရော်	ကျုံပျော်
(၁၉)	ကျိုက်ခမီပူရ	ထောင်လုံ	ထောင်လုံ
(၂၀)	ကျိုက်ခန်တလ	အသုတ်	အသုတ်
(၂၁)	ကျိုက်ခန်တော်ထုံ	ထန်းဘူး	ထန်းဘူးမကြီးကုန်း

ပဌမအမည်ရင်း	ဒုတိယအမည်	တတိယအမည်
(၂၂) ကျိုက်ခရန်တော်ကျောက်ဖြူ	သိန်ချောင်း	ဇီးဖြူကွင်း
(၂၃) ကျိုက်တလံတံတခေါ	ကျောက်ချောင်းကြီး	ကျောက်ချောင်းကြီး
(၂၄) ကျိုက်အဝှန်း	ကျိုတုံး	ကျောက်ချောင်းကြီး တိုက်သီးကွင်း လှေတန်းနယ် စောင်းရားကျွန်း
(၂၅) ဇလဲကျိုက်တဂေါ်	ကျောက်သဘော	ယခုစောင်းရားကျွန်း။ လှေတန်းနယ်။
(၂၆) ကျိုက်ထူပါရုံကမ်းဖြူ	မြစ်တရာ	(ယခုလေးမျက်နှာ နယ်။လှေတန်းနယ်။
(၂၇) ကျိုက်ထောင်ကော	ပန်းတောကြီး	(ငါးသိုင်းချောင်းတ ဘက်သီတာဘုရားရှိ သောအရပ်။)ပုသိမ်မြို့ သူကြီးနေသည့်ရွာ။ လူနေအိမ်ခြေ၅၀ခန့် ရှိသည်။
(၂၈) ကျိုက်တော်ပြည်ပတော	ကျောက်ချောင်းငယ်	ကျိုတုံးကန္တီ
(၂၉) ကျိုက်ဘမွန်ကျိုတုံး	ကျိုတုံးကန္တီ	ကျိုတုံးကန္တီ
(၃၀) ကျိုက်ကရံဟေန်	ခေန်	ခေန်
(၃၁) ကျိုက်ခရမ်း	ဘုရားလှ	ဘုရားလှ
(၃၂) ကျိုက်တို	မဲခရဲ	မဲခရဲ <sup>၁</sup>

<sup>1</sup> မောင်ဘိုးကျား ပုသိမ်ရာဇဝင်၊ ၈၁ -၈-၁၂

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## **LOTUS ROBE OF INNLAY REGION**

Khin Htay Yu\*

### **Abstract**

The purpose of this paper is to know the importance of saffron robe for the Buddhist monks who are the disciples of Lord Buddha, to know the great benefits derived from the offering of robe, to study the inventive mind of women from Kyaing Kham (East) village in Innlay region of southern Shan state who produced robe woven from natural fiber of Paduma lotus plant in dedication to offer the Lord Buddha, and to acquire more foreign exchange (FE) from the sale of robe and fabric of Paduma lotus to the Buddhist countries of Japan and Korea etc.

### **Introduction**

The most fundamental requirement of all human beings are food to eat, clothing to wear and dwelling place to live. Because of these causes, the people will meet a variety of sufferings. Out of the three causes of food, cloth and dwelling, the Lord Buddha foresaw that robe would be the most fundamental thing necessary for his disciples the Sangha for the prosperity of Buddhism in future. It is also found the ability of women from East Kyaing Khan village of Innlay region who can weave the fibres of lotus plants into robe. Robe as garment is important for the Sangha who are performing the perpetuity and prosperity of Buddha's religion. The distinctive features of the Paduma lotus fabric is its sweet fragrance and its warmth when it is worn in winter and its coolness when it is worn in summer.

### **Finding Results**

The Lord Buddha foresaw that robe would be the most fundamental thing necessary for his disciples the Sangha for the prosperity of Buddhism in future. The Lord Buddha paid attention to get clothing (robe) for Sangha in delivering sermon.

It is also found the ability of women from Innlay region who can weave the fibres of lotus plants into robe. Visitors within the country and tourists came to study the work of weaving lotus robe.

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By making contact with the Buddhist countries attempts are made to get foreign exchange by selling lotus robe and fabric.

Nowadays, as lotus plants are getting scarce in Innlay region, attempts should be made not to disappear natural genes and to get more foreign exchange and it will contribute to the continuous production of lotus robes.

### **Lotus Robe of Innlay Region**

As long as not free from physical appearance, soul and body, the most fundamental requirement of all human beings are food to eat, clothing to wear and dwelling place to live. Because of these causes, the people will meet a variety of sufferings. Therefore, in dedication to be free from existence of body and soul, the Lord Buddha indicated his disciples the ways of having food, clothing and living place which can ensure safety, freedom and pleasure of life.

For getting food-Sangha had to go round on one's own foot to accept offering of food with a begging bowl.

For getting clothing-Sangha had to collect pieces of cloth deserted at rubbish heaps and cemetery and then these cloths were washed away and sewn up into fabric.<sup>1</sup> *Dukote Thin-gan* (mantle-like, double layered vestment of a Buddhist monk) which the Lord Buddha had always worn is the sample of robe. It was the robe made of the cloth wrapping the corpse of a female slave and the Lord Buddha himself took the cloth to wear himself as robe.

Out of the three causes of food, cloth and dwelling, the Lord Buddha foresaw that robe would be the most fundamental thing necessary for his disciples the Sangha for the prosperity of Buddhism in future. As the Mijjima desa and its adjacent areas where the religion of Lord Buddha would be flourished in future were the places where majority of poor people were living and however difficult it would be to get food in such places, at least the Sangha could get a spoonful of food<sup>2</sup> at least from a donor if the Sangha went

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<sup>1</sup> Ngwe U Daung (U Kye Maung), *Buddha Sar Pan Chi*, Volume I, Yangon, Stars Empire Printing Service, 2006, p. 150 (Henceforth: Ngwe U Daung, 2006)

<sup>2</sup> Ngwe U Daung, 2006, 151-152

round village or town to accept offering of food as there were abundant forests and hills, as well as donated monastery and buildings.

But in regard with the garment, it would not be easy for the Sangha to get a robe from the poor people. Therefore, the Lord Buddha paid attention to get clothing (robe) for Sangha in delivering sermon.<sup>3</sup>

### **Robe woven of cloth is the noblest**

In regard with the robe, the Lord Buddha delivered sermon as follows:

The Lord Buddha held high regard for robe made of discarded cloths.

The successive Lord Buddha who get enlightenment in the past, at present and in future, as well as the *Pis-sei-ka Buddha* (Lesser Buddha), *Agga Thar-wa-ka Maha Thar-wa-ka* (The two chief disciples of Buddha) and *Arahats* had adorned the robe and attained *Arahatta Magga*. By wearing the robe, they were free from *ki-lay-thar* (Passion and Impurity).<sup>4</sup>

The robe was praised as the banner of victory of *Arahatta Daja*, *Arahatta Magga* (Forth and final stage in following the Eightfold Path to Nirvana) and *Arahatta Pho*.

The robe dyed with the color derived from the bark of trees shall be revered and worshiped.

The garment adorned by Buddhist monks is noble and revered.<sup>5</sup>

### ***Pan-tha-ku Thin-gan* (Robe made of discarded pieces of cloth)**

The Sangha had to wear *Pan-tha-ku Thin-gan*, bearing in mind the mental attitude of being less desirous and humble. It was not easy for the Sangha at that time to get robe. At the entrance of cemetery or from the rubbish heaps at the junctions of the roads, torn pieces of discarded clothing were to be picked up one by one and torn pieces of cloth were patched together into fabric and sewn into garment. At the time when population of Sangha was not so much, it would be easy to get torn pieces of discarded

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<sup>3</sup> Ngwe U Daung, 2006, 152

<sup>4</sup> Dr. Nanda Marlar Bivansa's Sermon, 4-9-2017, Maha Bodhi Channel, MRTV

<sup>5</sup> Ngwe U Daung, 2006, 46

cloth. But with the growth of Sangha population, it would not be easy to get discarded pieces of cloth.<sup>6</sup>

In sewing the robe, Ashin Maha Kassapa held by hand the bottom part of the robe, while Ashin Maha Thari Puttara took responsibility at middle part and the Lord Buddha's cousin Ashin Ananda had to hold the topmost part of the robe. Ashin Maha Moggalan had to take and give necessary needle and threads, while other monks were twisting the threads. Whenever a thread ended, it was the Lord Buddha who put another thread into the hole of needle. It was the extraordinary event of sewing robe.

Pieces of cloth in the measurement of one *htwa* (9 inches) or one *taung* (18 inches) were to be sewn together into fabric and therefore, the robe was not in a right angle. The Lord Buddha made a journey from the town of Yazagyo to the small obscure village of Dek-khi-na-gi-ri. Along the journey, there were plots of paddy field owned by the peasants of Magadha kingdom. The plots of paddy field were square in shape with straight line of *Kan-thin* (paddy dykes) at both length and width. Some plots of paddy field had overlapped *kanthin* and some paddy fields were demarcated by *Kan-thin* both in length and width. The intersection between two plots of paddy field in interior part looks like a cross. The Lord of Buddha asked his cousin Shin Ananda to make design the robe as the pattern of paddy fields which were systematically made by the peasants of Magadha kingdom. At the end of the journey when they came back to Yazagyo, they laid out the pattern of robe for all the Sangha.<sup>7</sup> As the plots of paddy field had *Kan-thin* in its surrounding, the robe had fringes in both length and width. As the plots of paddy field were demarcated by *Kan-thin*, small lines of threads were designed into column on the robe. Like the demarcation in the pattern of *Kan-thin*, big and small columns were patterned on the robe.

At the places in touch with the neck or calf of the leg, robe can be rubbed and torn. Therefore, an extra fabric was sewn double layers over at these places. After having prepared systematically, the robe became substial.

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<sup>6</sup> Wunna Thiri, *Nyi-daw Ananda ei Ta-thet-tar Hmat-tan* (Lifelong record of the Lord Buddha's cousin Ananda), Volume I, Yangon, Sarpay Loka Press, 2012, p. 339 (Henceforth: Wunna Thiri, 2012)

<sup>7</sup> Wunna Thiri, 2012, 341

When this pattern came into settled, the robes sewn in later period were designed in this pattern. This pattern would be suitable for the monks as it was different from the design of lay person's garment. As the cloth is cut into pieces and sewn into garment, thieves and robbers will not appreciate it.

The robe was donated to the Lord Buddha by Maha Pajapati Gawdami.

Gawdami chose the best quality of cotton, gin cotton. She used funnel-shaped basket in dressing cotton.

Slim and smooth threads were spin and woven by herself.

Then the cloth was dyed yellow color and the robe was offered to Lord Buddha who delivered sermon as follows:

“Gawdami, donate the robe to Sangha and it will be similar with donation to me (Lord Buddha)”.

By seeing this factor, it was found that the Lord Buddha paid high regard to the convenience of gaining garment for Sangha who were endeavoring for perpetuation of the Buddha's Sasana (Teachings) for long time.<sup>8</sup>

Robe can be classified into *Pan-tha-ku thin-gan*, *Waso thin-gan* and *Ka-thi-na thin-gan*. In donating Ka-thi-na robe, a monastic establishment can accept only once the offering of robe and robe must be distributed to the Sangha who had little garment. The Abbot has no right to take the robe. In other words, the Buddha intended to prevail *parahita* (Philanthropic mind) among the Sangha who are the disciples of the Buddha. The Vinaya discoursed by Lord Buddha was the code of rules and regulations to be followed by the Sangha and its intention was to perpetuate the Sangha society for longer period.<sup>9</sup> In regard with the right to donate Kathina robe, it was known as follows:

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<sup>8</sup> Wunna Thiri, 2012, 342

<sup>9</sup> Baddanta Mala Linkara, “Pay-yway Ma-kon Hlu-yway Ma-khan” (So many properties to distribute or to donate) Buddha's Sermon, 3 January 2017, broadcasted on Maha Bodhi Channel, MRTV

## **Kathina Robe**

On their journey from *Taw-kyauung* (Monastery located far away from dwelling places of lay persons) of Pava kingdom to Jetawan monastery of Thawutti kingdom to pay obeisance to the Lord Buddha, thirty Badda Waggy monks encountered storm and heavy rain and lost their robe. The Lord Buddha had passion on these monks and allowed the lay persons to donate robe. This robe is called “kathina robe”.

The lay persons are allowed to offer Kathina robe within the duration of one month from 1<sup>st</sup> Waning day of Thadingyut to the full moon day of Tazaungmone in only one monastery at one time.

The monastery which accepted offering of Kathina robe had to distribute the robes among its Sangha within the day and so it is called “Ma Thoe” Thingan. It is known that the Lord Buddha had allowed to offer robe woven with the various cotton, silk or velvet.<sup>10</sup> So it was the robe which appeared for the first time in Buddha’s religion.

After gaining enlightenment, the Lord Buddha delivered the first sermons to Pyin-sa-wag-gi (Five ascetics), of whom Ashin Kaundinya gained distinct ascetic practice. There is no evidence in religious treatises about what was the robe design of Ashin Kaudinya who became the first disciple of Lord Buddha.<sup>11</sup>

There are four kinds of robe as follows:

1. Waso Thin-gan-the robe donated in the month of Thadingyut to the Sangha who resided the monastery to which someone paid homage. Nowadays, the robe is used to be offered before the Buddhist Lent or on the full moon day of Waso.
2. Kathina Thin-gan-the robe donated during the period of one month from 1<sup>st</sup> Waning day of Thadingyat to the full moon day of Tazaungmone to the Sangha who sojourned during the Buddhist Lent (Purima Wa).

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<sup>10</sup> Ashin Pandita, Volume II, p. 16

<sup>11</sup> Ashin Pandita, Volume II, p. 83

3. Ei-sei-ka Ci-wa-ra-the robe donated hurriedly at the time just before going travelling or when someone is not healthy. The robe is donated with no arrangement in advance.
4. Sad-da Thin-gan-the robe donated during the period of eleven months beginning from 1<sup>st</sup> Waning day of Tazaungmone to the month of Thidingyut next year. The robe is donated for any special reason, but only with good will.

Waso thin-gan is the robe donated to the Sangha who sojourned during the Buddhist Lent at the monastery which someone has worshipped.

At the present time, the robe donated on the full moon day of Waso (July) is called “Waso Thin-gan”.<sup>12</sup>

Waso (Karakat-Cancer) is the month when the Sangha had to go into monsoon retreat. It is the month when the Lord Buddha came into a new existence in his mother’s womb. It is the time when the Lord Buddha retired to the jungle as a recluse. It is the month when the Lord Buddha delivered his first sermons to Pyin-sa-wag-gi (Five Ascetics), and it is the month when flowers like Myit-zu and Pon-nyet etc. are blooming. It is the month when Ya-han-khan (Ceremony of receiving ordination as a Buddhist monk) was held in ancient time. It is the month when Waso robe and Waso flowers are offering. In this month, Myanmar traditional ceremony of offering Waso robe or Waso flowers is held and it is a good custom which should be maintained without fail every year.<sup>13</sup>

Waso Thingan is the robe donated to be convenient for the garment of Buddhist monks and it was arranged by the lay persons.

In ancient time, Waso robe could be donated by single lay person.

Kathina Thin-gan is the robe first donated with the permission of Lord Buddha.

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<sup>12</sup> Shwe Myaing Ashin Pandita Bivansa, *Waso Sai-yar Haw-pyaw-kwet Ta-ya Paung-choke* (Collections sermons on the Buddhist Lent), Volume One, Yangon, Aung Zabu press, 2005, pp. 152-153 (Henceforth: Ashin Pandita Bivansa, 2005)

<sup>13</sup> *Buddha Dhamma Journal*, Volume 30, No. 4, p. 84, Ashin Ardissa (Shwe Kan Thar, Pakkoku)

Waso robe is donated to the Sangha who sojourned during the Buddhist Lent to be convenient for their garment.

### **Reason for donating Waso robe**

At the time when the Lord Buddha was alive, robe was very scarce for the Sangha that each monk had only a set of three robes called “Dukutta Thingan” or San-gha-ti (Over garment), “Uttarasanga” (A-ka-thi) (Upper garment), and “Antaravasaka” (Thin-paing) (Under wear or loin-cloth). As robe was scarce, if the robe became wet with rain water, the monk would be in great trouble. In ancient time, robe donated to the monk was not a ready-made like the present time. Cotton cloth in pieces of one *htwa* one or two *taung* were donated to the Sangha and the Sangha had to sew the pieces of cloth into garment by using needle and threads. If there was no enough pieces of cotton cloth, the Sangha went to cemetery and took the cloth wrapped on the corpse. The pieces of cloth were then washed and dyed and patched together into garment. So it would be very difficult for Sangha at that time to get robe.

*Kyaung A-ma* (Female donor of monastery) Wi Thar Khar once sent a female slave to monastery to invite Sangha for having food at her house. Being afraid of getting wet their robe, the Sangha were having bath unclothed at that time.<sup>14</sup> The female slave saw them and told Wi Thar Khar what she had seen at the monastery. However, Wi Thar Khar knew that the persons getting bath unclothed were the Sangha. The Lord Buddha and Sangha came while rain was falling and Lord Buddha vowed not to fall a drop of rain water so that the robe of Sangha would not be wet. After having food, Wi Thar Khar requested the Lord Buddha to let her to donate robe to the Sangha. It was the first time that the Lord Buddha allowed to make donation of robe to the Sangha.<sup>15</sup>

*Kyaung A-ma* Wi Thar Khar made request to the Lord Buddha as follows:

“At the time after the Lord Buddha passed away, Sangha will not take and wear the cloth wrapped on the corpse and

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<sup>14</sup> Ngwe U Daung, 2006, 80

<sup>15</sup> *Ibid*, 81

Buddha's teachings can be disappeared with the Sangha.<sup>16</sup> If the Sangha have enough garments, the Buddha's teachings will be perpetuated for more than five thousand years. In order that the Buddha's religion lasted for more than five thousand years, permission is asked to donate Waso robe to the Sangha."

The Lord Buddha uttered "Sadu" (Well done) three times with pleasure and the earth was trembled. The Lord Buddha said:

"My beloved daughter Wi Thar Khar, this kind of donation will contribute to the prosperity of Buddha's religion and it will make the Buddha's teachings lasted for more than five thousand years."

It was because of Wi Thar Khar's request to get permission for donation of robe, the Sangha can still be seen up to the present time. Because of her request, Wi Thar Khar became reputed with the title "Sasana Mae-daw" (Mother of Sasana).<sup>17</sup>

The donation of robe can make a person beautiful in every life. During the time of the Lord Buddha Kassappa, a woman donated the loin-cloth made of flowers to the Lord of Buddha and she became a beauty queen with the title "Ohn Mar Dan Di" in the time of the Lord Buddha Kassappa. She enjoyed as human being and as celestial god and after that , she became female Arahats with the title "Upala Wan Hte-yi" and attained Nirvana.<sup>18</sup>

Because of the donation of robe which was the banner of *Arahats*, eight kinds of benefits could be gained.<sup>19</sup> Therefore, donation of robe had been made since the time of ancient kings in Myanmar.

During the reign of King Badon (Bodawpaya), donations of robe to the Sangha were found as follows:

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<sup>16</sup> Ngwe U Daung, 2006, 82

<sup>17</sup> *Ibid*

<sup>18</sup> *Ibid*, 90

<sup>19</sup> Ashin Pandita, Volume I, 13

- Order: (1) Display the Kathina robes for royal inspection on 14 Waxing day of Tazaungmone, 1149 M.E. (24 October 1787).
- (2) Hold a festival at the pagoda of Sin Gyo Shwe Gu in the evening on 24 October 1787.
- (3) Send the Kathina robes together with other offerings to monasteries on the full moon day of Tazaungmone (25 October 1787).
- (4) Offerings shall include Matho Thingan (A monk's robe made all at once).<sup>20</sup>

It was also found the ability of women from East Kyaing Khan village of Innlay region who can weave the fibres of lotus plants into robe. Robe as garment is important for the Sangha who are performing the perpetuity and prosperity of Buddha's religion. The distinctive features of the Paduma lotus fabric is its sweet fragrance and its warmth when it is worn in winter and its coolness when it is worn in summer.

### **Kyar Thin-gan (Lotus robe)**

Since the beginning of the world, five lotus buds had appeared at the place where sacred Bodi tree was grown and the Lord Buddha gained enlightenment. Five branches appeared from a single plant and from these branches appeared the five buds of lotus. Each bud of lotus had a set of fragrant Thin-gan (robe) and *Pa-reik-ka-ya* (Prescribed articles for use by Buddhist monks). With pleasure, the Brahmas took a set of lotus robe and *Pa-reik-ka-ya* each to their place where "Ariyas" (Holy persons) lived and offered the sweet-scented lotus robes to them. As the omen of lotus appeared, the Brahmas prophesied that the five Buddhas would appear in this present world who would show the Path to Liberation.

According to the Hinduism and Buddhism, lotus is regarded as the plant that grew first on earth. Lotus is considered as the noblest and the most

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<sup>20</sup> *The Royal Orders of Burma, A.D. 1598-1885*, Collected & Edited by Dr. Than Tun, Part IV, A.D. 1782-1787, Kyoto, Centre for Southeast Asian Studies, Kyoto University, 1986, p. 627 (Henceforth: *ROB*, IV)

sacred of flowers in Buddhist and Hindu lores. Moreover, although lotus plant is grown in mud, it can climb up to the surface of water.<sup>21</sup> Therefore, it is pure and sweet-scented. *Kyar pa-lin* (Lotus throne) is used to be made for the Lord Buddha and Guardian spirits. In India and Southeast Asian countries, king was regarded as the God on earth (Human world) and *Kyar pa-lin* was made for him.<sup>22</sup>

Among the traditions of Innlay region included a variety of matters concerning with lotus. Especially, their belief, calculation of auspicious time for building house, way of compounding medicines, and songs and poems of Innlay rural areas are mostly concerned with the stalk of lotus, lotus petal, lotus leaf, lotus flower, and lotus seed.<sup>23</sup>

About 90 years ago, Daw Sar U (alias) Daw Kyar U, 50 years old, who was skillful in handicraft, from Kyaing Khan East village of Innay village-tract in southern Shan state, began weaving of lotus robe. At the time when Daw Kyar U began weaving lotus robe, Sayadaw of Shwe U Daung hill located to the northwest of Innlay lake was well-known throughout Myanmar. Daw Kyar U donated the lotus robe which she had woven to the Shwe Daung Taung Sayadaw for the first time. Lotus robes were also donated to the Innlay Phaungdawoo Buddha statue which was taken from place to place for worship in Innlay region. Daw Kyar U had earned her living by weaving lotus robe and after her death, industry of weaving lotus robe was almost extinct. Then, U Tun Yi and Daw Ohn Kyi family restarted the work of weaving Paduma lotus robe which was almost disappeared.<sup>24</sup>

Lotus fibre that can be woven into lotus fabric is included in *Nymphaea rubra*. In Biological term, it is the plant which blooms flowers and

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<sup>21</sup> Dr. Than Tun, “Ta-seik La-kha-na Yi-nyoon-chet” (Symbols of medals), *Kalyar Magazine*, 1996 October issue, p. 21

<sup>22</sup> (a) Maung Maung Lwin, *Yin-kyay-hmu hnit Shay-haung Thu-te-tha-na Sar-dan-mya* (Culture and Archeological papers), Yangon, San Thit Press, 2014, p. 125 (Henceforth: Maung Maung Lwin, 2014)

(b) Sayagyi Taik Soe, *Buddha Bar-thar A-nu-pyin-nya Ni-dan* (Introductory to the Buddhist Arts), Yangon, Quality Publishing House, 2002, p. 110

<sup>23</sup> *Collections of Saya L. Ba Oo*, M.A., History, Haya-Ywama-Innlay (2005)

<sup>24</sup> Interview with Captain Aung Naing Oo (Retired) and Daw Sanda Moe, Kyaing Khan East village, 18.8.2017

floats on the water surface. A variety of lotus can be seen in many places of Innlay region. The stem of lotus plant is submerged under water and a lotus flower arose from each lotus stem. Its roots are puffy and can grasp the mud. It can also absorb minerals. At the stem of lotus has hollow cylinder through which air can pass and fibres. The colors of lotus can be varied depending on the species of lotus. People of Innlay region in ancient time supposed Paduma lotus to be the most beautiful. Lotus flowers are blown mostly at dawn in Innlay lake and lotus flowers transformed into buds at sunset. Lotus flower in red color is mostly bloom in evening and flower blooms for only three days. The lotus plants mostly found in Innlay region are Kyar Ni (Red lotus), Kyar Phyu (White lotus) and Kyar Nyo (Brown lotus). White lotus is *Nymphaea alba* in botanical term. Yellow lotus is rarely found.<sup>25</sup>

Daw Kyar U first bought lotus plants. When people went to pick up lotus plants, propitiation is made to the concerning guardian spirits. Permission is asked by offering of coconut and banana to the *Nats* (Spirits) with flowers and candle lights. Daw Kyar U made the people to pluck lotus stem only after they had made cleaning their body. In plucking up the lotus stalks, experience is important. Lotus leaf at the top of lotus plant must be in position of bud, it will be easy to pluck off the lotus stem. Position of lotus spiral must be known skillfully so that it will be easy to pluck off the lotus stalk.<sup>26</sup>

Firstly, Daw Kyar U bought the lotus. Labor charge of plucking lotus fibre is paid per day. Lotus plant six to eight feet in length is submerged about six to eight feet in water. The part of lotus submerged in mud is red brownish in color. The part submerged in mud must be cut off so that it does not bring mud. As lotus stalk has thorns, it is to be brushed with coarse cloth. About 2,500 lotus plants can get one tical of lotus fibre. At the present time, people themselves pulled lotus fibre. One tical of lotus fibre can get from pulling 150 lotus plants. All lotus fibres from hollow cylinder of lotus are to be pulled as much as possible. When Daw Kyar U died, business of weaving lotus robe

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<sup>25</sup> *Collections of L. Ba Oo* (2005)

<sup>26</sup> Interview with Captain Aung Naing Oo (Retired) and Daw Sanda Moe, 5.10.2017

also disappeared. It was in later period that Daw Ohn Kyi continued the industry of weaving lotus robe.<sup>27</sup>

Nowadays, Daw Ohn Kyi do not buy lotus plants. Instead, she buys lotus fibre in measurement of weight from Innlay region. At the bazaars like Nan-man Zay, Ywa-ma Yay-paw Zay, Kyauk-taing Zay and Wa-taw Zay which opened every five day, lotus fibre which people came to sell from the surrounding areas are bought. She also went round the villages in the Innlay region to buy lotus fibres. As it is private business, the good quality of lotus fibre can produce the good quality of lotus fabric. In other words, the quality of lotus fabric depends on the quality of lotus fibres. There are a variety of people who sold lotus fibres which is bought in measurement of weight. Price of lotus fibre can be varied depending on its quality. As lotus fibre is bought in measurement of weight, people came to sell damp lotus fibre to get more weight. Lotus fibre still in damp cannot be twisted into thread. It became mouldy and decayed. Pulling fibre from lotus stem is made on table with water in a bucket. Pulling fibre in water bucket mixing with earth will increase the weight of lotus fibre. Some people pulled fibre by adding glue to get more weight. Some persons tried to make unjust way by adding nylon fibre. It is known that the entrepreneur who happened to buy such impure lotus fibre added with nylon fibre had lost many lakhs.<sup>28</sup>

Daw Ohn Kyi made herself the buying of lotus fibre. She wove lotus fabric with pure lotus fibre so that her goods will be standard in foreign markets. She said that she was not worry for her lotus fabric not to be sold.<sup>29</sup>

In regard with the process of producing Paduma lotus robe step by step, lotus plants grown in Innlay lake are firstly plucked. Then the lotus stalks are washed and cut into pieces and fibres can be extracted from these stalks. About 50,000 lotus stalks are required to weave a robe. Lotus fibres are collected and twisted yarn into lotus threads. The dried lotus fibres are to be steamed to become damp and twisted into lotus threads. In twisting threads, it is important to be skillful and exact for the person who twisted threads. It needs to be the same for all threads that have been twisted.

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<sup>27</sup> *Collections of L. Ba Oo* (2005)

<sup>28</sup> Interview with Daw Sanda Moe, 10-1-2017

<sup>29</sup> *Collections of L. Ba Oo*, 6 (2005)

Powder of soap must be used when the twisted threads are washed in water. It was known that in ancient times, the people of Innlay region used Nwa-pa-ti fruit in washing instead of soap.<sup>30</sup> Lotus threads are transferred from yarn to a bobbin by using large reel. Then lotus yarns are treated in glue. Lotus yarns are put in Hta-ma-yay (Congee or surplus water that is drained off while rice is being cooked) and then treated in glue liquid. As the industry of weaving lotus fabric is the sacred work, lotus yarns are treated with glue by hand for many hours.

After treating hank of yarns with glue, threads are wind to reel.<sup>31</sup>

54 threads of yarn will be necessary to get fabric of one inch in width. Equal warp and weft can make the quality of lotus fabric to be smooth.<sup>32</sup> If warp and weft is different in size, fabric is easy to be decayed and it will also be difficult to be dyed. Designs became modernized as warps are dyed with a variety of colors. It is found that lattice fence is erected on both side of axle in front of the loom where lotus fabric is woven. There is also pole of Kyet Shar erected on both side. Its intention is to be safe from a variety of dangers and disturbances.<sup>33</sup>

It is known that about four viss of lotus yarns are necessary to weave lotus robe. A set of robe sewn in accordance with the Vinaya is 2.5 viss in weight. The width of warp must be 27 feet in length. Lotus fabric is to be dyed with chemical dyes with colors of light, medium and dark color of the bark of jackfruit tree. Nowadays, Daw Ohn Kyi used natural color derived from barks of trees.

In order that lotus robe can be produced from Innlay region, Kyaing Kham East village took part in the competition of weaving Ma-thoe Thin-gan held at Yangon in 1985. Lotus plants from Innlay region were taken to Yangon, putting in the bags which were amounted to the length of train. Lotus plants are sparkled with water at every railway station. After weaving a lotus robe in practice, it was donated to a well-known pagoda. As the pagoda trustees had not seen it before, they thought that robe was woven with yarns

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<sup>30</sup> *Collections of L. Ba Oo*, 7 (2005)

<sup>31</sup> *Taing Chi* (Warp)

<sup>32</sup> *Fok Chi* (Weft)

<sup>33</sup> Interview with Daw Sanda Moe, (Entrepreneur who work weaving lotus yarn), 1.1.2018

produced from Pakkoku and dyed yellow color. As they had not seen lotus robe, pagoda trustees said that lotus robe can be real only when Lord Indra, Brahma and Guardian spirits donated. The weavers made weaving of lotus robe in the sight of the pagoda trustees and only when they believed it as the real lotus robe.<sup>34</sup>

Besides Daw Ohn Kyi, there are also two women namely Daw Tin Shwe and Daw Hla Khin who are living in Kyaing Kham village and they also worked weaving of lotus robe and lotus fabric. Nowadays, Captain Aung Naing Oo (Retired) and Daw Sanda Moe also are engaging weaving lotus robe and fabric.<sup>35</sup> Visitors within the country and tourists came to study the work of weaving lotus robe. Visitors mostly came to study on the days when Taung To Zay (Bazaar) and Kyauk Taing Zay open. The tourists record about the trade of indigenous national races at Taung To Zay and then they entered Kyaing Kham village to study the weaving of lotus robe.

The duration of time when Paduma lotus robe is produced is for six month in a year. It can produce during rainy season from June to November because lotus plants are more growing during the rainy season. As it is the handicraft that can be produced seasonally, it is not sure to get lotus robe at the time someone wished. Lotus robe can be bought by making order in advance.

Daw Tin Tin Yi (alias) Mrs. Ann who is the owner of Shwe Inn Thar Hotel also bought lotus yarns for her industry of weaving lotus fabric. If one viss of lotus yarns are made to be dried, weight reduced to sixty ticals. She is managing the industry of weaving lotus robe with coming up to standard. Japan is the country which bought most numerous lotus fabric from Myanmar. Japan mostly made order to supply pieces of lotus fabric in the measurement of 18×18 inches, in natural color. The Japanese used tower of lotus fabric to wrap rice and curry when they pay obeisance to their ancestors at cemetery. They held high regard on lotus fabrics. When tea ceremony is held in Japan, lotus fabric is bought to use as tea slice to be placed under tea cup.

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<sup>34</sup> Ma-thoe Thin-gan is the robe woven with lotus yar within day time, Interview with Daw Sanda Moe, 10.1.2017

<sup>35</sup> Interview with Captain Aung Naing Oo and Daw Sanda Moe from Kyaing Khan East village, 18-8-2017

When lotus yarns became out of use, lotus yarns and pieces are washed away and used to be put into pillow. Lotus yarn is used instead of *Hmo* (soft material put in pillow). It is known that lotus pillow is suitable for good health. Pieces of lotus fabric can also be used as glass bag. The Japanese bought the pieces of lotus fabric to be used as canvas on which they painted. The Buddhist paintings of ancient Japanese were drawn on the lotus fabric. In pagoda, *Ta-zaung*, monastery and *Pyat-that* (Tiered roof) which are protected with lotus fabric, when weather is getting cold, lotus fabric became warm and when weather is getting hot, lotus fabric became cool.<sup>36</sup>

From Innlay region which is encircling with mountain ranges and where the people has a strange life style, the women like Daw Sar U, Daw Ohn Kyi and Daw Tin Yi skillfully produced lotus robe and fabric on the basis of Paduma lotus as natural gift. They have tried to make known to the western countries about their skillfulness and handicraft of weaving lotus robe and fabrics and felt them their high standard of handicraft.<sup>37</sup>

### Conclusion

In conclusion, the women from the Kyaing Kham East village of Innlay region are engaged in weaving of lotus robe with lotus plants which are growing naturally in Innlay region. By making contact with the Buddhist countries, especially with Japan and Korea, attempts are made to get foreign exchange by selling lotus robe and fabric to these countries. But nowadays, as lotus plants are getting scarce in Innlay region, attempts should be made not to disappear natural genes and to get more foreign exchange, and it will contribute to the continuous production of lotus robes.

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<sup>36</sup> *Collections of L. Ba Oo*, 9 (2005)

<sup>37</sup> *Ibid*, 10(2005)

### List of Photographs



(1)



(2)



(3)



The famous status in the Phaundawoo Pagoda



Person Plucking Lotus Stalks



Person Pulling Lotus Fibres



Person Spinning Lotus Fibres



Person who is buying lotus yarn



Person who is spinning lotus yarn at reel



Lotus yarns are warping in length to be put on loom



Weaving Lotus Fibre on Loom



Lotus yarns are warping in length to be put on loom



Fabric of Paduma Lotus in Natural Color which Derived from Paduma lotus

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## Personal interviews

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- Interview with Captain Aung Naing Oo (Retired) and Daw Sanda Moe, Kyaing Khan East village, 18-8-2017
- Interview with Captain Aung Naing Oo (Retired) and Daw Sanda Moe, 5.10.2017
- Interview with Daw Sanda Moe, (Entrepreneur who work weaving lotus yarn), 1.1.2018

## **STUDIES ON HANTHAWADY AND ITS THIRTY-TWO SATELLITES**

Nan Hlaing\* , Aye Myat Thu, Toe Toe Kyaw\*\*

### **Abstract**

In the 17<sup>th</sup> century, King Tha Lun formed ten divisions including Rāmaññadesa: three *maṇḍala*(subdivisions), i.e. Kusimā, Hanthawaddy and Mottama. Some of sub divisions were founded by Mon kings. Some subdivisions were built by ministers of the kingdom. Each has 32 satellites. The three *maṇḍala* exist the important seaports and frontiers. Each had demarcations by showing with location of pagodas in Mon. Strategically and economically, the three *maṇḍala* are vital. Nevertheless, it was peculiarly that Than Lyin and Dagon (Yangon) were not enlisted in the satellites of Hanthawaddy. Among the three *maṇḍala*, Hanthawaddy was a center of Mon kingdom. These satellites are located on the bank of three rivers: the Hlaing, the Sittaung and the Bago. Some were on the Hlaing River, some were on the Bago River, and on the Sittaung River. It is rich in forestry and agricultural resources. Hence, the most important one is Hanthawaddy.

**Key Words:** Rāmaññadesa, *maṇḍala*, Hanthawaddy, thirty-two satellites, boundaries

**Aim and Objective:** Fulfilment to Old Myanmar History and to know the old Mon geo-politic setting

**Results:** the three *maṇḍala* are located in Mon areas but it is made by Myanmar kings. 32 satellites providing Hanthawaddy against the enemies from the north.

**Research Methods:** Qualitative, Field Experiment and Literature Review

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## Introduction

The Kaung Hmu Daw Payah Inscription of 1636 mentions territories of Myanmar. In the text of this inscription, territories of Myanmar mention ten *Tuin*: (Provinces) including the three provinces of Mon.<sup>1</sup> Each province equally formed 32 satellites: it was a mere intention towards an easy memorization akin to Nine *kyain*, and Nine *main* in the Shan Highland. J.S Furnivall lists seventeen of the total thirty-two satellites of Hanthawaddy. Not all these seventeen towns can now be identified.

In the 17<sup>th</sup> century, a text of geo-politics, *Cambhūdhīpa Uchoṅ*:<sup>2</sup> firstly appeared and deliberately describes the territories of Myanmar. However, *maṇḍala* and its thirty-two satellites does not include in Mon. Perhaps, the three *maṇḍala* were made basing on ex-Mon administrative territories.

### Three *Maṇḍala* (Provinces) of Rāmaññadesa

*Maṇḍala* is an administrative word of India meaning subdivision. Sometime, it means territory or kingdom<sup>3</sup> and circle in Pali.<sup>4</sup> The Kaung Hmu Daw Payah Inscription of 1636 A.D is the earliest mention of three *maṇḍala* (Provinces) of Rāmaññadesa. Also, it was *nagara* (town)—Hamsāvatinagara, Kusimmānagara and Muttimanagara—which describes in the Kalyāṇī Inscription of 1479 A.D erected by King Dhammaceti in Mon and Pāli.<sup>5</sup> On 2 February 1638 the *Cambhūdhīpa U Choṅ*: mentions that Rāmaññadesa—

<sup>1</sup> Than Tun, (1983), *the Royal Orders of Burma, A.D. 1598-1885*, Vol. I, Kyoto: Centre for Southeast Asian Studies, p. 325. Hereafter cited as Than Tun, *ROB*, I.

<sup>2</sup> J.S Furnivell, and U Pe Maung Tin, ed., (1960), *Cabhūdhīpa Uchoṅ*., (in Myanmar), Yangon: Burma Research Society.

(b) Than Tun, ed., (2005), *Jambudīpa Ok Saung*, (Geopolitics of Myanmar, A.D. 17<sup>th</sup> century), (in Myanmar and English), Yangon: Myanmar Historical Commission. Hereafter cited as Than Tun: 2005.

<sup>3</sup> D.C. Sircar, (1966), *Indian Epigraphical Glossary*, Delhi: Motilal Banarsidass, p. 195.

<sup>4</sup> T.W. Rhys Davids, and William Stead, (1905), *The Pali-English Dictionary*, New Delhi: Asian Education Service, p. 516.

<sup>5</sup> C.O Blagden (1928), *Epi. Bir.* Vol. III, part II, p. 238. See also Kaylāṇī Inscription in Mon, trans. Lu Pe Win, Yangon: Ministry of Union Culture, p.80.

Kuthein, Ussā Bago and Madama—is one of *Alam U: Kiñ: Phyā:*, Outposts at the Furthest Points flying the flag of nation<sup>6</sup>.

Thirty-two satellites of Hanthawaddy are geographically located on the bank of three rivers: the Hlaing, the Sittaung and the Bago. The two satellites—Hlaing, and Hmawbi—were on the Hlaing River. Also, the three satellites—Akharein, Hanthazainganaing, and Baung Lin—are located on the Bago River, and Dunzarit, Kawliya, Sittaung, Atha (Kyaikkatha) on the Sittaung River. The thirty-two satellites are also situated on the east of Bago Mountainous Range. As these lie on the north of Bago, Centre of Hanthawaddy *maṇḍala*, Hanthawaddy and its satellites has an easy link for inland water transportation. It is rich in forestry and agricultural resources. Hence, the most important *maṇḍala* is Hanthawaddy province.

<i>No.</i>	<i>Maṇḍala (Provinces)</i>		<i>Centre</i>	<i>Its 32 Town Location</i>
1	Kusimā Maṇḍala	Mon Nya <sup>7</sup>	Pathein (Basein)	Ayeyarwady Delta
2	Mottama Maṇḍala	Mon Ti	Mottama (Madama)	Gulf of Martaban
3	Hanthawady Maṇḍala	Mon Sa	Bago (Pegu)	Yangon and East of Bago Regions

Mostly, pagodas of these satellites are named in Mon with prefix *Kyaik* which are still in exist today. The name of pagoda was also traced for the toponym where the pagoda is located. Similarly, the Old Mons demarcated their town by basing the location of their pagodas: it was different from Myanmar culture and showed intangible culture of Mon Buddhists. Moreover, numerous Mon toponym—villages and towns which are situated in the Ayeyarwady Delta, Sittaung valley, Gulf of Mottam and Yangon area—are still in remain, i.e. Kamayut, Insein, Mingaladon, Thingangyun, Dabein,

<sup>6</sup> Than Tun: 2005: 218.

<sup>7</sup> U Tin, Myanmar Min Okok Choke Pon Sadan, Five Volumes, Yangon: Seikkoo Cho Cho Books, 2012 Reprinted, 159

Dawai, Tanintharyi, Dedaye, Nyaung Don etc.<sup>8</sup> In Bago area, Buddhist monuments are closely resemble with Dvāravatī and ancient Khmer style. However, only Mottama *maṅḍala* is now majority of the Mon settlement. In Mon animism, three house spirits (*kalok sni* in Mon)—coconut spirit in Bago, dress spirit in Pathein, and sticky rice-enshrined bamboo spirit in Mottama—are divided into three territories.<sup>9</sup>

Of three provinces, two centres—Pathein and Mottama—are economically and strategically vital sea ports in Lower Myanmar. Myanmar kings appointed *Ye Wun* (Port Authority Officer).<sup>10</sup> Also, Hanthawady (Bago) was not only royal capital of Old Mon kingdom but also capital of second Myanmar empire founded by Hanthawady Hsinbyumyashin. Oversea trade and fertile soil provides Rāmaññadesa to earn great revenues from its sea ports and to be prosperous. Rainfall is highly obtained in Rāmaññadesa.<sup>11</sup> However, Rāmaññadesa was suffered with armed-struggled disasters for several times during the outbreak of Mon-Myanmar conflict of 1760, Thai-Myanmar Wars and Anglo-Myanmar Wars. These war disasters brought about the great migration of the Mons into Thailand.<sup>12</sup>

### **Hanthawaddy (Bago)**

Hanthawaddy is a classical name of Bago. It is a Pāli name “Hamsāvati” which some of the *therīs*—Dhammadinnā and Ubbiriyā—were born in the city. Old Myanmar called it *Paykū* or *Upāy Khiu*. Hamsāvatinagara is written in the Kalyāṇī Inscription of 1479 A.D.<sup>13</sup>

<sup>8</sup> May Oung, (1917), “Some Mon Place-Names”, *Journal of Burma Research Society*, Vol. VII, (143-145).

<sup>9</sup> R. Halliday, (1917), *The Talaing*, Yangon: Government Printing, p. 95 ff. Mawlamyine: Bhadradevī Books, p. 70.

<sup>10</sup> U Maung Maung Tin, (1942), *Shwe Nan Thone Wawhara Abhidhan*, (Dictionary of Royal Myanmar Terms), Yangon: Yarpay Books, 2005, Reprinted, p. 201.

<sup>11</sup> U Tin (1924), *Myanmar Min Oke Choke Pon Sardan*, (Royal Myanmar Administration), (in Myanmar), Yangon, Seikkoo Cho Cho Publishing, 2012 Reprinted, p. 213.

<sup>12</sup> Robert Harliday, (1913), “Immigration of the Mons into Siam”, *Journal of the Siamese Society*, Vol. V, Part III, b, (1-15), pp.6.

<sup>13</sup> May Oung: 1917:144. See also Blagden: 1928: 238.

A similar mention of Hanthawaddy and its territories also mentions in the *Hanthawaddy and its 32 Towns* as follows:

1. Mouth of Thittamaw, Kyauk Gyi, Htein Chaung In Pin [Kyauk Maw<sup>14</sup>] bordering with Taunggu in the northeast,
2. The Bhumimudaw pagoda, near the Phyu creek, Zeyyawaddy bordering with Taunggu [Thayawaddy]<sup>15</sup> on the north,
3. Kun Khaung Yoma (the Bago Range), Thayawaddy Yoma and the Thone Hsey creek bordering with territory of Thayawaddy Myo on the north west,
4. The mouth of Kakkutin creek meeting with the Ayeyarwaddy River bordering with the territory of Danuphyu and Zarun [Za Lun] on the west.
5. The Bagelagiri Hill, Indapura bordering with Barana Sea on the south west,
6. Ingawaddy, Tarirangagutta bordering with the sea on the south,
7. At the mouth of Katat creek bordering with Muttama, Taikkala in the southeast.<sup>16</sup>

In 1853, Bago is mentioned its old wall (about a mile and a half long and 50 feet high) all ruins, and covered with jungle. The moat is swampy, about 150 yards wide.<sup>17</sup> British Government demarcated Bago district on 3 January 1883 in which it is bounded with Kyauk tan, Paunglin (now Hlegu), Bago and Pagandaung (subsequently called Thabyegan). In 1895, the Bgo district formed subdivisions, i.e. Pyuntaza, and Shwegyin. In 1900s, Dabain and Nyaunglebin took part of Bago district.<sup>18</sup> Some names of satellites—Don Zayit in Nyaunglaybin, Hmaw Lun, Kyaukzayit in Kyaukdaga, Tandawgyi,

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<sup>14</sup> Hanthawaddy Thone Hse Hni Myo, (list of 32 Satellites of Hanthawaddy), palm-leaf manuscript no. 82, U Tin's Collection. Hereafter cited as Tin-82.

<sup>15</sup> Tin-82.

<sup>16</sup> *Hanthawaddy Thone Hsey Hni Myo 1146 ME Sittan Payah*, (Hanthawaddy and its 32 Satellites: its Inquest of 1748 A.D.), (in Myanmar), parabaik manuscript no. 740, National Library, Yangon.

<sup>17</sup> William F.B. Laurie, (1854), *Pegu: being a narrative of events during the Second Burmese War*, London: Smith Elder & Co., p.466.

<sup>18</sup> A.J Page (1917), *Burma Gazetteer: Pegu District*, Yangon: Government Printing Press, pp.1f. Hereafter cited as Page: 1917.

Zainganaing and Zaungtu—are also village names in the Bago township.<sup>19</sup> Also, Dinme, Dapain, Ma U, and Yenwe are namely situated in Hlegu and Taik Gyi and Thon Gwa townships, northern and southern Yangon.<sup>20</sup>

Ussā is another name of Bago because it was occupied by the Telagu who came from Orissa on the east coast of India.<sup>21</sup> Therefore, the Orissans and Telugus migrated into Rāmaññadesa. The Orissans named the country Ukkalapa stretching from Yangon to Dala (Twante). The Great Chronicle mentions Ussā Pago or Ussā Talaing.<sup>22</sup>

In 1892, Major R.C Temple and F.O. Oertel made a short inspection of the cultural heritages in Rāmaññadesa. They found some artifacts in Bago, i.e. terracotta votive tablets, a pagoda which is entirely ruined in the Zainganaing Quarter, a large tank which is built of laterite, a prominent platform of squared laterite blocks which had been plastered, green glazing plaques, some inscriptions, the Kyaikpun which is a huge mass of brick 90 feet high and is influenced f the Cambodian style of architecture and Bago jars.<sup>23</sup> In 1913 and 1914, J. A Stewart made attempts to excavate and found some artifacts, i.e. thirteen inscriptions in Mon, headless Buddha, some broken pottery, a large circular piece of laterite stone (3 ft. in diameter, one ft. thick with a hole in the centre, Shiva temple, figures of Hindu deities, axe-edge stone, plaque with 28 Buddha on one side and a Pāli inscription, a small copper casket of sacred relics, 2 heads of Buddha in stone, 2 heads of Buddha in cement, several fragment of Buddha, 3 large iron nails. According to J.A. Stewart's suggestion, artifacts which he collected belonged to an archaic

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<sup>19</sup> *Bago Division: its villages, quarters, townships*, (in Myanmar), Yangon: Ministry of Home Affairs, pp. 4,7.

<sup>20</sup> *Yangon Division: its villages, quarters, townships* (in Myanmar), Yangon: Ministry of Home Affairs, pp. 24 f, 41, 81..

<sup>21</sup> G.H Luce, (1953), "Mons of the Pagan Dynasty", *Journal of Burma Research Society*, Vol. XXXVI, (1-19),p. 7.

<sup>22</sup> U Kala, *Mahayazawundawgyi*, (the Great Chronicle of Myanmar), Vol. I, Yangon: Yar Pyae Books, 2006, pp. 174,175,176. .

<sup>23</sup> Major R.C. Temple, (1894), *Notes on Antiquities in Rmannadesa*, Bombay: Education Society's Steam Press, pp. 14, 15, 21,27.

Southern Indian school of art and about the beginning of the thirteenth century A.D.<sup>24</sup>

### **Thirty-Two Satellites of Hanthawaddy**

King Wimala was the founder of Hanthawaddy in 1155 A.D with its four satellites: Kyauk Maw, Dunzarit, Kyi Kuu, and Ban. However, some of Mon kings who founded these satellites are hard to be reliable because of no primary sources, i.e. stone inscriptions and others. J.A Stewart, I.C.S. drew the map of thirty-two satellites of Hanthawaddy<sup>25</sup>. (See Appendix I) In regarding with thirty-two satellites, their toponyms are getting differences among palm-leaf and *parabaik* manuscripts, e.g. Mingaladon which is not mentioned in the *Hanthawaddy Sayin*.<sup>26</sup>

### **Ajeṭha, Akharein Athar, Baingda and Ban**

Ajeṭha is bordered with the Kyaik Thatan Thalatt pagoda on the east, the Kyaik Paing Kyun Zwe Pa<sup>27</sup> pagoda on the west, the Kyaik Thala pagoda on the south, and the Kyaik Ma Thwam pagoda on the north.<sup>28</sup>

Ar Kharein is a satellite of Hanthawaddy Province which is located between southern Yangon and near Bago. It was founded by King Mahissarāja and his minister Binnyar Pit in 1185 A.D.<sup>29</sup> This satellite is bordering with the areas and pagodas: the Kyaik Zwe Laing and Mahurā on the north, the Kyaik Mu Nye pagoda and the Phaung Lin creek on the west, the Lagun Pyin creek and the Lagun Pyin pagoda on the east and the Taung Pan pagoda, [Ma U] on the south.<sup>30</sup> At the British occupation, Akharein included two circles Kayagyun and Mahura<sup>31</sup>. In 1883, Pegu district—Bago,

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<sup>24</sup> J. A. Stewart, (1917), "Excavation and Exploration in Pegu", *Journal of Burma Research Society*, Vol. VII, Pr. I, (13-28), pp. 13-19, 24.

<sup>25</sup> J.A Page: 1917: 43-44.

<sup>26</sup> *Parabaik* manuscript no. 741, National Library, Yangon. See also Yi Yi: 1979: 83-4.

<sup>27</sup> Kyun Zwe is a village, Kawa Township, Bago Region.

<sup>28</sup> Tin-82, kū/verso, ll.7-8.

<sup>29</sup> Tin-82, Ti/verso, l. 5.

<sup>30</sup> Tin-82. See also Yi Yi: 1979: 87-8.

<sup>31</sup> Furnivall, *Insein*, 1914, p. 172. Mahuya is a reserve (91 square miles) cover the Bago Yoma Range.

Akharein, Zainganaing, Paunglin and Zwebon—included townships of Yangon District. According to Map of Rangoon District, Akharein is located on the south and west of Zainganaing, on the east of Paunglin (now Hlegu), and on the north of Zwebon.<sup>32</sup>

Athar or Assakumār is a name of Mon prince in the Mon Chronicle and later became a king of Hanthawaddy who reigned for 20 years. The prince used stratagem (*upāya* in Pali loanword in Myanmar) when he fought against the Kular (the Indians) during the reign of Wimala, his grand uncle. He won the Indians who invaded Hanthawaddy. Hereafter, Bago was also called Upay Khui (stratagem).<sup>33</sup> In 1171 A.D., Atharkumar came to the throne of Hanthawaddy. In 1279A.D.,<sup>34</sup> Unfortunately, it has no source.<sup>35</sup>

During the reign of Rajadhrit, his minister Devabala Thinyan founded the satellite bordering with the Kyaik Ezinkappat pagoda on the east, the Kyaik Aungkaru pagoda on the west, the Kyaik Pyar Tut Zarat pagoda on the south, and the Kyaik De Palonson pagoda on the north.<sup>36</sup> two of the satellites are still in existence. It lies between Min Ye Hla and Kawliya. Possibly, we guess that it may lie along the Baingda creek. During the reign of King Candalarāja (r.1251-1264), minister Binnyar Tejagossa founded Bann.<sup>37</sup> It is in the Shwegyin district and is bonded on the south by the Mottama river. Most of inhabitants are the Kayins.<sup>38</sup> Further historical records do not mention this satellite of Hanthawaddy.

### **Baung Lin (Paunglin), Bhah Aing Dônzarit, Hinthazaingganain and Dinmè**

King Tiensa founded Baung Lin in 1328 A.D. Baung Lin is geographically situated on the west of the Nga Moe Yeik Creek on the foot of

<sup>32</sup> J.S. Furnivall and W.S. Morrison, (1914), *Burma Gazetteer: Insein District*, Vol. A, Yangon: Government Printing, pp. 172.

<sup>33</sup> *Mon Yazawun*:2014:38-9. See also Tun Aung Chain: 2010: 26.

<sup>34</sup> *Hanthawaddy Thone Hse Hni Myo Cayin*, (Thirty-Two Satellites of Hanthawaddy), palm-leaf manuscript no. 82, U Tin's Collection, National Library, Yangon, ki/ recto, ll.6-7.

<sup>35</sup> Tin-82. kī/verso, ll.7-8.

<sup>36</sup> Tin-82, ke/verso, 9-10.

<sup>37</sup> Tin-82., kī/verso, ll.2-3.

<sup>38</sup> *BBG*, Vol.II,p.121.

Bago Yoma Range. In this satellite, there were 1302 Kayin people who paid tax to Myanmar. It is bordered with Hlaing on the north and north east, Tantabin, Dawpun, the Balar creek on the south, the Kyaik De Prat pagoda and Hinthazaingganaing on the east, Hmaw Bi on the west and south west, Ma U on the south east, Tan Daw Gyi on the north east.<sup>39</sup> Paunglin continued to have a separate existence as a township and included the circles of Paunggyi (North of Hlegu)<sup>40</sup>, Kyungale (on the Htauk Kyant-Hlegu road, West of Hlegu) and Yetho (now Tabu Yetho in Taik Gyi, Northern Yangon District).<sup>41</sup> Baunglin is now situated in Wanak Chaung village, 9.5 miles from southeast Pu Gyi. In 1868, it was Paung-lin-zane-ga-nine township, the most northern township of the township including in the Rangoon district.<sup>42</sup>

In 1348, Jeyyasīharājā, a minister of Binnyar Oo, founded Bhah Aing bordering with the Kyaik Tahozar pagoda on the east, the Kyaik Malae pagoda on the south, the Kyaik Tha Rwai on the west.<sup>43</sup> During the reign of Hanthawaddy Hsinbyushin, Bhah Aing, Baung Lin, Maw Bi, Ta Nga Baung and Moe Sunt were established again.<sup>44</sup>

King Anumaraja also founded Dinmè<sup>45</sup> (1504.188 sq. meter), a satellite of Hanthawaddy province, bordering with the areas: Kyaik Dagh, Paing Kyun<sup>46</sup>, the Kyaik Paing Gun pagoda on the north, Kyun Tita on the south east, the Kyaik Htawpalaw on the south, and the Kyaik Alaylahar pagoda in south west, Zwè Bon, one of the satellite, on the west and south, and Kyaikkathar and the Sittaung River on the east.<sup>47</sup> Dinme is also a village which contains in the 8 villages of Kankalay, Taik Gyi township, northern Yangon district.<sup>48</sup>

<sup>39</sup> *Hanthawaddy Thone Hse Hni Myo Sittan of 1146 ME.* pp. 18-21. See also Yi Yi: 1979: 79-80.

<sup>40</sup> Page, *Pegu*, 1917, p.1.

<sup>41</sup> Furnivall, *Insein*, 1914, 175.

<sup>42</sup> Malcolm B.S. Lloyd, (1868), *Gazetteer of the District of Rangoon: Pegu Province*, Yangon: the Central Goal Press, p. 119.

<sup>43</sup> Tin-82, ke/recto, ll.2-3.

<sup>44</sup> Tin-82, ko/verso, ll.2-3.

<sup>45</sup> Tin-82, kī/verso, ll.8-9.

<sup>46</sup> Kawa in Bago Region

<sup>47</sup> Tin-82. See also Yi Yi: 1979: 93-4.

<sup>48</sup> *Yangon Division: its villages*, 2001, p. 41.

During the reign of Mikkādippa, his minister Inda Kyaw Htin founded Dônzarit<sup>49</sup>, a satellite of Hanthawaddy Province. It is located on the west bank of the Sittaung River, and not near the north of Kawliya, one of the satellite of Hanthawaddy. This satellite is bordering with Mt. Kyaik Htee Yoe on the east, Kyun Pa Taw on the north and Pan Kyun on the west.<sup>50</sup> Don Zayit is now a village on the east bank of Sittaung river. From aerial photograph, Don Zayit is a 3 number in shape enjoining with two parts: rectangular and circle. As it is far from habitations, the old town escape from vandalism.<sup>51</sup>

Hinthazaingganain was founded by King Shintakaywetpi, the last king of Hanthawaddy kingdom of the Mons. Zaing Ganaing is derived from *juin*<sup>52</sup>(foot) and *gnin*<sup>53</sup> (jungle) in Mon. It is also called Yathe Myo (town founded by Hermit)<sup>54</sup> which is built of laterite and located in Kyauktainkan village, Bago.<sup>55</sup> At Yathae Myo, King Dhammazeti erected his stone inscription which mentions his dedication to Buddhism including seven pagodas and Mahārāmahāvihāra monastery.<sup>56</sup> Many numbers of pagodas and other sacred edifices remain there. In 1880, these were still in existence.<sup>57</sup> This satellite of people was appointed garrison during the reign of king Thalun. It was Lan Oo Kin Byah (an outpost of Hanthawaddy) to carry out land and order under the Hanthawaddy Myo Wun (Lord of Hanthawaddy). It has seven *kin*: (toll stations): Kaw Win *kin*, Maing Kyun *kin*, Mee Pya *kin*, Danut *kin*, Kyi Myin Dai *kin*, Pan Lu Lin *kin*, and Yan Kin San Yar *kin*. It was bordered with Hanthawaddy on east, 15.90 miles from Htan Taw Gyi on the north; (9.94 miles) from Hmawbi on the south and south east; (1.98 miles) from the Kyaik Dai Pya pagoda of La Gun Byi on the south west; (13.92 miles) from Ti Tut

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<sup>49</sup> Ibid, kī/recto, l.5.

<sup>50</sup> Tin-82

<sup>51</sup> U Aung Myint, (1998), *Myanmar Shey Haung Myodaw Myah*, (Old Towns in Aerial Photograph), (in Myanmar), Yangon: Gangaw Wutyee Books, p.175, 2012 Reprinted.

<sup>52</sup> May Oung: 144.

<sup>53</sup> Dr. Hla Pe (1967), "A Tentative List of Mon Loan Words in Burmese", *Journal of Burma Research Journal*, Vol. L, Part I, June, (71-93), p. 75.

<sup>54</sup> Malcolm B.S. Lloyd, (1868), *Gazetteer of the District of Rangoon: Pegu Province*, Yangon: the Central Gaol Press, p. 110.

<sup>55</sup> *British Burma Gazetteer*, Vol. II, Yangon: Government Printing, 1880, p. 854.

<sup>56</sup> C.O Blagden, (1934), *Epigraphia Burmanica*, Vol. IV, Part I, U Mya (ed.), Yangon: Govt. Printing, p. 44.

<sup>57</sup> *British Burma Gazetteer*, Vol. II, 1880, p. 854.

on north west.<sup>58</sup> Ten villages—Akhwun, Kyaikdeyon, Kawbyin, Mazin Chaung (south and north), Maubin, Okebo, Thara, Thèbyu, Uyingyi—took part in the area of Hantha Zaingganing. It was an inhabitation of ethnics including the Kayins, Mons, Myanmar and Indians.<sup>59</sup>

### **Hlaing, Hmawbi, Htan Taw Gyi and Kawliya**

King Puṇṇarika founded four satellites—Rammawaddy, Rammanago, Hmawbi, and Hlaing—in 1327 A.D.<sup>60</sup> It was famous town when the struggle between Rājadhirit, Mon king of Hantha waddy and King Min Khaung broke out. The Kalyāṇī Inscription of 1479 mentions that Hlaing is Luiṅ in Mon. The king built two *sīmā* (Buddhist ordination hall)<sup>61</sup> Hlaing is geographically located on the east bank of Hlaing river. Hlaing is demarcated with the Kyaik De Palwè pagoda on the south, the Kyaik Pakaw Maw pagoda on the north, the Kyiak Ranmwan pagoda on the east, and the Kyaik pathanpyan pagoda on the west.<sup>62</sup> Over five hundreds men lived in Hlaing. It was a stockade against the inroads of Inwa during the reign of King Razadirit. However, Hlaing was occupied by Myanmar army during the reign of his son Dhammaraja.<sup>63</sup> Now, Hlaing is in the Myaung Ta Ga village tract, Taik Kyee Township. Hlaing remains ruins, i.e. brick walled town which is 656 yards from north-south and 465 yards from east to west, three pagodas only which had been repaired so that they lost their original style.<sup>64</sup> The bricks are 15 feet high and 30 feet broad. Hlaing was occupied without any resistance of Myanmar governor.<sup>65</sup>

Two satellites—Hmawbi, and Mingaladon—lie between the Hlaing River and the Bago Yoma Range.<sup>66</sup> The Kalyāṇī Inscription of 1476 mentions that Maw Bi is Muh Ḃī<sup>67</sup>. In 1327, È Mon Tara founded Maw Bi bordering

<sup>58</sup> Yi Yi: 1978: See also *Hanthawaddy 1146 ME Sittan*.

<sup>59</sup> *Hanthawaddy thone ze hnic myo sittan*, 740, p.29f.

<sup>60</sup> Tin-82, ku/recto, ll.6-7.

<sup>61</sup> Blagden:1928:272.

<sup>62</sup> Tin-82, ku/verso, 3-4.

<sup>63</sup> Furnivall, *Insein*, 1917, p. 30.

<sup>64</sup> Than Tun:2014: 204.

<sup>65</sup> *British Burma Gazetteer*, Vol. II, Yangon: Government Press, 1880, p.198.

<sup>66</sup> May Oung, "Some Mon Place-Names", *Journal of Burma Research Journal*, Vol. , Part , (143-145).

<sup>67</sup> Blagden: 1928: 269.

with Za Rwun Mi on the east, the Kyaik Inn Wun pagoda on the south, the river on the west and the Htat Gyee Pagoda on the north.<sup>68</sup>

Remains still indicate within recent years the existence of walled cities of the Myanmar regime at Hlaing, Tabu, Hmawbi and Mingaladon.<sup>69</sup> Also, the walls of the old town of Hmawbi remains in the Hmawbi village circle.<sup>70</sup> It is situated on the south of Nan Oo Kyaung monastery in no. 12 Hmawbi Myoma quarter, Hmawbi township. Inhabitation ruined the old town and its moat. According to some villagers, the walled-town is about twenty feet in height. The moat was used for transportation: a wharf existed at the south of Nan Oo Kyaung. It is built of soil, laterite and clay-baked bricks. Some fragments of bricks and laterite blocks remain at the back side of Nan Oo Kyaung.

During the reign of King Binnyar Oo, minister Binnyar Gona founded Htan Taw Gyi in 1348. It was bordered with May In Kappa, the Pay Kwam Athan Chaung creek on the south, the Baung Lin Chaung creek on the west, and May Tarun on the north.<sup>71</sup> Now, Htan Taw Gyi is located about 20 miles from northwest of Bago, about 10 miles from the south of Zaungtu and on the west bank of Bago river.

Kawliya was the City of the Kawliya tribe in India and the name of fruit of the jujube tree in Pāli (*zee thee* in Myanmar).<sup>72</sup> Kawliya is situated three miles from the north west of Daik Oo. During the reign of Binnyar Ran, his minister Binnyar Kamanywak founded Kawliya.<sup>73</sup> King Dhammazeti built five Buddhist ordination buildings at Kawliya, i.e. the Joñ Kyāk Smiñ Lokatrā *sīmā*, Joñ Kyāk Mah Sgaar *sīmā*, the Dap Chu *sīmā*, the Tar Mañ *sīmā*. It is also a settlement of the 40 Zayein families, 60 Kayin families, who live along

<sup>68</sup> Tin-82, *ku*/verso, ll. 2-3.

<sup>69</sup> J.S. Furnivall, and W.S. Morrison, (1914), *Burma Gazetteer: Insein District*, Vol. A, Yangon: Government Printing, p. 39. Hereafter cited as Furnivall, *Insein*.

<sup>70</sup> *Amended List of Ancient Monuments in Burma*, Yangon: Government Printing, p. 32. See also *BBG*, Vol. II, 1883, p. 192.

<sup>71</sup> Tin-82, *kū*/verso, 3-4.

<sup>72</sup> H.L. Shorto (1971), *A Dictionary of Mon Inscriptions*, London: Oxford University Press, p. 54.

(b) Blagden:1928: 274.

(c) Divids: 1905:229.

<sup>73</sup> Tin-82, *Kai*/ recto, l. 5.

the bank of the creeks, i.e. the Kawliya, Paing Tar, Bwut Kyar, Hsap, Kyar, Bawni, and Pwe Tamaw where they made fishing by putting up weirs. It is called *in*: in Myanmar. They were also called Zabaing. Although the Zayeins and Kayins were wild hill tribe, they were Buddhists.<sup>74</sup> However, the Kayin families at Kawliya left from Kawliya as Communist persecution in the early post-independent period.<sup>75</sup>

This satellite was bordering with the following areas: 1.98 miles Banphyo Balakhwar, till to the Kyaik Balakhwa pagoda [Kyaik Aung Kappat pagoda] on the east, the Talanwup canal, the land of Sittaung as far as Kahatapaw [c. village] in the south eastern part of Hlaing, 19.88 miles, territory of Hanthawaddy City till to the land of Kyaik Sakawbo [c. Kyaik Sakaw village in Daik U] and Kyaik Lapo pagoda [Kyaik Pra Tut Zarat] [Waw Payah] on the south, Htan Taw Gyi, a satellite of Hanthawaddy in the southwest, 29.82 miles from Zaung Tu, one of the satellites, till to the land of Kyaik Depaw pagoda [Kyaik Aung Karu] on the west, Ye Nwe, a satellite of Hanthawaddy, in the northwest, 11.36 miles Wardawgyi, Ton Khan, Ye Nwe, and Ye Hla, [Tun Gan] till to the Kyaik Taw Oo pagoda on the north, Shwe Gyin [Kyaik De Palunsun] and Naung Ley Pin on the north east.<sup>76</sup>

Kawliya remain an ruined-rectangular wall stretching 750 meters (820.5 yards) from east to west and 360 meter (390 yards) from north to south.<sup>77</sup> Kawliya is a rectangular in shape on the plain. It is enclosed by brick-walls and now Myo Yoe village inhabited along the brick wall of Kawliya. It makes vandalism. Ruined brickworks of town wall obviously remain on the village street and in the yard of houses. At Daw Htay Myint's house, there is a ruined stupa built of bricks with significant remains, i.e. clay bricks, two heads of Buddha in sand stone, two statues of earth-touching Buddha of sand stone missing torso. Kawliya-remained bricks and statue type and style

<sup>74</sup> Lloyd, *Rangoon*, 1868, p. 96.

<sup>75</sup> Interviewed with Daw Hsar U, a teacher at Basic Education Primary and Middle School, Myo Yoe village on 9 December 10, 2017.

<sup>76</sup> *Hanthawaddy Thone Hse Hni Myo: 1146 ME Sittan*, parabaik manuscript no. 741, National Library, Yangon. Hereafter cited as *1146 ME Sittan*. pp. 11 ff. (b) Yi Yi: 1979: 76-7. (c) Page: *Pegu*, 1917: 44.

<sup>77</sup> Than Tun: 2014: 178.

indicate that their origins belong to the Mon style during the fourteenth-fifteenth centuries A.D.

### **Kyaung bya Yaw-mindat, Kyauk Sarit and Kyauk Maw**

Kyaung bya Yaw mindat borders with Ayodaunggyi and Zimme land on the east, Katkye land on south east, Kyauksayit land on the south, Zeyawaddy on the west, the Mekwa chaung creek on the north and Ok-pyat and Kyettaik on the north west.<sup>78</sup> Definite location of the town is hard to find. Now, it can be done study-guess where its location is. As *parabaik* record mentions that Kyaungbya lies on the north west for about 16 miles so far as Ok-pyat, it can be in Tantabin circle, south of Taunggu. The remains of Kyaungbya are commonly attributed to Philip de Brito, the Portuguese at Kyaung bya in the Kyaukkyi township.<sup>79</sup>

Three satellites of Hanthawaddy—Kyauk Sarit, Tone Kan and Min Ye Hla—are located on the east bank of Kun creek, one of the tributary of the Sittaung River. It is bordered with Zeyyawaddy on the north, Min Ye Hla on the south, Kyauk Maw on the east and Toon Gan on the west.<sup>80</sup> The same name of town is also situated in the Kyaikkhami District, Mottama province.<sup>81</sup>

Kyauk Maw is a satellite of Hanthawaddy Province bordering with 10000 *tā* Zinme [Zeyyawaddy, Ma Koo and Kyauk Talon] on the east, Shwe Gyin, Kyaukkyin Kon, Peinkaw Maezaung, in the southeast and on the south, Naungbintha on the south west, Ton Kin (one of the satellite), Oun Hnie Pin, Nyaungbintha, Thayet Kaingchoe in the southwest, the Zahaphanlaung Chreek, Taunggu on the west, Shwe Ingyin, Dunzarit, and Payah Thone Hsu.<sup>82</sup>

During the Konbaung period, Kyauk Maw, one of the Taunggu administration, was a habitation of the Kayins who annually paid Myanmar

<sup>78</sup> Furnivall, (1919), "Some Historical Documents", *Journal of Burma Research Society*, Vol. IX, Pt. I, (34-52), p. 44.

<sup>79</sup> B. W. Swithinbank, (1914), *British Gazetteer: Taunggu District*, Vol. A, Yangon: Government Printing, p.15.

<sup>80</sup> Yi Yi : 1979: 69.

<sup>81</sup> Page, *Pegu*, Vol. II, 1917, p. 319.

<sup>82</sup> Yi Yi: 1929:66, 94-5. *Hanthawaddy Thone Hse Hni Myo: 1146 ME Sittan*. See also *BG*, II, p. 316.

king betel nuts as their taxes. According to British Burma Gazetteer, Kyauk Maw is located in Kyaukgyi circle which was a fortified town and traces of the old stockade still remain. In 1809, it was attacked and destroyed by the Zimme Shans.<sup>83</sup>

### La Gun Byin and Mau

The word La Gun Byin is derived from *lagow* (creek) and *brī* (Brahmā) in Mon.<sup>84</sup> In the *Hanthawaddy Sittan*, La Gun Byin is bordered with the areas: the Than Tha Nge creek, Maw Lun, one of the satellites of Hanthawaddy, on the east, the La Gun Byin creek, opposite side of the Ba Toe River and Zwè Bon, a satellite of Hanthawaddy on the south east, the Arkharein creek and Ma U, a satellite of Hanthawaddy on the south, the Aree creek, the Arkharein Creek and Ma U on the west, Mahura<sup>85</sup> on the northwest, Hintha Zaing Ganaing on the north and north east.<sup>86</sup>

La Gun Byin is situated 150 meters from the north of Min Lwin Gon village, Hlegu Township, Yangon Region. La Gun Byin remains ruined walled-town (3 miles in diameter) which is located on the north of La Gun Byin Creek. This walled-town was built of bricks which is based on laterite blocks and is surrounded with water-moat. At La Gun Byin, the Nan Oo pagoda is an octagonal basement which is built with three layers of laterite blocks.<sup>87</sup> The Kyaik Salun pagoda is also built of laterite which is encased and renewed in 1984. Beside the pagoda, three votive tablets and glazed pots were also found.<sup>88</sup> Than Tun guessed that it seems older than Bago. It became a ghost town probably before the outbreak of the First Anglo-Myanmar War.<sup>89</sup> At La Gun Byin, the Kayins was the most inhabitant but the Bamars

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<sup>83</sup> *BBG*, Vol. II, 1883, p. 295.

<sup>84</sup> Nai Bi Htaw, (2014), *About the Pyu and the Mon*, Mawlamyine: Bhadradevi Books, p. 134.

<sup>85</sup> Mahura is a long, narrow circle in the Paunglin township of the Yangon district. *BBG*, Vol. II, 1883, p. 346.

<sup>86</sup> *Hanthawaddy Thone Hse Hni Myo: 1146 ME Sittan*. See also Yi Yi: 1979:97-8.

<sup>87</sup> U Aye Ko, and et. al., *Study on La Gun Byin Old Walled Town and its vicinity*, (in Myanmar), Type writing manuscript (9 March 1990), pp. 4 f. Hereafter cited as Aye Ko, *La Gun Byin* .1999.

<sup>88</sup> Aye Ko, *La Gun Byin* .1999, p. 5 f.

<sup>89</sup> Than Tun: 2014: 156.

are now most inhabitant. The third inhabitant are the Mons.<sup>90</sup> Peculiarly, La Gun Byin also exists in northeast Bin Hlaing, one of thirty-two satellites of Muttama.

Ma U was founded in 1202 A.D.<sup>91</sup> It was a satellite of Hanthawaddy province bordering with the areas: the Bago river on the east, the Akawat creek till to the Zwe Bun, one of the satellites of Hanthawaddy, on the east, the Tarkoo Creek on the opposite site of Bago river on south east, Than Lyin on the south, the religious land of Shwedagon pagoda on the south west, the Ma Lit Creek and Baung Lin on the west, Kyan bin village and Ar Kharein, one of the satellites, on the north west, Ar Kharein on the north, Taw Zun pagoda till to La Gun Byin, one of the satellites.<sup>92</sup> Ma U is one of the villages in Dabein on the bank of the Bago river, east of Dabein. It is a village of Mons, Kayins and Shans.<sup>93</sup>

### **Maw Lôn, Meyenzaya (Merañcara) and Mingaladon**<sup>94</sup>

Maw Lôn is situated on the south west of Bago river. It is surrounded by Hinthazainganaing on the north, La Gun Byin on the south and west, and Zwè Bon on the east.<sup>95</sup> Maw Lôn included Kawchè and other four villages which is located between Htone Gyi and Indakaw.<sup>96</sup>

Merañcara is located 10 miles from the north west of Pyin Bun Gyi. Than Tun suggests that it might be a stockade.<sup>97</sup> In 1348, Maya Dhammayaza, Thwey Thauk Gyi, and his followers founded Merañcara bordering with Dhekaci on the east, the Kyaik Ceti and the Kyaik Moe Nat on the south, Za Ywè Ingamut on the west and the Kyaik Lakpun pagoda on the north.<sup>98</sup> The

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<sup>90</sup> *BG*, Vol. II, p. 325.

<sup>91</sup> Tin-82, kī/recto, l.1.

<sup>92</sup> *Hanthawaddy 1164 ME Sittan*. See also Yi Yi: 1929:77-8.

<sup>93</sup> Furnivall, *Insein*, 1914, p.183.

<sup>94</sup> J.A. Stewart in his map mentions Maw.

<sup>95</sup> Yi Yi: 1979: 84.

<sup>96</sup> Page, *Pegu District*, 1917, p.43. See also *Bago Division: its villages*, p.5.

<sup>97</sup> Than Tun: 2014: 172.

<sup>98</sup> Tin-82, ke/recto, l.10.

*British Burma Gazetteer* mentions that it circles in the Yangon district extending to the eastward the Bago Yoma.<sup>99</sup>

Mingaladon is bordered with Baung Lin on the east, the River Ayeyarwaddy on the west, Hmawbi on the north and the Kamaywut Chaung creek on the south.<sup>100</sup>

### **Min Ye Hla and Moe Sunt**

In 1348, minister Binnyar Kam Paik founded Min Ye Hla. It is bordered with the Kyaik Punnak pagoda on the east, the Kyaik Pakam pagoda on the west, the Kyaik Htaw pagoda on the north.<sup>101</sup> It is situated in five furlongs from southeast Htaw Wi, north of Nyaunglaybin. It is a rectangular in shape which is seen on aerial photograph. Although this old town is obviously found from aerial photograph (google earth), rarely does the walled-town remain at village. Only one brick (13ft.×6 ft.) remains on northwest walled-town. Nothing remains brickwork of walled-town at Min Ye Hla. On its corners, each pagoda was possibly built but renewal have been replaced. Its walled-town is 20 feet in height.

In 1703, King Min Ye Kyaw Khaung ordered his minister Sitthu Kyaw Swar to build Mo Sun bordering with a river on the east, the Ba Ye creek on the west, the Ataik creek on the south, and the Waw Chaung creek on the north.<sup>102</sup> Mo Sun which we guess is located in the Waw circle, northeast Bago. Unfortunately, the names of the creeks cannot be find and perhaps, their names had been renamed.

### **Sittaung, Ta Nga Paung, Titut and Tôn Kan**

The Kalyāṇī Inscription of 1476 mentions that Sittaung is Satoñ in Mon<sup>103</sup>. Sittaung is bordered with the Kyaik Htee Yoe Pagoda Hill and Yun Salin, one of the satellite of Hanthawaddy on the east, the Lagunpitha rein creek, till to sea on the south, Bindathiri village on the west, the Kyun Paku

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<sup>99</sup> *British Burma Gazetteer*, Vol. II, p. 370.

<sup>100</sup> Yi Yi: 1979: 83-4. (b) *British Burma Gazetteer*, Vol. II, Yangon: Government Press, 1880, p. 376.

<sup>101</sup> Ibid, ke/recto, ll.7-8. See also Yi Yi: 1979: 93.

<sup>102</sup> Tin-82, kaw/verso, l.8.

<sup>103</sup> Bladen:1928: 275.

Creek and Bago on the north.<sup>104</sup> Sittaung has an old walled-town ( 800 meters from east-west and 500 meters from north-south in length) where the Yangon-Mawlamyine railway road is built crossing the old town. It is possible to a stockade.<sup>105</sup>

In 1348, his minister Welu Pacca of Binnya Elaw (1330-1353) founded Ta Nga Paung bordering with Za Ywai on the east, the Kyaik Rat Kyi Pagoda on the south, the Kyaik Mwun Narait pagoda and the Kyaik Wepya pagoda on the north.<sup>106</sup>

Ti Tut (Ti Dut) was also founded during the reign of Binnyar Ran (r. 1492-1526). He appointed his minister Theingadatta to administrate it.<sup>107</sup> The *Hanthawaddy Sittan* mentions the location of Titu: the Kyaikdelyin pagoda and the Mahura creek on the east and bordering with Hanthazainganaing, 9.94 miles from the Kyaiktelaung pagoda and Hlaing on the west, 13.92 miles from the Kyaikdawprak and bordering with Baunglin, the Kyaiktaku pagoda and Tharawaddy on the north, 1.98 miles Mahura creek, Hanthazainganaing, Tandawgyi in the northeast, 1.98 miles Yoma Range and Tharawaddy in the northwest, 1.59 miles from Baunglin and Hmawbi in the southwest, 11.93 miles from Mahura creek, Sarbutaung, Hantha Zaingga Naing, Akharein, and Baunglin in the southeast.

This satellite is populated by the Zayein Kayins under the Kayin Sawkè, chief of the Kayins and no Buddhist monuments in this area.<sup>108</sup> According this document, Titut is geographically situated near Hmabi at present.

In 1348, Binnyar Thuriya, a minister of King Binnya Elaw, founded Tôn Kan bordering with the Kyaik Mwun pagoda on the east, the Kyaik Tha Lwè pagoda on the west, the Kyaik Bhaung pagoda on the south, and the

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<sup>104</sup> *Hanthawaddy Thone Hse Hni Myo: 1146 ME Sittan*. See also Yi Yi:1979:64.

<sup>105</sup> Than Tun: 2014: 196.

<sup>106</sup> Tin-82, ke/verso, l.2.

<sup>107</sup> Tin-82, kû/verso, ll. 4-5.

<sup>108</sup> *Hanthawaddy Thonze Hnic Myo Sittan*, (Inquest of Hanthawaddy and Its Thirty-Two Satellites), (in Myanmar), no. 740 *parabaik* manuscript, National Library, Yangon, p. 23 f.

Kyaik Dhepa Taung Pun pagoda on the north.<sup>109</sup> Tòn Kan lies on the foot of Bago Yoma Range and on its north, the Kun creek flows to southeast

### **Win Pyaing, Yè Nwè, Yun Sa Lin Zwè Bon and Zaungtu**

In 1484, Welu Nanda, a minister of King Dhammazeti (1472-1492) founded Win Pyaing<sup>110</sup> which is bordered with the Kyaik Peyap pagoda on the east, the Kyaik Melawaw pagoda on the south, the Kyaik Mepa Chaung creek on the north.<sup>111</sup>

Baing Da, Yè Nwè and Dôn Zarit lie on the west bank of Yè Nwè creek meeting with the Sittaung near Shwe Gyin. Yè Nwè is bordered with Zaruipi on the east, the Kyaik De Nag Kin pagoda on the west, the Kyaik Rwè Nwè pagoda on the south, and the Kyaik Naw Daw pagoda on the north.<sup>112</sup> Dhammazeti founded Yun Sa Lin in 1493 and appointed his minister Bhramasāra to govern this satellite. It lies on the Kyaik La Mon pagoda on the east, the Kyaik the Moe Nyak pagoda on the south, the Demarat pagoda on the west, and the Kyaik Than Khan pagoda on the north.<sup>113</sup>

Zwè Bon is bordered with the Tha Byu creek till to the land of Dinmae [Maing Thapyu] on the east, the Winle creek opposing side of Than Lyin [the Pawak Chaung creek] on the south, the Desap Asaing creek [the Abhey River] in the south west, La Gun Byin and the Bago river on the west, [Kyaik Mayaw] in southeast,<sup>114</sup> the Delasin pagoda and Hanthawaddy on the north.<sup>115</sup> Furnivall points out that Zwè Bon lies between Bago and Then Lyin and included two circles—Nyaungbin on the north of River Bago and on the south of Thongwa), Southern Yangon District), and Bago in 1864.<sup>116</sup>

Zaung Tu lies on the near the origin of Bago river. Bago depended on timber trading of Zaung Tu.<sup>117</sup> During the reign of Binnyar Ran, his officers

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<sup>109</sup> Ibid, ke/recto, ii.3-5.

<sup>110</sup> Win Me Myaing in *Hanthawaddy 32 myo 1146 ME Sittan*

<sup>111</sup> Ibid, kai/verso, ll.4-5.

<sup>112</sup> Tin-82, ke/verso, ll.6-7.

<sup>113</sup> Tin-82, kai/verso, ll. 7-8.

<sup>114</sup> Ibid, kã/recto, l.10.

<sup>115</sup> *Hanthawaddy Thone Hse Hni Myo: 1146 ME Sittan.*

<sup>116</sup> Furnivall, *Insein*, p. 176. See also Page, *Pegu*, 1917, p. 17.

<sup>117</sup> Page, *Pegu*, 1917, 122.

and staff appointed there to administrate.<sup>118</sup> It is bordered with the Kyaik Thaywetalo pagoda on the east, Kyaik Pyar Tan on the south, Zarwunbi on the west, the Kyaik Wetalo pagoda on the north.<sup>119</sup> About 1750, it was a big jungle living together with elephants and tigers.<sup>120</sup> In the early British occupation period, this satellite was in the reserved forests of the Bago Forest Division.<sup>121</sup>

### **Conclusion**

The satellites are situated between the east and south of Bago Yoma and west bank of the Sittaung River. Some satellites—Sittaung, Donsarit, Kyaikkatha and Kyauksarit<sup>122</sup>—lie on the bank of the river. In this territory, the three rivers—the Sittaung, the Bago and the Hlaing—and their creeks start at the foot of Bago Yoma. Their settlements naturally defend with mountainous barriers and rivers which serve as water moat and are called a river state basing on the method of surmounting river obstacles. Furthermore, the satellites are also located on the river valleys which helps water supply for native cultivation, communication and transportation. As the Bago Yoma stands on their west frontier, forestry products are rich in this province. Moreover, the satellites had a good link by using in-land water transport. Bago made a core area surrounding with its satellites. It shows a seat of administration and culture basing on physical boundaries.

Place and pagoda of Satellites of Hanthawaddy names are in Mon. Perhaps, it was a mere sacredness of the Mons on Buddhism. Ethnic coexistence developed there. Especially, the Mons live together with the Kayins. Remains—ruined walled-stockades and artifacts of laterite, favourate rock of the Mons, have been found their vicinity. As the Kalyāṇī Inscriptions of 1476 mentions some names of satellites, Also, Myanmar manuscript records—palm leaf and parabaik books—mention in detail Hanthawaddy and its satellites which founded by Mon dynasty of Hanthawaddy kingdom. Peculiarly, the three important towns—Dala, Dagon and Than Lyin—were excluded these satellites although these were historically prominent.

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<sup>118</sup> Tin-82, kai/recto, l. 8.

<sup>119</sup> Tin-82, kū/verso, l.10.

<sup>120</sup> *Hanthawaddy Thone Hse Hni Myo: 1146 ME Sittan*, p. 22 f.

<sup>121</sup> Page, *Pegu*, 1907, p. 70.

<sup>122</sup> It is a satellite of Hanthawaddy in different version.

### Appendix I



### References (Palm-leaf and *Parabaik* Manuscripts)

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## **EARLY MYANMAR EDUCATION (FROM EARLY CHRISTIAN ERAS TO THE BAGAN PERIOD)**

**Yu Yu Aye\***

### **Abstract**

In the ancient period, indigenous peoples—the Pyu, the Mon and the Rakhine—rose to develop their civilizations in the early Christian period due to the impact of sea voyage in the Indian Ocean. They learned their writings and lunar calendrical system with the coming of Indianization in Southeast Asia. From that time, education—learning and teaching—opened into Myanmar, particularly some areas on the coastal and deltaic regions. Firstly, they learned southern Indian writings and invented their own writings. Therefore, early Myanmar indigenous civilization were indianized akin to other southeast Asian countries. Early Pyu, Mon and Rakhine people converted from animism to Buddhism and Hinduism and Hindu and Buddhist kingship system. Basing on their learning, they made attempts to describe their languages in script and used their calendars. Accordingly, Indo-Myanmar relations provided their education and thought. And then, they reformed their culture. When the prominence of Bagan kingdom during the reign of King Kyansittha, the three writings of Pyu, Mon and Myanmar peoples developed. Pali was also their sacred language of them. Therefore, early Myanmar education based upon dual intellectual properties, i.e. Hinduism and Buddhism or Sanskrit and Pali.

### **Introduction**

Education is such an intangible culture that is an implicit phenomenon in ancient society as like as art and architecture, explicit ones. However, an attempt was made to study in this paper about the education of the ancient Myanmar. This work was dependent upon primary sources as well as secondary sources. Epigraphy was the best material to learn about education. Inscriptions gave us reliable and informative data. In this study, there were two major parts: higher education for Buddhist monks, novice and laymen and basic education for all. Periodically, there were two periods: pre-Bagan period and Bagan period in this paper.

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## **Education in the Pre-Bagan Period**

Myanmar opened her historic period with the establishment of city-states in the first millennium CE. The city-states arose in the coastal areas and river valleys which provides cultivation, transportation and communication of native peoples. Basing on this idea, there were many numbers of old cities in Myanmar: Vesali in Rakhine, Sriksetra in north of the Ayeyarwaddy delta, Vishnu in Taungdwingyi, Halin in Shwebo, Suvannabhumi in Ayathama and Winka, Bilin, Mon State. Therefore, the peoples of proto historic Myanmar—the Pyus, the Mons and the Rakhines—begin to found the early civilization being dependent upon South India. The three peoples opened education with the establishment of Buddhism. It also gave us a light that formal education firstly developed when the people began to write letters. Geographically, Myanmar is situated beside India, mother of Southeast Asian civilization, so that her civilization fostered Indian characters. Coincidentally, learning provides literate people and then they know about the way of civilization. We can say that learning which we can call “education” is the mother of civilization.

Among the early city-states, Sriksetra was the most prominent one that a large number of inscriptions were discovered there. therefore, Professor Toe Hla states that Sriksetra was the first Myanmar during the 2<sup>nd</sup> century B.C-9<sup>th</sup> century A.D. The Pyus in Sriksetra left behind their cultural heritages, i.e. inscriptions, *stupas*, temples, town-wall, religious statues and reliefs, beads, terracotta wears etc. In the mid-9<sup>th</sup> century A.D., Nan Chao army attacked them, collapsed and lost their dynasty. Some scholars believe that rather than the course of foreign invasion, their disappearance possibly cause due to struggle with one another in the land where is now called Myanmar. These struggle contained the Pyu in Sriksetra vs. the Pyus in Halin and the Caghaw (the Saghaw, Kayin tribe), the Old Mons in Mottama vs. the Pyus in Hanlin, the Kadus vs. the Chin etc. It caused chaos in the Upper and Lower Myanmar. However, sovereignty recovered in Myanmar centered in Bagan and its vicinity in the reign of king Aniruddha (A.D. 1044-1077).

## Education in Sriksetra

At Sriksetra, inscriptions—gold leaf manuscripts, stone inscriptions, inscriptions on the rim of silver casket and stone urns—remain. Inscriptions of Sriksetra give us their religion, their culture, their education etc. most of them belong to the Pali Buddhism. There was a book of twenty leaves of gold of old palm-leaf manuscripts which was found at U Khin Ba's field outside the wall of Sriksetra in 1926. Scripts written on the manuscripts was similar to the Telegu-Canara alphabet of the Kadamba and of the early Chalukyas of South India and since it dates back to about the 5<sup>th</sup> century A.D. The manuscripts were extracts of Pali verses from Pitaka (Pali Texts):

1. The *Mijjhima Nikāya, Piṭaka,*
2. The *Samyutta Nikāya,*
3. The *Anguttara Nikāya,*
4. The *Vinaya Piṭaka,*
5. The *Dhammasamgaṇī,*
6. The *Vibhaṅga* of the *Abhidhamma Piṭaka,*
7. The *Dīgha Nikāya* and,
8. The *Udāna.*

The Pali verses include seven kinds of *vippasanā, 37 bodhipakkhīyeva dhamma, paṭiccasamuppa, dhammadāsa, Mahāparinibbāna Sutta* etc.<sup>1</sup>

The findings at Sriksetra tell us Theravāda Buddhism reached there in the 5<sup>th</sup> century A.D. The Pyu Buddhist monks and laymen learned Pali texts brought from South India. They learned art of writing and invented their own characters. Therefore, Myanmar education dawned with the propagation of the Theravada Buddha Sasanā. We can guess that education centers certainly were monasteries which were resided by Buddhist monks. The *Old T'ang History*, a Chinese source, mentions about the Buddhism of Sriksetra.

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<sup>1</sup> *Report of the Superintendent, archaeological Survey, Burma, (1938 -39),* Yangon: Government Printing, 1940, pp.12-13

According to this, there were over a hundred Buddhist monasteries with courts and rooms all decked with gold and silver, coated with cinnabar and bright colours, smeared with kino and covered with embroidered rugs. When they come to the age of seven, both boys and girls drop their hair and stop in a monastery, where they take refuge in the Saṅgha. On reaching age of twenty, if they have not awaked to the principles of the Buddha, they let their hair grow again and become ordinary townfolk.<sup>2</sup> The Chinese source mentions that the Pyu and their education being dependent upon Buddhism. Moreover, Myanmar education opened in the first millennium A.D. with the dawn of Indianized civilization.

### **Education of Bagan Kingdom**

Bagan was a mere village after the fall of Pyu kingdoms. Over one century later, Bagan became a kingdom under the control of king Aniruddha (1044-1077 A.D). His dynasty lasted for three hundred years old (eleventh-thirteen centuries A.D). The territory of Bagan is mentioned in the Dhammayazaka Pagoda Inscription of 1196 A.D: his majesty's territory ranging from Nga Zaung Chan (Bamaw) in the north, to Ye, Dawei, Taninthayi and Thalinkyay (Junk Ceylon) in the south, and from the Thalwin river in the east to the Miccagiri (Western hill region) in the west.<sup>3</sup> Now, Bagan is the largest archaeological zone of Southeast Asia and exists 2217 religious monuments. At Bagan, intangible cultural heritages—ten kinds of artistic crafts, devotion on Buddhism, customs, literature, education, art and architecture—can be looked at Bagan area. Also, inscriptions of the Bagan period give us intangible culture.

Historically, the Bagan Period was the heyday of Myanmar. Reconsideration is needed why the Bagan kingdom was great. The answer was that great wisdom and martial prowess made Bagan an empire. It was also called knowledge or soft power which made Bagan a great civilization and physical strength or hard power which made it an empire. In soft power,

<sup>2</sup> G.H.Luce, (1937), "The Ancient Pyu", *Journal of the Burma Research Society*, Vol. XXVII, Pt. III, Yangon: Burma Research Society, (307-321), pp. 318-319

<sup>3</sup> ရှေးဟောင်း မြန်မာ့ ကျောက်စာများ: Inscriptions of Myanmar),( in Myanmar),U Nyein Maung (ed.), Yangon: Archaeological Department, 1972, p.66

education is not only a soft power but also a cause to develop during the Bagan period. At the beginning of the Bagan period, the Pyus who lost their kingdom and the Mons who founded their kingdom in Lower Myanmar culturally influenced. The two indigenous peoples shared the Bamars their Buddhist and Brahmanic culture so that they were the teachers of the Bamars. As the two peoples trained the Bamars, Buddhism flourished at Bagan kingdom and practiced Brahmanism in royal ceremonies in the palace. They were possibly Buddhist monks there.

Therefore, the four languages—Pyu, Mon, Myanmar and Pali—profoundly developed in the early Bagan dynasty. The Rajakumar stone quadrangular inscription of 1113 A.D in four languages was the best evidence. When King Alaungsitthu came to the throne, he built the Thabinnyu temple, erected his inscription in Pali at this monument and was a great work in Pali. Moreover, King Kyansittha also erected his inscriptions which were mostly written in Mon. In his reign, wall paintings, glazed and terracotta plaques of Jataka stories and its legends were also in Mon. Hence, it gave us that variety of indigenous languages were prosperous in Myanmar since the Bagan period. During the Bagan period, there were a large number of stone inscriptions which were written in Myanmar, Pyu, Mon, Chinese, Tamail, Pali and Khmer. Most of them were in Myanmar. As Buddhism and Brahmanism were flourished, Pali, sacred language of Buddhism, and Sanskrit, a form of secular language, were prominent in higher education in the Bagan period. Basing on the monastery, formal education appeared in the Bagan period. Some words extracted from inscriptions show historical images of education:

1. *kloṅ* (school/ monastery)<sup>4</sup>
2. *cāsaṅ kloṅ* (school)<sup>5</sup>
3. *cāsaṅ* (student/ pupils)<sup>6</sup>
4. *cāsaṅ tiuk* (school building)<sup>7</sup>

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<sup>4</sup> က္လောင် (ယခု-ကျောင်း)

<sup>5</sup> စာသင်္ကောင် (ယခု-စာသင်ကျောင်း)

<sup>6</sup> က္လောင် (ယခု-ကျောင်း)

<sup>6</sup> စာသင်္ကောင် (ယခု-စာသင်ကျောင်း) စာသင်

<sup>7</sup> စာသင်တိုက်

- 5. *charyā* (teacher)<sup>8</sup>
- 6. *mliy phū* (chock)<sup>9</sup>
- 7. *sañ pun* (teaching board)<sup>10</sup>
- 8. *parabaik* (books)<sup>11</sup>
- 9. *kaṃkutaṃ* (soap stone pencil)<sup>12</sup>

The king was the most powerful man in monarchic governance of the Bagan period. He was mentioned as a greatly Wiseman titles as follows:

- 1. *paññā tow krī cwā so mañ phlac ra kā*<sup>13</sup> (to be a king whose knowledge is great)
- 2. *paññā saddhā nhaluṃ tañ so*<sup>14</sup> (the one whose knowledge, belief and attitude are good)
- 3. *paññākṛī cwā so*<sup>15</sup> (the one whose knowledge is great)

At his court, his ministers were well-educated persons who were experts in Pitaka, Sanskrit, and Astrology in Sanskrit.

*...pitakat sumpuṃ le tat cwā so sasankruit byākaruṃ hurā samā amhu le tat tha so caturaṅgabijay mañ so amat*<sup>16</sup>

(trans. ...Caturangabizay, a minister of royal government, who is an expert in Pitaka Pali texts, Sanskrit, Astrology and Medicine of Indias)

It was mentioned in the Myanmar inscription of 1278 A.D. According to the inscription, higher education of Bagan kingdom depended upon Indian education.<sup>17</sup>

<sup>8</sup> ဆရာ (ယခု-ဆရာ)

<sup>9</sup> မွှိယ့်ဖူ (ယခု-မြေဖြူ)

<sup>10</sup> သင်ပုန်း

<sup>11</sup> ပုရပိုက်

<sup>12</sup> ကံကုကံ (ယခု- ကံကူဆံ)

<sup>13</sup> ပညာတော်ကြီးစွာသောင်မင်္ဂလ္လိရကာ

<sup>14</sup> ပညာသဒ္ဒါနုလုံးတည်သော

<sup>15</sup> ပညာကြီးစွာသောဝံ

<sup>16</sup> ပိတကတ် သံပုံလေတ်စွာထသော သသံကြိုက် ဗျာကရဏ် ဟုရာသမာ အမူခေ တတ်ထသော စတုရင်္ဂဝိဇယ မည်သော အမတ်

<sup>17</sup> ပညာကြီးစွာသောဝံ Nyein Maung: 1983:1-3.

Nyein Maung: 1982: 25-64.

Nyein Maung: 1972: 289.

Nyein Maung: 1983:226.

The king’s teacher was called *mañ chryā*<sup>18</sup> in inscription. He rewarded them those Pali titles, i.e., Dhamma Rājākavi, Cibhatrakathika, Sirimahādhammarājāpaṇṭita etc.<sup>19</sup> The princes went to school and learned government studies (*dhammasāt*)<sup>20</sup>, and the *amunwan*<sup>21</sup> (now *razathat*, penal law in English). In ancient time, there was no such medical science that health care was certainly very weak. Curses mentioned in the inscriptions tell that severe diseases including epidemic and new born abnormalities defeated as follows:

1. *chiy wā*<sup>22</sup>(medicines),
2. *mrwe khai ruy se*<sup>23</sup> (snake-bitten deasd),
3. *chip phlac ruy* (poisons cases),
4. *nū so*<sup>24</sup> (leprosy),
5. *way so*<sup>25</sup> (scabies),
6. *kan so*<sup>26</sup> (blindness),
7. *Nāpan so*<sup>27</sup> (deafness),
8. *Khriy lak tui so*<sup>28</sup> (dysmelia:rhizomelia and mesomalia),
9. *Samā k u ruy ma tat rā so a nā*<sup>29</sup> (disease that cannot be treated by medico) etc.<sup>30</sup>

Nyein Maung: 1972:269.

Nyein Maung: 1972:187.

Nyein Maung: 1983:49,120.

<sup>18</sup> မင်္ဂလာ

<sup>19</sup> မေရာဇကဝိ၊  
စိဘကြကထိက

သီရိမဟာမေရာဇပေဏ္ဍိတ Nyein Maung: 1982:123.

<sup>20</sup> မေသတ်

<sup>21</sup> ရာဇသတ် အမုန္တန်

<sup>22</sup> ဆေဝါ

<sup>23</sup> မြွေကိုက်ရယ်သေ

<sup>24</sup> နသော

<sup>25</sup> ဝယ်သော

<sup>26</sup> ကန်သော

<sup>27</sup> နာပင်သော

<sup>28</sup> ခြယ်လက်တိုသော

<sup>29</sup> သမာကုရယ် မတတ်သော အနာ

<sup>30</sup> Nyein Maung: 1983:84.

## Libraries

In education, library is an important resources center which has collected texts and information data. It remains, a ruined library, therefore, provides image of a certain civilization. Library, which former men used, shows how their civilization reached high.

Old Myanmar inscriptions mention the words “*pitak ak thā rā tuik*” (the brick building which was a place of Pitaka texts) and “*cā tuik*” (the building where the texts were placed).<sup>31</sup> Accordingly, there were libraries in the Bagan period. During the reign of Anurudha and Thi Luin Mañ, two libraries were built in Bagan. The first one was situated at the foot of Mt. Tuywin: it is called Sakku Tuik but government employees from Road Department had vandalized it in 1957 when they built Nyaung Oo-Kyauk-pataung road construction.<sup>32</sup> Traditionally, Myanmar believed that King Anawratha kept the Pitaka scriptures which he brought them from Thaton after his conquest. Another one was in Shwe GLu Gyi temple (1589/901-A) near the west built on 17 May 1131. Alaungsitthu (1131-1163) erected a great inscription in Pali. The King in his inscription mentions as follows:

*...k ārā petwā likhā petwā pitakatta yañ muttamam*

[Trans.] a copy of Supreme Tipitaka<sup>33</sup>

Luce pointed out that in Old Myanmar inscriptions, the term “Shwegu Gyi”(Great Golden Cave) usually implies a library of the sacred books. An Old Myanmar inscription dated on 9 February 1230 mentions as follows:

*...pitatat rhuiy kū twañ thā siy*<sup>34</sup>

[trans.] Pitaka texts are placed at Shwe Gu.

Furthermore, libraries are mentioned in the Old Myanmar inscriptions as follows:

<sup>31</sup> Nyein Maung:1982:99.

<sup>32</sup> Than Tun, (2006), တန့်တလံ ဝုဂံဘယ်ခြေ:မလံ၊ (Bagan where can be get by one step in a day), in Myanmar), Yangon: Thiriswe Books, p. 70.

<sup>33</sup> G.H. Luce, (1967), *Old Burma-Early Pagan*, New York: Institute of Fine Art, pp.407f.

<sup>34</sup> Nyein Maung: 1972:209.

1. A library, founded by Minister Anantathura and his wife, remain in Amanar, (now north of Minnan Thu), east of Bagan,
2. A library founded by Queen Ari Saw on 28 May 1260,
3. A home library founded by Minister Caturangapaccaya on 4 April 1278,
4. A library offered by Princesses Asaw Kwen in 1267,
5. A library offered by a queen Mibayar Saw at Min Waing monastery in Minnan Thu,
6. A library in Tak New Kyaung monastery founded by Mahathirizayya, a minister, at the end of the Bagan period: it is the most popular library which placed many numbers of books in Pali, Sanskrit, and *nissaya* (translation into Myanmar)<sup>35</sup>

Professor Than Tun stated that only Pali Pitaka scriptures were placed at libraries in the Bagan period. Therefore, education of the Bagan period was spiritually influenced by Buddhism.

### Public Education

Among the people, education is a need to raise a literate society. Although literacy rate possibly might increase, the people, majority of population, mostly were illiteracy in the Bagan period. The word *cātat*<sup>36</sup> was a literate man in Old Myanmar inscriptions. They usually became staff at administrative offices. Like staff are called *sayay* and *sachi* today, inscription mention their positions *cariy* and *cakhī* .<sup>37</sup> According to two inscriptions of A.D. 1227 and 1235, eight men were literacy in 116 men. Another inscription mentions that 15 men including 4 women were literacy in 140 men. Accordingly, literacy rate was ten per cent in the period. Although literacy rate was low, literacy rate of women was not few.<sup>38</sup>

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<sup>35</sup> Than Tun, တနင်္သာရီတိုင်းဒေသကြီး၊ ပ။70-72.

<sup>36</sup> စာတတ်

<sup>37</sup> စာရိယ၊ စခီ

<sup>38</sup> Than Tun:1964:255f.

Vocational education formed informality in the Bagan period. It was an important concern in the citizens. Despite the foundation of schools by Buddhist monks at monastery, numerous monuments of Bagan and unique art and architecture, tangible culture of Bagan, threw us a light, development of vocational education in the Bagan period. some terms found in the stone inscriptions reveal variety of vocational education as follows:

1. *Pan phay* (art of black smith),<sup>39</sup>
2. *Pan thin* (art of silver and gold smith),<sup>40</sup>
3. *Pan khi* (art of painting),<sup>41</sup>
4. *Pan ran* (art of masonry),<sup>42</sup>
5. *Pan pwat* (art of wood turner),<sup>43</sup>
6. *Pan pu* (art of sculpture),<sup>44</sup>
7. *Lak smā* (carpenter),<sup>45</sup>
8. *Auit sañ* (art of brick-making),<sup>46</sup>
9. *Auiw thin* (art of pot-making),<sup>47</sup>

The Mons gave the Bamars the vocational education in Bagan because the terms derived from the Mon *pañ* (paññā in Pali) meaning art.

### Learning in Sri Lanka

Myanmar firstly opened oversea learning in the Bagan period. Not only Sinhalese monks stayed in Bagan but also Hsapada, a prominent monk of Bagan, went to Sri Linka to learn Pali literature. When the monk came back

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<sup>39</sup> ပန်ဖယံ

<sup>40</sup> ပန်ထိင်

<sup>41</sup> ပန်ခိ

<sup>42</sup> ပန်ရန်

<sup>43</sup> ပန်ပွတ်

<sup>44</sup> ပန်ပု

<sup>45</sup> လက်သွာ

<sup>46</sup> အိုတ်သင်

<sup>47</sup> အိုက်ထိန် (Nyein Maung: 1972:27, 196,241,300,308.)

from Sri Lanka, he built a stupa (187/145), a Sinhalese style in architecture, near Nyaung Oo.<sup>48</sup> After the fall of Bagan, Ceylon-Myanmar Buddhist relations continued to developed and created Buddhist epics which is called *pyo* in Myanmar like the epics in Pali of Sri Lanka.

### **Conclusion**

Education dawned in Myanmar with the establishment of Buddhism and development of sea voyage between India, Sri Lanka and Myanmar. It appeared from the first millennium A.D. Therefore, Myanmar education based upon Pali, and Sanskrit. It was led by Buddhist monks who founded school which was located in their monastery. Therefore, *Kyaung* was a Myanmar word for both monastery and school. From that time, Myanmar education was being dependent on Buddhist monks till the present. As monks went to oversea to learn, education had more progress than before. Therefore, education needs a link with oversea schools. Teachers were Buddhist monks who led Myanmar society. They were also mentors and their influence extended from the king to his people who came from monastery. Accordingly, state was partially dominated by monks although Buddhist monks are banned not to participate in the secular affairs. A great civilization appeared in Bagan and was made by Buddhism and its education.

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<sup>48</sup> U Bo Kay, ဖုဂံသုတေသနလမ်းညွှန် (A Guide to Bagan for Research), (in Myanmar), Yangon: Lwin Oo Books, 2017 Reprinted, p.137.

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ငြိမ်းမောင်၊ ဦး။ တည်းဖြတ်။ (၁၉၇၁)၊ ရှေးဟောင်း မြန်မာကျောက်စာများ၊ ပထမတွဲ၊ ရန်ကုန်ရှေးဟောင်းသုတေသနဦးစီးဌာန၊ ရန်ကုန်။

-----၊ ဦး။ တည်းဖြတ်။ (၁၉၈၂)၊ ရှေးဟောင်း မြန်မာကျောက်စာများ၊ ဒုတိယတွဲ၊ ရန်ကုန်ရှေးဟောင်းသုတေသနဦးစီးဌာန၊ ရန်ကုန်။

-----၊ ဦး။ တည်းဖြတ်။ (၁၉၇၁)၊ ရှေးဟောင်း မြန်မာကျောက်စာများ၊ တတိယတွဲ၊ ရန်ကုန်ရှေးဟောင်းသုတေသနဦးစီးဌာန၊ ရန်ကုန်။

ဗိုကေ။ ဦး။ (၁၉၇၁) ပုဂံသုတေသနလမ်းညွှန်၊ ရန်ကုန်၊ လွင်ဦးဟယပေ၊ ၂၀၁၆ ပြန်ရိုက်။

သန်းထွတ်၊ မောင်၊ (၁၉၇၇)၊ မြန်မာနိုင်ငံ ဘုန်းတော်ကြီးကျောင်း ပညာရေးသမိုင်း မဟာပညာရေး ဘွဲ့ယူကျမ်း၊ ပညာရေးတက္ကသိုလ်၊ ရန်ကုန်။

သန်းထွန်း၊ ဒေါက်တာ(၂၀၀၈)၊ ဗမာ့ဟောင်း မြန်မာရာဇဝင်၊ ရန်ကုန်၊ သီရိဆွေစာပေ။

-----၊ (၂၀၀၆) တန့်တလံ ပုဂံဘယ်ရွှေ့မလဲ၊ ရန်ကုန်၊ သီရိဆွေစာပေ။

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## **JUDICIAL SYSTEM IN EARLY KONBAUNG PERIOD (1752-1824)**

Khin Nu<sup>\*</sup>

### **Abstract**

The title of this paper is Judicial System in Early Konbaung Period. The name Konbaung Period or Konbaung Dynasty means from Alaungmintayagyi to Thibaw Min (1752-1885). This paper only presents the Early Konbaung Period which means the time ruled by the King from Alaungmintayagyi to Badon Min (1752-1819). My paper is presented only about the Judicial system and its procedures of making judgement in EarlyKonbaung Period. It is mentioned how judgement is made by (လွတ်ရုံးငါးရပ်) Hlut Yone Nga Yat and to understand what Hlut Yone Nga Yat is, Dhammathat emerged, setting ethics and duties and responsibilities of judges and lawyers.

**Keyword:** Judicial System in Early Konbaung Dynasty Duties of Judges.

### **Introduction**

It is important to have a fair Judicial system to build the solidity and tranquillity of a country. The Judicial system such as *Dhammathats* and *Yazathat* have been applied since early *Konbaung* period. The purpose of this paper is to reveal Judicial system of early *Konbaung*. This paper presents legal system in Early *Konbaung* period (1752-1824). This paper can be divided as follows:

- I. Meaning and the scope of the study: Early Kongaung Period.
- II. Sources of Law: *Dhammathat*, *Yazathat* and *Hpyathton*.
- III. Levels of Judiciary: Judicial Courts and their function.
- IV. Court Members and their Responsibilities.

Hence, this study assess how Judgement is made by Hlut Yone Nga Yat, what is Hlut Yone Nga Yat, *Dhammathat*, *Hpyathtons* and *Yazathat* means, how *Dhammathat* emerged and settings ethics and duties of Judges and witnesses.

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## I. Meaning and the Scope of the Study: Early Konbaung Period

Literally, the word *Konbaung* has two parts: Kon (in spoken word-gon), meaning high ground of Land; and baung, meaning realm. The meaning of *Konbaung* thus conveys the realm of a countrysafety surrounded by high ground of land. U Aung Zay Ya, after resisting and attacking back Mon and others to unite Myanmar during the chaos after the fall of Innwa, became the king all over Myanmar under the title of king Alaungmintaya.

According to MaungKyaw Shin in his "Building the Third Myanmar Kingdom"<sup>1</sup>, states that : "Konbaung kingdom was named after the bridge of land in South and Northward, which was built by Alaungsithu of Bagan Period in the east of *Yadanatheinga*. It was followed by King Alaungmintaya who also choose his RoyalCapital in the east of his native village, *Moksobo*, which was the victory place to conquer all over Myanmar. The kings from the reign of Alaungmintaya (1752) to Thibaw Min (1885) were called "eleven successive kings of *Konbaung*, which they ruled Myanmar was called '*Konbaung Period*".

It is controversial to divide the time of *Konbaung* period into early one, or later one. Early Konbaung period is divided between 1752-1819.<sup>2</sup> The early Konbaung period is divided between 1752-1824<sup>3</sup>. This paper, however trace: 1752-1819 as the scope of the study in early Konbaung period.

## II. Sources of law: Dhammathat, Yazathat and Hpyathton

Although there were exceptionally a few changes in judicial system in the later Konbaung period, no fundamental changes occurred from the recorded Bagan period through Pinya, Innwa, Taungoo, Naungyan (The second Innwa period) towards the early Konbaung period. An absolute monarchy had been practiced during the time, but it has its own judicial system that is familiar with its customs, culture and society.

<sup>1</sup> ကျော်ရှင်း၊ မောင်၊ (၂၀၀၁)၊ တတိယမြန်မာတော်တည်ရန်၊ ရန်ကုန်၊ ပုံနှိပ်ရေးနှင့်စာအုပ်ထုတ်ဝေရေး၊ စာမျက်နှာ-၆။

<sup>2</sup> မာမာဝင်း၊ (၁၉၉၈)၊ ကုန်းဘောင်ခေတ်ဦးတရားစီရင်ရေး (၁၇၅၂-၁၈၁၉)၊ (မဟာဝိဇ္ဇာဘွဲ့အတွက်၊ သမိုင်းဌာန၊ ရန်ကုန်တက္ကသိုလ်၊ ၁၉၉၈တွင် တင်သွင်းသောကျမ်း)။

<sup>3</sup> Phyo Phyo Thet. (2006). Legel System In Early Konbaung Period (1752-1824), Thesis submitted to Yangon University for the degree of MRes in History.

That judicial system had been established by contributions of *dhammathats* produced by scholars, and *yazathats* issued by kings as royal orders. Kings issued their orders in accordance with *dhammathats* as their guides; at the same time, the *dhammathats* could prevail within the monarchical limits. They were interdependent where the king plays a pivotal role in the whole administrative system in the monarchical way. What *dhammathats* and *yazathats* were, in this sense, are important to be known.

According to Okudaira in his article in Journal of Asian and African studies, 2003, "How Judges Used *Dhammathats* (Law books) in their Courts"<sup>1</sup>, he explains that *Dharmasastras* or Hindu codes of Law helped to set create the scene to codify the customary laws unique to various races in the Southeast Asian countries where Theravada Buddhism have been in introduced as in Myanmar, stating that

"In Myanmar, before the compilation of the *Dhammasattan*, the *Dhammasastras* were brought from India to the territory of Mon kingdoms, who were earlies settlers in Myanmar. Hence, it is probable that the Mon writers had composed Pali *Dhammasattam* for Myanmar kings equivalent to the Sanskrit *Dhammasastra* during the Bagan period after king Anawyahta was converted to Pali Buddhism in the later part of 11<sup>th</sup> century. This original law book was often copied, revised and also translated into vernacular languages in the succeeding dynasties of Myanmar until the later half of the nineteenth century."

In his earlier study on Myanmar judicial system in his article "A Comparative Study on Two Different version of the *Manugye Dhammathat*: A leading Law Book in Eighteenth Century, Myanmar already has he stated that, several *Dhamathats* which were recopied, modified, translated into the vernacular from Pali during the reign of King Budon, and the 1782 version of *Manuge Dhamathats* consists of sixteen chapters, while that of Alaungphaya's time (1760) is fourteen chapters. He reminded that the new chapters were added to the former one and these chapters include essential

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<sup>1</sup> Okudaira, Ryuji. (2003), How Judges Used *Dhammathats* (Law books) in their Courts in 18<sup>th</sup> -19<sup>th</sup> Century Myanmar Burma with Special Reference to *Yezajo Hkondaw Hyathton* (Journal of Asian and African Studies, No.66, pp.319-329.

factors on kingship organization of state or the relationship between kingship and sangha (the monastic order) and 30 other new customary rules. In his viewpoint, the Myanmar kings were respectful to the *Dhammathats*, and ordered the Judges to study them, because these were permanent law, while promulgations (orders) of former kings were impermanent and these *Dhammathats* are a leading guide for society: 'a principle' in guidance, while prevailing customary rule were substantially 'a reality'. He explains that the existing *Dhammathats* of Myanmar, its ideas and characteristics were strange or seeming to have been unheard of to the Europeans at that time of their contacts to Myanmar, and the result were their misinterpretations.

If main law source of Myanmar Judicial system is *Dhammathat*, *Yazathat* is its component. It is another major source of Law. *Yazathat* is both "the science or the Art of King" and "the judicial decisions of the kings". According to Dr. Emil Forchhammer in his study in 1885, there were twenty-four works for *Yazathat*, seventeen of them are regarded to have been compiled before the eighteenth century.<sup>1</sup> According to Okudaira (2003)<sup>2</sup>, some are purely literary work at the sometime, some are contribution to the interpretation of Myanmar law. Such as the *mahayazathat* compiled by KaigzaManu Yaza, (ကိုင်းစားမန်ရာဇာ) a minister to king Thalun (1629-48) is considered to be accepted as the most important type of the *yazathat*.

In its natural sense, although *the Mahayazathat* is itself a compilation of learned discourses presented to the king by scholars or ministers, and this type is known as "*Shaukhton*" literally, *Shaukhton* means presentation (shauk)+means of Judgement according to *the Dhammathats* (hton). Here *Hpyathton* came in: means of judgements or decisions made by judges of the courts according to *the Dhammathats* under the authority of the king.

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<sup>1</sup> Forchhammer, Emils. (1885). *The Jadine Prize: An Essay*, Yangon, the Government Press. pp.76-77.

<sup>2</sup> Okudaira, Ryuji. (2000). A Comparative study on Two different versions of the *Manugye Dhammathat*, A Leading Law Book in Eighteenth Century Burma (Myanmar), *Journal of Asian and African Studies*, No. 59, pp. 179-195.

To establish a peaceful country, kings issued various decrees or the royal orders, which often were the *yarzathat* themselves in order to maintain law and order.

The *Hpyathtons* played an important role in the history of Myanmar legal literature because they, in the course of time, made much contribution to the whole legal system as codes or references in courts, where judges followed the previous decisions as their guidelines.

According to For chammer, *Hpyathtons* were categorized into three groups.

- (i) anecdotes or decision attributed to mythical personages who appear as the wise and learned,
- (ii) decisions related to religious duty and conduct and
- (iii) judicial decisions of kings or courts in actual cases.

### **III. Levels of Judiciary: Judicial Courts and their Function**

Different levels of courts were established both at the royal capital and the provinces including rural areas in the early to kongbaung period for hearing legal cases to administer justice in dispute as fast and exact as possible. They are, according to Ba Thaug, the *Hluttaw*, the *Ashey yone*, the *Anaukyone* and *Taya Yone*. Just as well there were courts of *Khayaing-wuns*, *Myo-muns* and *Thugyis*.

#### **The Hluttaw**

In its sense, the Hluttaw was the highest organ of the state or country which could exercise a check on royal authorities, including the king, but it rarely did so because the main authority was *Wungyis* who were appointed by the king himself and they served at his pleasure. The *Hluttaw*, actually function matters concerning the administration of justice and provincial governors to follow its instructions. The kings had to hear some cases at the Hluttaw; if they were not present, the crown prince had to be at the Hluttaw, the king's younger brother or the elder sons had to attend there to decide matters concerning state affairs and to judge serious criminal cases. The

*wungyis* could pass judgements at the *Huttaw* only if none of them were present. Only civil cases that could not be settled by the Tayayone were to be filed to the *Hluttaw*, stated U Tin in his *Myanmar Min Oakchoatponsadon Hnint Bodacophaya Ei Yazathatkhawthaw Ameindaw Tam Gyi*.<sup>1</sup> In the monarchical kinship, the *Hluttaw* was the highest court of appeal as well as supreme court for law and order apart from the king and his wishes, and it had ultimate, apart also from religious affairs, civil jurisdiction.

### **The Asheyyone**

The Asheyyone (Eastern Court) was so-named because it was situated at the Eastern Gate of the Royal city. It functioned as the capital's criminal court, dealing with cases of theft, treason, prostitution, false weight and measures, the production of alcohol, slaughter of animals, rape, dacoity, sedition, etc., occurring within the *Shegyothat* or Royal City Area. Thus it was known as *yazawut-yone* (criminal court) in Myanmar language. It was open in two sessions: morning and evening.

### **The Anauk Yone**

The *Anaukyone* (Western Court) was so-named because it was situated at the Western Gate of the Royal City. The literal meaning of the *Anauk* is the back part or the western part of the Palace where ladies of the Royal Palace dwelt. It administered the affairs of the ladies of the Palace queens, princesses, ladies-in waiting, and wives of royal of officials. It can be regarded as Ladies' Court in the Myanmar monarchical period.

### **The Taya Youne**

*The Taya yone* (Civil Court) was so-named because it prevailed justice over affairs, and it was the civil court of appeals for cases from all over the country. The *Taya yone* possessed appellate jurisdiction over *Myowun's* courts, both parties involving in the cases before it to hearing. The *Tayayone* especially had jurisdiction over *kyunhmu* (disputes over the ownership of slaves), verbal abuse, land disputes, loan defaults and assaults, inheritance

<sup>1</sup> ဦးတင်၊ (၁၉၇၆)၊ မြန်မာမင်းအုပ်ချုပ်ပုံစာတမ်းနှင့်ဘိုးတော်ဘုရား၏ ရာဇသတ်ခေါ်သောအမိန့်တော်တမ်းကြီး (စတုတ္ထပိုဒ်)၊ ရန်ကုန်၊ အစိုးရပုံနှိပ်ဌာန။

cases, *ein-hmu* (legal cases involving a family), etc. Those cases were registered in the *Taya Yone* to be heard of at the *Hluttaw*, stated by Dr. Toe Hla in his "*Alaungmintayagyi Kongbaung Shwepyi*".<sup>1</sup>

**Courts of *Khayaing-wuns, Myo-wuns* and *Thugyis***

Outside the capital city where the Royal palace existed on the frontier areas of the *Shwegyothat* (royal city land), *wuns* and *thugyis*, who administered their areas according to geographical and their authoritativeness, had responsibility for affairs within their scopes.

The basic entity for administration is *ywar* (village), then the larger comes *myo* (town), then *khayaing* (district) thus village headmen were called *thugyis* (headmen), *myo-wuns* or (town-administer) for town, and *khayaing-wuns* (district- administrators) who had some authority as judges over affairs in authoritariship step-by-step. "Petty cases are to be yours; serious are ours-or, big into small, small to be vanished is the core of the traditional legal mechanism of the Myanmar legal system interpreted as "to reduce the major cases to minor ones and by admonishment make the minor disappear to avoidcausing hardship to the citizens" by frank N. Turager and William J Koenig, in their "*Burmese sit-tan 1784-1826: Record of Rural life and Administration*"<sup>2</sup> is the true reason for the establishments of courts towards the rural areas.

**The *Byedaik***

It is noted that *Byedaik* is inclusive in this mechanism the *Byedaik* was not a court of law, but a privy council organized around the four junior councillors, in its origin, or the bachelor quarters for members of the king's retinue, in its sense. There, *Hluttaw* officials, officials of the judristic courts, including officials of the *Ashey Yone AnankYone, Taya Yone* and military officers gathered before entering the audience room, or the royal cort or the *Hluttaw*.

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<sup>1</sup> တိုးလှ၊ ဒေါက်တာ။ (၂၀၀၂)။အလောင်းမင်းတရားကြီး၏ ကုန်းဘောင်ရွှေပြည်၊ ရန်ကုန်၊ စာပေလောက စာအုပ်တိုက်၊ ၂၀၀၂။

<sup>2</sup> Tragen, F. N, and Koenig, W.J. (1979).Burmese Sit-tans 1784-1826, Records of Rural Life and Administration, Tucson, University of Arizona Press, p.375.

Minhla Nawrahta titled *atwinwun* of the *Byedaik* on 12 April 1807 made his decision over a serious case between a dispute of then the present king and landowner, while the king had engaged with the latter; he had the authority to settle the dispute as the *Byedaik-atwinwun*. Minhla Nawrahta has been their in charge of the case; he was well known as U Paw Oo, the consillor of the king.<sup>1</sup>

#### IV. Court members and their Responsibilities

##### 1. The officials of the *Hluttaw* and their Responsibilities

The functioning of the *Hluttaw* was performed by its officials. Because the *Hluttaws* was the Supreme Court of the country, its functioning was done by the highly officials including the consultants of the kings as *Wungyi*. Here is a list of *Hluttaw's* officials and their responsibilities, functioning the *Hluttaw*.

1. Four *Wungyis*: they served as regular ministers at the *Hlutta* was well as they served as king's main consultants over affairs of the country in the administration.
2. Four *Wundauks*: they were deputy *wuns*, assisting the *Wungyis*.
3. *MyinzuWungyi*: the minister whose responsibility was in charge of cavalry units in nature; however his cavalry units played one of the important role of military strength of the army of the king, affairs in his units were as important to be heard at the *Hluttaw*, which made him to be present there.
4. Two *Myinsayaegyis*: they were clerks of the cavalry units.
5. *Athinwun*: the minister whose responsibility was in charge of other service units.
6. *Amats*: they served in high-ranking positions in royal courts.
7. *Myedaingamat*: the amat or high-ranking official for land survey.

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<sup>1</sup> Phyto Phyto Thet, Legal System In Early Konbaung Period, (1752-1824), Thesis submitted to Yangon University for the degree of MRes, in History, 2006.

8. Four *Nargandaws*: they were receives of orders of the king and issuing them at the *Hluttaws* when in time of the king's absent there.
9. *NargandawByawtgyihmu*: the official who served as *Nargandaw* as well as the one in charge of servants of the Royal Guards.
10. *Twosayaedawgyis*: they were headclarks of the *Hluttaw* who had responsibilities to implement the swmmons of *Wunggyis* and *Wundauks*.
11. Four *Ameindawyaes*: they were recorders of the instructions of the *Hluttaw*.
12. Four *Athonsayaes*: they were general clerks of the *Hluttaw*.
13. Four *Awayyauks*: they were officers in dealing with strangers at froniers of the country.
14. Four *Myanmar Thangans*: they were Myanmar interpreters.
15. Three *Shan Thangans*: they were Shaniterpreters.
16. Two *Yun Thangans*: they were Yun interpreters (where yun is nowadays Laos' regions).
17. Two *Kathesabyans*: they were translators of *Khasi* (of nowadays north-western regions of Myanmar)
18. *Thitsadawyaes*: they were writers of oaths.
19. *Hlutsaunthwethaukgyi*: he was the chief of the *Hluttaw's* guard
20. *Letnettaik-wun*: he was the minister of the armaury.
21. Two *Letnettaiks*: they were controllers of the armoury.
22. *Kathaungmyaungtaikso*: he was the chief guard of the country's treasury.
23. *Kathaungmyaungtaiksaya*: he was the chief clerk of the chief guard of the country's treasury.

These were the *Hluttaw's* members who had been appointed by the king, and the numbers varied with the wishes of the king as stated in U Tin.

## **2. The officials of the *Ashaeyone* and their Responsibilities**

The *Ashaeyon* was the criminal court in *Kaungboun* administration. Here is the list of the officials of the *Ashaeyon* and their responsibilities.

1. Four *Myowuns*: they were district administrators, at the same times, judges for criminal cases within their administration. (Also, they served as mayors in their municipalities, safeguarding the danger of fire and maintaining transportation)
2. Four *Myosayaes*: they were city clerks.
3. Four *Htaunghmus*: they were prison directors.
4. Four *Htaungsachis*: they were prison secretaries.
5. Four *Shwepysisos*: they were respectable personnels.
6. *Myogyidagabo*: he was the chief of gate wardens.
7. Twelve *Shwemyodawdagabos*: they were the King's royal city's gate wardens.

It was because the Palace along with its city was built and bordered in a square form, there were four fronts from the palace where *Myowuns* were responsible to administer their respective duties along with his members in criminal cases. The result was that in the Criminal Court or the *Asheyone*, they must be present at every session.

### **3. The Officials of the *Anaukyone* and their Responsibilities**

The *Anaukyone* was unexceptionally concerned with the affairs of palace ladies; civil and criminal cases dealt with them. Here is the list of officials of the *Anauk Yone* and their responsibilities:

- (1) Four *Anaukwuns*: they were responsible to deal with the affairs, including civil or criminal cases concerning the palace ladies.
- (2) Four *Anaukwunsayaes*: they were secretaries to the *Anaukwuns*.
- (3) Four *Gadaw-sayaes*: they served as secretaries of wives of the kings princes, and others who resided in the royal area.
- (4) Four *Anaukyone-sayaedaws*: they were secretaries of that court.

Although the *Anaukyone* seemed to be less important in jurisdiction, the affairs of palace ladies played a pivotal role in Myanmar administration through out its history.

#### 4. The Officials of the *Tayayone* and their Responsibilities

The *Tayayone* was the civil court in its nature, dealing with civil cases that possessed appealed jurisdiction over *Myanmar's* courts. All civil cases had to be failed into it to be heard of. Here is the list of officials of the *Tayayone* and their responsibilities.

- (1) Four *Tayathugyis*: they were served as the chief judge of the *Tayayone* in civilcases.
- (2) Four *Tayanagans*: they had to record the details of each cases within the *Tayayone*.
- (3) Four *Tayasayaes*: they were clerks of the *Tayayone*.
- (4) Four *Ameindawyas*: they were assessors at the *Tayatone*.
- (5) *Kunbodein*: he was the collector of court fees from the last party at the *Tayayone*.

While the above mentioned three court: The *Hluttaw*, the *Asyaeyone* and *Anaukyone*, functioning affairs of national and royal concerned, the *Tayayone* functioned its affairs as today's domestic affairs, administering laws and orders within the country. Moreover, judges were dealing with various affairs in accordance with *Dhamathat* and *Yazathats* to deal with home affairs justly, and on the other hand; they were civilians, thus, positions for those judges were possible for those who could accesses to traditional source of laws: *Dhamathats* (Buddha's teaching); *Kyangans* (Pali Buddhist Scriptures), including all cannons of Buddhism; *Kyinthtone* of *Tayayone* (precedents; judistic proceedings); A meindaws (royal order) along with *Yazathats* (Judicial decisions by the king); *Lawkawut* (work about coutersy); and *Bedin* (six branches of knowledge) along with legal maxims, local customs, words of witnesses, ways of justification on evidence, etc... Thus they were recognized as suitable for the *Tayayone* as Judges to the whole home affairs.

## **Conclusion**

It was found that *Dhammathats* were identified by Myanmar ancient scholars and *Yazathats* and royal orders were issued by Myanmar King. Traditionally it is regarded that there were four courts namely Hluttaw, *Asheyyone*, *Anaukyone* and *Tayayone* in *Konbaung* period, especially in its early period. In this study, however, it is found that courts of *khayain-wun*, *Myo-wuns* and *Thugyis* in their village courts performed the judicial affairs all over the provinces of the rural areas of Myanmar. And, this study shows the officials of the courts and their duties and responsibilities in the legal system of early *konbaung* period of Myanmar, and justice was administered in these courts in conformity with the Myanmar, principle;" to mitigate major cases and to dissolve into minor ones as the core principle of Myanmar judistration.

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# **A STUDY OF THE ETHICAL PRACTICES IN JOURNALISM FROM THE PERSPECTIVE OF THE BUDDHA’S TEACHINGS\***

Wah Wah Nwe Oo<sup>1</sup>

## **Abstract**

The main objective of this paper is to point out that it is possible to apply the ethical norms of Myanmar culture in providing ethical guidelines for the development of journalism in Myanmar. In undertaking this study some Western ethical views concerning journalism will also be taken into account. With the development of the freedom of press in Myanmar, journalism has encountered many challenges. The research question of this paper is to provide evidence that; the ethical norms of Myanmar Buddhist culture should be taken into consideration in developing journalism ethics in Myanmar.<sup>2</sup> The tentative solution would consist of clarifying what the principal ethical norms of Myanmar Buddhist culture are and the way in which they can be applied to ethical journalism.<sup>3</sup> In this paper, the descriptive and evaluative methods<sup>4</sup> and the principle of deduction will be used.<sup>5</sup> The contribution of this paper is to promote understanding that Myanmar has a rich ethical heritage that can be applied to many affairs of human life including, the development of a “journalism” that has integrity.<sup>6</sup>

**Keywords:** journalism ethics, ethical norms, ethical practices, ethical foundations, Myanmar Buddhist Culture.

## **Introduction**

The main objective of this paper is to point out that it is possible to apply the ethical norms of Myanmar culture in providing ethical guidelines for the development of journalism that meets the standards of impartiality and truth in Myanmar. In undertaking this study some Western ethical views

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<sup>2</sup> Research Problem

<sup>3</sup> Tentative Solution

<sup>4</sup> Research Method

<sup>5</sup> Research Principle

<sup>6</sup> Contribution

\* Best Paper Award Winning Paper in Philosophy,(2018)

concerning standards of journalism will also be taken into account. With the development of freedom of the press in Myanmar, journalism has encountered many challenges. So, it is appropriate at this point to consider whether the ethical norms of Myanmar culture can be applied in developing the ethical foundations for Myanmar journalism. It can be seen that these norms are in compliance with the ethical views of international journalism. This paper will find an answer to the question why the ethical norms of Myanmar Buddhist Culture should be taken into consideration in developing journalism ethics in Myanmar?

All journalists face different experiences in their everyday environment. Their function is to distinguish, compare, measure and categorize their experiences. Journalism ethics depends on the professional values of the journalists, which are influenced by their working conditions.

Journalism Ethics is a field of applied ethics while applied ethics is the application of general ethical theories to moral problems with the objective of solving the problems. Journalism Ethics is the study of moral principles and judgments, and of good practices as applied to journalists. This subject is concerned with the professional obligations of journalists which are usually spelled out in codes of conduct of all journalists. The aim of this subject is to promote and contribute to the public good which is largely considered a mission for good journalists.

The study of journalism ethics involves many aspects: professional norms, good moral values and respect for laws. Moreover, it involves the moral principles, reflected in rules, written or unwritten, which stipulate how journalists should work to avoid harming or distressing others, while gathering information; while deciding what to publish; while responding to complaints about their work. Though rules may be collated into written, ethical codes each journalist institution or newsroom may have its own distinct ethical culture in unwritten traditions.

The debates on issues of journalism ethics have spread around the world though they have not yet been universally approved because of lack of common agreements in today's diverse world. Journalism ethics is very controversial and critical, since it is related to different times, regions and actions in the world of political, social and cultural diversities. Journalism

ethics has to be more or less adjusted with respective cultures and societies of countries in every part of the world. It can therefore be said to be relative.

Since the beginning of the Myanmar press industry, many changes were encountered in the changing political landscape in Myanmar. In the period of authoritarian rule some newspapers and periodicals were shut down if they did not toe the official line. Moreover, some journalists abandoned the profession out of despair and some of them moved to other countries. The censorship was predominant in Myanmar for two decades. As a result, Myanmar became one of the ten countries with the lowest level of press freedom in the world. As there was no press freedom, Myanmar had to face the strongest criticism from the international community during these decades. Because of the lack of professional training centers for journalists and the fact that they were not fully protected by law, Myanmar journalists faced many problems, difficulties and controversies, especially in ethical issues. The Myanmar press had to be careful in reporting news on cultural, religious and ethnic affairs.

The ethical practices of journalism in Myanmar society will be discussed. Journalism is a relatively new profession in Myanmar since it first made The Mandalay Gazette Newspaper, made its first appearance in the reign of King Mindon (AD 1874). Journalism further developed under British Colonial Rule but there was not much controversy until the Myanmar People began their demands for liberation from British Rule. Myanmar journalism from that period came of age and publication of newspapers, journals and magazines flourished. Thus journalism in Myanmar became a full- fledged profession that likes other professions needed to abide by certain moral codes of conduct.

There is a rich ethical heritage in Myanmar Buddhist culture, which serves as guidelines for daily life and this can be found in the ethical norms that can be applied to the ethics of journalism. Generally journalists are required to make sure that the news they have reported serves the interest of readers, the people and the country. Therefore, journalists are obliged to respect and obey not only the codes of ethics of journalism but also the traditional moral values and ethical norms of their country. This paper will

focuses on how the ethical norms in Myanmar Buddhist culture can strengthen the ethical foundations of journalism in Myanmar.

### **1. The Nature of Journalism and its relation to Ethics**

Journalists have two main functions: collecting news and reporting news. Concerning news gathering, journalists should examine the source and veracity of news, whether the news reports are true or fake. It is the duty of journalists to determine the truth or falsity of the news before reporting it to the public. In reporting news, journalists have to find out the truth and report it in accordance with their codes of conduct without bias. This paper will focus on the second function of the journalists, the reporting of news.

Journalism ethics is applied ethics in which formal and informal professional codes of conduct that govern the practice of journalism. According to the Oxford Advanced Learner's Dictionary, the word 'Journalism' means the activity or profession of writing for newspapers or magazines or for broadcasting news on radio or television. Furthermore, in the Encyclopedia Britannica Dictionary, the word 'Journalism' is defined as the occupation of reporting, writing, editing, photographing, or broadcasting news or of conducting any news organization as a business.

Thus, a person who takes up the occupation or profession of journalism is called a journalist. Reporters, editors, reviewers, photographers, freelancers, designers, broadcast producers, and researchers are all involved in the field of journalism. Unlike other professions, journalism has no restriction on the qualification of people who enter the field. In this sense, journalists do not fit in the traditional definition of a profession. Nevertheless, the responsibility of the journalist is similar to members of other professions and they do have to adhere to certain professional practices. Journalists should be well aware of their basic moral and principles, their responsibilities and rights, their relationship to employer and audience, their ultimate goals. Thus, they should adopt self-criticism and the self-questioning approach.

The gathering, processing, and dissemination of news and information to the people is a profession with its own ethics. This word applies to both the method of inquiring for news and the literary style which is used to

disseminate it. Richard Rudin, a senior lecturer at Liverpool John Moores University, defines journalists as follow,

“an important watchdog: journalists are the eyes and ears of the public and help ensure that people, particularly those in public life, are acting properly and honestly”<sup>1</sup>

Journalism is very important for people and society; their function is to act as watchdog. This is especially the case in countries such as Myanmar, which are in the process of democratic transition and struggling for justice prosperity. Rudin also mentions that;

“Journalism involves the sifting and editing of information, comments and events into a form that is recognizably different from the pure form in which they first occurred. Journalism is about putting events, ideas, information and controversies into context. It is about selection and presentation. Above all, perhaps, it is about the assessment of the validity, truthfulness or representativeness of actions or comments.”<sup>2</sup>

Journalism ethics is applied ethics because this subject is a dynamic, evolving field of knowledge for applying, balancing, and modifying principles in light of new facts, new technology, new social attitudes and changing economic and political conditions. It can be said that journalists use their skills to fulfill a social role and to meet public expectations. This role is sometimes understood as arising from a social contract between these in the journalist profession and society.

In the West, journalists are granted a constitutionally protected freedom to promote social goods, such as a diversity of views and a comprehensive analysis of events. However, journalists in the East believe that they should help poorly educated audiences to better understand complex development processes and restrain themselves from reporting sensational news concerning socio-economic and political processes of the country. Therefore, it can be said that the East and the West define journalism differently and have therefore developed different codes of ethics in journalism.

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<sup>1</sup> Richard Rudin and Trevor Ibbotson (2002) *An Introduction Journalism: Essential Techniques and Knowledge*, Focal Press, Oxford, p- 7-8

<sup>2</sup> *Ibid*, p- 6

## **2. Ethical Practices in Journalism**

As stated earlier, Journalism ethics is a field of ‘applied professional ethics’. It is the application and evaluation of the principles and norms that guide journalism practice, with special attention to the most important problems in the field. Journalism ethics involve the moral principles and good practice as applicable to the specific challenges faced by journalists.

According to Andrew Belsey, a lecturer at University of Wales College, ethics for a journalist is not just a matter of codes of conduct, not just a matter of rules to be followed. It is more to do with principles concerning the rights and wrongs of human conduct, principles which have some reasoned theoretical basis and which therefore apply objectively and impartially. A code of conduct for the journalists would exhibit specific virtues such as fairness, truth, trustworthiness and non-malevolence. Journalism ethics depends on one’s conception of the public functions of journalism as a professional practice, and the principles and standards that promote those aims.

A code of conduct for journalists may compose clauses of a kind which are relevant to many professions. This is obviously true of those which exhort members of the profession to refrain from acting in a manner which would bring the profession into disrepute, but it is also true of some other types of clause. For example, codes for journalists and for lawyers which demand that members of the profession should act in their private lives in ways which do not produce conflicts of interest with their professional duties.

It can be said that most journalism associations in every country were found to have regulated ethical codes which are based on the moral rules of their respective cultures. In the West, the ethical codes of journalism are focused on human rights and liberalism and these are based on respect for truth, fairness, protecting people’s right to privacy and to guard citizen’s right to freedom of expression. Then, these codes were adopted gradually and in the process provoked a range of responses from journalists. Some observers regard them as a means of professional education, as instruments of consciousness-raising and as deliberate attempts by journalists to regulate the media and ward off legislation restricting their activities.

From the Eastern point of view, the practices of journalism are based on truth-telling through the practice of self-censorship. Moreover, the context of journalism ethics and the practice of human rights in Asian countries are closely related to their social and political situations. Most Asian countries adopted the strictest regulations of their social and cultural institutions for a long time. They struggled for human rights and individual freedom. So, the ethical codes of journalism in the East are based on truth-telling and independence which are professional imperatives. This will be examined across the national press system. According to Rudin, journalists and others involved in the media also need to understand that codes of practice issued by the various regulatory bodies often have a quasi-legal basis or full legal status. Both the 'law of the land' and these regulations need to be taken together to understand the requirements and restrictions on the journalist.

The journalist works according to many different rights and responsibilities and a variety of restrictions. Therefore, Jeff Hodson and Graham Watts, well known journalists trainer of Southeast Asia, remind journalists of the more general legal principles and pitfalls that all face. They are the law of the land, civil defamation, slander and libel, criminal defamation, *lese-majeste*, contempt of court, copyrights and plagiarism. Peter Eng and Jeff Hodson also suggest that all news organizations should write a code of ethic for their reporters and editors to follow. It should specify what kinds of behavior are expected of all journalists and what kinds of behavior are not acceptable. It should specify how those who violate the rules will be punished.

Additionally, Neville Petersen mentions that tensions generated by the clash between the norms of the Western and Asian media systems 'brought about a codification, explanation and defense of values believed to be appropriate and in some cases, unique to countries of the region.' Many Asian theorists refused what they described as 'the creeping insulation of Western liberal individualism,' stressing instead the consensual and holistic character of society.

Some journalists argue that these codes inherently restrict press freedom by encouraging certain patterns of behavior and condemning others, while some suggest the press is more effectively regulated by the market,

anyway. However, some claim the code's flexibility is its strength. Ethical codes are meant to change from time to time. They need to be flexible documents especially in an industry like journalism. So, some journalists claim ethical codes are there simply to be broken.

Some principles of code were restricted by the professional journalism. Thus, journalists worldwide have agreed to emphasize a broad range of issues: accuracy and fairness, taste and decency, privacy, the reporting of crime, political coverage and commercial relationships. Besides, they also incorporate a specific code on impartiality and accuracy and take account of the legal and statutory requirements on broadcasters, such as laws on defamation, national security, copyright rules on advertising and sponsorship.

It can be said that adherence of reporters to approve the code is not a sufficient condition for ethical journalism. Codes may be ignored by editorial boards, which decide what should be published. In addition to a code, ethical decision-making requires the adherence of codes in daily editorial meetings, specific guidelines for recurring problems, methods to check on whether values are being adhered to. It is also necessary to engage in a continuing dialogue with the public on whether the newsroom is adhering to these values. If codes are not incorporated into the decision-making process, they will exist as irrelevant, abstract entities. But that is not the fault of codes. It is the fault of the journalists who ignore codes, or it is the fault of an incomplete decision-making process in the newsroom.

According to Weaver, national cultures also influence journalism ethics. Thus, he said that the ethics of journalism and codes of conduct vary from region to region, and are different in every part of the world. The contents of Western standard journalism ethics and codes cannot all be applied in some Asian countries. So they create their own references with their own social and cultural approaches. Alan Chalkley, an Asian researcher, said that Asian journalism is development journalism. The concept of development journalism was rapidly popularized not just throughout much of Asia but in developing countries worldwide. Development journalism meant can be found not just in countries with differing democratic traditions and also among politicians, media theorists and journalists within these countries. According to him, a journalist is one who envisages that journalism can help

support the process of development in countries with low education levels, poor infrastructural development and struggling economies. So, many Asian journalists are encouraged to report the true stories that shared details of attempts to bolster social stability, build harmony between diverse groups, and strengthen the economy and other initiatives aimed at improving communities.

Journalists who believed in the watchdog approach often attacked the government-partnership philosophy of development journalism as ‘government say-so’ journalism. They claimed that the ‘Asian-values’ concepts had been taken over by governments that exaggerated the importance of the traditions of respect for leaders, harmony and consensus in order to deny basic rights and to pass themselves off as the repositories of such values. So, there arise questions whether professional journalistic values will be able to overcome international and cultural boundaries as core values so unique to culture will be against global professional ethics in journalism.

Professor Tom Brislin mentions that;

“Journalistic ethics, values and practices in these powerful political and economic capitals of Asia constitute a worthwhile critical review and study as much of foreign correspondence from these major sites is reporting on what the local press is reporting on”<sup>1</sup>

In the Asian region, the values and practices of journalism ethics are based on their political and cultural systems. In some Asian countries, the system effectively strips competitiveness from journalistic practice, reducing both independence of the journalists and the level of truthful disclosure in their reports. Most Asian journalists would refine their reporting and writing skills so that they could help poorly educated audiences to better understand complex development process is. The aim was to encourage journalists to shun sensationalist news.

Although the East and the West have differences in some fundamental practices of journalism ethics, truth, accuracy, impartiality, fairness, justice, independence, accountability and responsibility all play a critical role in journalism.

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<sup>1</sup> Tom Brislin “*An Update on Journalism Ethics in Asia: Values and Practices as Context for Meaning in Japan, China and Korea*” <http://www2.hawaii.edu/~tbrislin/>

The above discussion shows that there are some fundamental differences in the application and approaches of ethics to professional journalism, of the East and West and that points of emphasis also differ in some important aspects. However there are other important ethical norms and values that are common to both and play a critical role not only in journalism but in all areas of human conduct.

The aim of this paper is to highlight how the basic principles of *Theravāda* Buddhist ethics can be a moral guideline for journalism ethics in practice that the values and norms of journalism, such as accuracy, truth, accountability, responsibility and so forth have been a part of the ethical teachings of the Buddha over 2500 years ago. That these ‘ethical teaching’ of *Theravāda* Buddhism provide a sound foundation in establishing an ethical code of conduct for professional journalism in Myanmar.

### 3. The Ethical Principles in the Teachings of the Buddha

As Myanmar culture is derived from *Theravāda* Buddhism, the way of life and way of thinking of the Myanmar people cannot be separated from *Theravāda* Buddhist culture. The teachings of the Buddha have been a moral guide to life and include many values that can be regarded as moral values, some of which can be applied to journalism.

It is found that Myanmar journalists have respected the ethical practices of journalism as well as moral values of Myanmar culture during the successive periods. However, they had to overcome decades of restrictions on press freedom in their efforts for reporting the truth, and there were many journalists who made great effort to be able to report the truth in spite of these obstacles. Former editor-in-charge Zawana (U Thein) of the Mirror Newspaper (1962) once said,

“truth and accuracy is important for news as news stories will become historical records in the future.”<sup>1</sup>

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<sup>1</sup> မောင်ဆုရှင် (၁၉၇၄) *စာနယ်ဇင်းယူသည်*၊ ရန်ကုန်မြို့၊ စာပေလောက စာအုပ်တိုက်။ pm- 140

Another seasoned journalist Ludu Sein Win (U Sein Win) said,

“The job of journalists is to write when an incident that is worthy of news happens. Journalists should report news as it happens without any manipulation. They must report what happens, how and why with truth and accuracy.”<sup>1</sup>

This paper emphasizes two ethical norms of the Buddha, which are in conformity with journalism ethics. In *Pahtama Agati Sutta*, Buddha teaches the four kinds of corruption (*Agati*) which are partiality due to desire (*Chandāgati*), bias on account of hatred (*Dosāgati*), bias due to fear (*Bhayāgati*) and bias due to ignorance (*Mohāgati*).<sup>2</sup> *Chandāgati* includes committing morally inappropriate acts due to some relationship, or to obtain undone favour with bribes. *Dosāgati* means veering from morally correct principles due to hatred, hostility and prejudice. *Bhayāgati* means wrong doings by going against the truth directly or indirectly through intimidation or coercion through fear or violence. *Mohāgati* means failure to do what is right or not fulfilling responsibilities due to ignorance of what is right or wrong, beneficial or not beneficial or what is morally good or morally bad.

Furthermore, the Buddha classified six types of spoken words. In the *Mijjima Pannāsa, Abhaya Rājakumāra Sutta*, these that are (1) Untrue, unbeneficial and unpleasant for addressees, (2) Untrue, unbeneficial but pleasant to addressees, (3) True but unbeneficial and unpleasant to addressees, (4) True and unbeneficial but pleasant to addressees, (5) True, beneficial and pleasant to addressees and (6) True and beneficial but unpleasant to addressees. The Buddha taught that among them only two categories such as those that are true, acceptable and beneficial and those that are beneficial and true but not agreeable should be used.<sup>3</sup>

#### 4. The Buddha's Teachings Applied to Ethical Practices in Journalism

<sup>1</sup> vlxkpdf0if; (2010) vlxk&eHpmpkrsm;? jreffrmowif;or\*¾ pm- 120

<sup>2</sup> t\*FkwÅ&edum,f? pwkuúedygwf? p&0\*f? yXrt\*wdokwf (2011) omoema&;OD;pD;Xme? omoema&;OefBuD;Xme? urÇmat;pmyHkESdyfwkduf? pm-325 (q | rl)

<sup>3</sup> rZsödryPÖmoygVdawmf? tb,&mZukrm&okwf? (2011) omoema&;OD;pD;Xme? omoema&;OefBuD;Xme? urÇmat;pmyHkESdyfwkduf? pm 57-58 (q | rl)

According to D. H. Weaver, national cultures also have a certain influence on journalism ethics. Likewise, veteran Myanmar journalist Lu Du Sein Win, in one of his opinion pieces, remarked during journalism training courses conducted for Myanmar journalists by Western trainers that in some cases the kind of journalism learnt from foreigners may not be applied practically in Myanmar and that the Myanmar people will have to tackle their own problems in their own way. Myanmar journalists should not rely on others, he said. He was implying that the same values or approaches cannot be applied to solving problems in cultures that differ. In the other words, he implied that multicultural factors must be considered in journalism ethics.

U Sein Win however was not advocating purely subjective standards in reporting factual information. In fact objectivity and reporting the truth has been an important criterion from the time the first newspaper was published in Myanmar, by the second last king, King Mindon of the Myanmar monarchy.

Newspaper ‘The Mandalay Gazette’ was published in 1874 by the King Mindon, who issued a historic statement on press freedom that was regarded as the highest standard of its kind in Southeast Asia at that time. The statement says,

“The newspaper shall convey news reports about anyone who was not morally right regardless of their positions including the king, his queens, princes, princesses and mayors, and no blame shall be put on the newspaper. Any staff of the newspaper shall be allowed to visit the palace without any interference.”<sup>1</sup>

The statement illustrated that complete press freedom was given to the newspaper at the time. Furthermore, King Mindon also enacted an 11-point law that can be regarded as the first law concerning journalism in Myanmar. The law stipulated that the newspaper was published for the intellectual development of princes, merchants and common citizens in the capital city through immediate access to the latest political, economic and social developments in the international community, and for the dissemination of news in the capital city to Western countries in order to promote the image of the country and reputation of the king in the West. Another objective of the

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<sup>1</sup> armifqk&Sif (1974) *pme,tZif;/lonf?* pmayavmu pmtkyfwdkuf? &efukefNrdKU/ pm-29

newspaper was to prevent injustice in the country by exposing and denouncing those who committed them in Myanmar.

The first press law enacted by King Mindon can also be regarded as an ethical code of conduct for journalists. Moreover, the press industry had their own trends and policies and codes of ethics for their journalists. Those policies and codes of ethics were adopted based on reporting facts without bias by avoiding the four *Agati*, mentioned earlier *Chandāgati*, *Dosāgati*, *Bhayāgati* and *Mohāgati*, abuse of authority, covering news with humility, respect, endurance and politeness. Every newspaper adopted their own policies and they were reflected in editorials of the newspapers.

The table shows that avoiding the four *Agati* can be transformed as principles of journalism.

<b>Avoiding four <i>Agati</i></b>	<b>Principles of Journalism</b>
<i>Chandāgati</i>	Truth, Accuracy, Impartiality
<i>Dosāgati</i>	Fairness, Justice
<i>Bhayāgati</i>	Independence
<i>Mohāgati</i>	Accountability, Responsibility

So the Myanmar press industry, which dates back to the reign of King Mindon, did enjoy press freedom fully. Moreover, it is found that the Myanmar press industry was able to report the truth by avoiding the four *Agati*. As a result, Myanmar ranked third in Asian countries that enjoyed the highest level of press freedom. As the press industry reported the truth by avoiding the four *Agati*, it was able to enjoy the trust of the government, and the influence of the press was very powerful during this period.

This proves that the moral values of Myanmar culture can be applied as ethical foundations for Myanmar journalism. Basically, most Myanmar journalists have adopted impartiality, truth and accountability as their professional ethic. Furthermore complying, with the moral principle of refraining from the four *Agati*, is the basis of both social ethics as well as work ethics. Therefore, Myanmar journalists should refrain from the four

*Agati* such as doing something out of *Chandāgati*, *Dosāgati*, *Bhayāgati* and *Mohāgati*, and should report news with integrity.

The most important practice of journalism ethics is the respect for truth. So, the avoidance of the four *Agati* and the use of the two categories of words advocated by the Buddha meaning words that are true, beneficial and acceptable and those that are true, beneficial and disagreeable words amounts to respect for truth for they comply with the rules of truth, impartiality, fairness, independence, accountability and responsibility. The respect for truth is the first and foremost practice of international journalism ethics. So, Myanmar journalism ethics based on *Theravāda* Buddhist ethics does not deviate from basic journalist ethical principles.

### **Conclusion**

At present Myanmar is still undergoing its democratic transition and it is only a short period since the media industry started enjoying freedom of press in Myanmar. Moreover, Myanmar is also encountering various issues in different fields including culture, traditions, ethnic affairs and religion. Beside, decades of working without a specific law protecting journalists posed a challenge to the ethics of journalism. The Media Law was enacted in 2014 but journalists protested and complained of the restrictive provisions of the law.

As stated above shunning the four *Agati* and choosing to speak the two types of appropriate words that are true and beneficial irrespective of whether the addressee likes it or not are considered as the fundamental moral principles in social activities as well as at work places in Myanmar society. Respect for truth is the most important practice of journalism and it is related to the basic practice of shunning the four *Agati* and two types of appropriate words. This coincides with respect for truth which is an important prescription in the international journalists' code.

Nevertheless, journalists must have freedom in the search for truth and expression of the truth. Journalists must also be independent and unbiased in that they should not act, formally or informally, on behalf of special interests whether political, corporate or cultural. And they should declare to the

audience, any of their political affiliations, financial arrangements or other personal information that might constitute a conflict of interest. Freedom of speech, freedom of expression and the right to gather information are essential in their investigation for truth.

In considering the concept of sacrifice of personal freedom for the sake of society’s stability and prosperity, it is necessary to examine whether it affects freedom of expression. It is found that one of the important factors is the approach of moral philosophers who maintain that in exercising their right to freedom an individual or organization should not infringe on the freedom of other. So, it is important to ask whether a news story published with the norms of freedom of expression undermines the stability and prosperity of the country.

It can be said that journalists, who are responsible for their professionalism, are required to have a spirit of good will toward individuals, organizations and the country concerned before reporting news. Besides, they need to follow correct procedures in gathering news and interviewing people by avoiding the four *Agati* and in speaking true and beneficial words. Finally, journalists are required to make sure that the news they have reported serves the interest of the readers, the people and the country.

The table shows that the moral principles taught by the Buddha are applicable to the practice of journalism.

<b>Moral Principles of Teachings by Buddha</b>	<b>Practices of Journalism</b>
<p style="text-align: center;">Avoiding four <i>Agati</i></p> <p>Two types of true and beneficial words</p>	<p style="text-align: center;"><b><i>Respect for Truth and Freedom</i></b></p>

Therefore, it can be said that the respect for truth and freedom can be seen as the basic ethical concepts of Myanmar tradition. The teachings of the Buddha can be applied not only to spiritual affairs but also to ordinary daily affairs. It can be concluded that the teachings of the Buddha are able to promote understanding that Myanmar has a rich ethical heritage that can be

applied to many affairs of human life including, the development of journalism.

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ကြည်ညွှန်၊ချစ်ကြည်ရေး။၂၀၁၆။*သမိုင်းဝင်သူရှိယမြန်မာ့အလင်းနှင့်မြန်မာ့နိုင်ငံရေးတတိယအကြိမ်*၊ရန်ကုန်မြို့။  
စိတ်ကူးချိုချိုစာအုပ်တိုက်။

စိန်ဝင်းဦး၊ဂါးဒီးယန်း။ ၁၉၆၃။ *သတင်းစာပညာရန်ကုန်မြို့*၊ မြန်မာနိုင်ငံသတင်းစာဆရာအသင်း။

ဆုရှင်၊မောင်။၁၉၇၄။*စာနယ်ဇင်းဟူသည်ရန်ကုန်မြို့*၊ စာပေလောကစာအုပ်တိုက်။

ထင်ကြီး၊တက္ကသိုလ်။၁၉၉၂။*မြန်မာနိုင်ငံသတင်းစာများအညွှန်း(ပ+၃)*ရန်ကုန်မြို့၊စာပေဗိမာန်စာအုပ်တိုက်။

မဇ္ဈိမပဏ္ဍာသပါဠိတော်၊အဘယရာဇကုမာရသုတ်။၂၀၁၁။သာသနာရေးဦးစီးဌာန၊သာသနာရေးဝန်ကြီးဌာန၊  
ကမ္ဘာအေးစာပုံနှိပ်တိုက်၊ (ဆဋ္ဌမူ)

အများပြည်သူဝန်ဆောင်မှုသတင်းစာအုပ်ချုပ်ရေးအဖွဲ့။၂၀၁၂။*စာနယ်ဇင်းကျင့်ဝတ်*ရန်ကုန်မြို့။ပြန်ကြားရေးဝန်ကြီးဌာန

အင်္ဂုတ္တရနိကာယ်၊စတုတ္ထနိပါတ်၊စရဝဂ်၊ပဌမအဂတိသုတ်။၂၀၁၁။သာသနာရေးဦးစီးဌာန၊သာသနာရေးဝန်ကြီးဌာန၊  
ကမ္ဘာအေးစာပုံနှိပ်တိုက်၊ (ဆဋ္ဌမူ)

## **PRIMACY OF UNIVERSAL NORMS OVER PARTICULAR NORMS: CRITICAL CONSIDERATION ON NATIONAL SECURITY IN MYANMAR\***

Yin Myo Thu \*\*

### **Abstract**

International politics is changing by giving priority from sovereign state with national boundary to the global village without national boundaries. It is clearly seen that the international legal personality of the States seemed to minimize whereas the roles and norms of non-state actors become maximize in many aspects. The particular norms namely “sovereignty”, “state rights”, “national security” and “self-determination” which are important for a sovereign state, are now set at the back of the universal norms such as “humanitarian intervention”, “human dignity”, “human rights”, “collective security” and “preventive diplomacy”. Similarly, the precedence of taking legal actions on the states’ leaders against universal norms and conventions is at the alarming rate and many leaders who prioritized their national security started to quit from universal agreement. Myanmar, as a member of the family of nations, observes strictly universal norms as crucial for human beings. It is dilemma for Myanmar, especially in the case of Rakhine State when Myanmar government and its people prioritize state rights and citizen rights within the realm of national security and sovereignty. Humanitarian interventions as universal norms are negatively harmful impact on citizen rights or particular norms of Myanmar. The primacy of universal right over particular rights is difficult to prevent as the impact of globalization forced on all countries. When insistence on universal norms over particular norms is serious for Myanmar in every corner of its international relations, it is just like a creation of unsafe environment for Myanmar community at their back door. When Myanmar held its first democratically election in 2010 in line with universally accepted democratic norms, she was applauded by international community. It was not long for Myanmar when communal clashes broke out in the Rakhine State in 2012. Also right of self-determination and autonomy claimed by some ethnic nationalities, serious articulation on formulation on federal army by some ethnic armed groups (EAOs) are now a serious threat to national security and national interests. Although Union Peace Conference – 21<sup>st</sup> Century Panglong shad-lights the importance particular norms, peace, unity, equity and equality to reach to sustained peace agreement, some EAOs strongly opposed the integrity of state and importance of national security, the vital interests of a state, which is more

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concerned with wider scope of particular rights. The research question is to answer why Myanmar is important to consider its national security in the course of initiation of universal norms by international organizations in critical domestic national security concerns.

**Keywords:** universal norms, particular rights, national security, self-determination, human rights.

## **Introduction**

There are a numbers of turning points in international and domestic political arenas, particularly in the age of globalization. Once sovereign countries in international context are now challenged by many ideas of civil society, international norms and regulations. These irregularities from the point of sovereign nation can be observed in political, economic and socio-cultural context. Such conflicting nature can be seen in the forms of state actors versus non state actors, national security versus human security, human rights versus citizen rights, heavy foreign direct investment in natural resource extraction versus environmental conservation, all-inclusiveness versus federalism, self-determination versus national reconciliation, freedom versus personal integrity, and free trade versus national safe guard tariff measures.

Even though, the world is moving forward to more integration, more interdependent and more globalized trend, the clashes between two opposing stands or normative assumptions can be significantly seen in many international events such as “China Dream 2050” against “peaceful rise of China” by Chinese leaders, “America First Policy” by the President Donald Trump against “Liberal America” idea inherited by founding fathers of America, “Briexit” from the European Union against European integration concept by Britain in 2016, “Fighting the Force of Evil” by the Philippines President Rodrigo Duterte against Christian faith in mercy by the grace of God and Japan’s slap over US freeze beef export against World Trade Organization (WTO) regulations. These prominent examples show how to safe guard the one’s own national interests amid of international norms.

In context of international relations, liberal political assumptions in politics, economic and social areas have been dominant especially under the labels of liberal trade and liberal democracy. However, there are some defects and failure in post conflict countries or developing countries practicing liberal

idea of internationally designed state-building in transitional period. Typically, African countries like Angola, Democratic Republic of Congo, Sudan, Liberia and Sierra Leon, some Eastern European countries like Moldova, Macedonia, Albania and some countries in Middle East like Yemen, Tunisia and Lebanon had had bad experiences of democratic transition backed by liberal idea on state building in the post cold war. Such kind of transitional experience was carefully observed by international community after 2010 general elections in Myanmar.

It is evident that a broad range of internationally designed state-building practices benchmarked by the universal norms, such as transparency, accountability, anti corruption and extractive industries transparency initiative (EITI), could not afford to bring the countries in transition to follow such norms alone. With the failure of such designs in nation-building, counterpart state actors became the victims of failure for internationally designed state-building which is usually initiated by international experts or consultants fixing eyes on international norms only.

It is necessary to understand the state-building nature of “one size, fits all” model which is not exactly fixed on the other country’s development model and national reconciliation. For instance, transitional justice model in South Africa and retribution in Indonesia could not be pursued in Myanmar since circumstances in Myanmar political development together with its significant political culture and national identity are quite different from backgrounds of Indonesia and South Africa where one of the competing groups was the foreign settlers and the other was the native people. In this scenario, transitional justice in Myanmar could only be channeled through forgiveness with no retaliation or revenge as quoted by the State Counsellor in the annual event of Peace Conference with ethnic groups in October 2016, that is “Let by Gones, Be by Gones”.

Myanmar is now in transition to democracy and is facing some defects from international pressures against its own domestic circumstances. Two prominent cases are to be observed in this research. Such cases are human security versus national security or human right versus citizens rights implying the case of Rakhine State, federalism concept of ethnic minorities versus all-inclusiveness in national reconciliation in the case of Union Peace

Conference - 21<sup>st</sup> Century Panglong and self-determination rights versus national reconciliation in claiming separate or autonomous state rights in amending the constitutional in the future.

### **Primacy of Universal Norms over Particular Norms: Human Rights versus Citizens Rights or Human Security versus National Security**

Incidents in the Rakhine State have been the most typical example of two opposing stands on universal norms against particular norms. Communal violence in the Rakhine State, the western part of Myanmar is a critical national security issue for Myanmar while international actors or organizations, especially, the United Nations Secretary's Special Rapporteur and members of Organization of Islamic Cooperation/Council (OIC) assumed it as a total ignorance on human security or discrimination against on what they termed as Rohingya people upon which Myanmar side persistently rejected this term and demanded international community to describe these people as Bengali settled from other country for their survival. In the perception of Myanmar people, the peculiar case of the Rakhine State is now the attempt of many international actors by placing universal norms over particular norms. It is clear that in the eighteen century political thought, Fredric Hegel suggested that code of conduct or regulations among men could not be applied to relations among members of nations in international system. It means there are particular rights or citizens' rights as a legitimate right for own citizens are not necessarily concerned to universal rights or human rights.

Before 2011, situation in the Rakhina State was not much emphasized by the UNSG even though the United Nations Human Rights Commission (UNHCR) annually released the human rights situation in Myanmar. Between 1988 and 2010, UNHCR Reports and attention placed on child labor, child soldier, violations of women's rights and discrimination against women in the ethnic armed conflict areas such as in the Shan State and Kachin State. Much of the attention focused by the human rights activists and international organizations attention were on refugee camps along Myanmar – Thai border. Since 1994, Myanmar started to accept the repatriation of 250,000 Bengali through UNHCR for the first time and it was the very first incident that caused protracted communal violence in the Rakhine State in 2012 and its subsequent years. Of five UNSG's Special Rapporteurs to Myanmar, UNSG Special

Rapporteurs Mr. Razarli Ismail, Mr. Thomas Oley Quintana and Ms. Yang-hee Lee were assigned to observe human rights situations of Bengalis in Myanmar between 2009 and 2016. Mr. Gambari and Mr. Viji Nambia as UNSG Special Rapporteur or Special representatives emphasized on women rights and child rights development in Myanmar. Myanmar government decided to terminate the investigation conducted by Ms. Yang-hee Lee after she forcefully urged Myanmar government to accept UN Fact-Finding Mission in July 2018 though Myanmar has persistently provided her missions to the UN.

Each of these UNSG Special Rapporteur pressured Myanmar government to legalize these repatriated Bengalis into citizenships which is totally illegitimate under 1982 Citizenship Law of Myanmar. Under this pressure, the Secretary of the Joint Bill Committee prepared and proposed a bill to amend the 1982 Citizenship Law in September 2016 which was critically discussed by 24 Members of Parliament (MP) including Defense Service Representatives at the second regular session of Pyithu Hluttaw. It was the first case of NLD-led government which lost the vote in amending the 1982 Citizenship Law at the NLD dominated legislative chamber, Pyithu Hluttaw. Major pressure of the UNSG Special Rapportures to Myanmar government is the need to consider the legal status of these repatriated Bengalis living in refugee camps for long time on the ground of humanitarian concern. It is obvious that such kind of institutional design to amend the strong legal provisions is totally contradictory to the national sovereignty at the expense of citizen's rights of Myanmar.

Fake or alleged news disseminated by some international social media namely the Guardian Online and news items of Hong Kong exaggerated the incidents in the Rakhine State into more critical concerns between two communal groups which turned into mutual distrust among two communities instead of establishing reintegration through interfaith dialogue attempted by the NLD-led government and religious leaders in Myanmar. There were some foreign reporters together with ex-top security official for UN, went to the villages where alleged killings by security forces. U Tun Myint, ex-top security official for UN, who pointed out the weak response of Investigation

Commission on Rakhine State, replied to Myanmar reporters asking about alleged killing of mother of five children who fled to Bangladesh as follow,

*“We as well found the news in foreign online media, ... foreign media descriptions vary in three kinds... we interrogated them (villagers of Kyetyoepyin village) whether there were 5 children and a mother and a father and 5 children killed in the arson attack, they replied ‘No’. By seeing this obviously description in foreign media was wrong. This is their actual statement”*

In fact, in terms of demographic figure, in the Rakhine State, dominant population, especially in Buthidaung, Maungtaw and Rathedaung township, is about 94% of Muslim Bengali where only 4% Buddhist Rakhine people are living in that area. When 2013 Population Census was conducted, Bengalis asked for Immigration authorities to list them as Rohingya in census taking. It was officially denied by Myanmar government that there is no national race named as Rohingya in any part of Myanmar based on factual and historical references. Such self-claimed population was not counted in 2013 Census, if they wished to be stick on the stand of self-claimed Rohingya. It shows the ineffectiveness of rule of law in Rakhine State and the then President U Thein Sein government failed to take legal action on such groups who were asking for legal citizen rights while opposing existing nation's laws and regulations.

Besides, in international media and social media, there were discriminations of majority Buddhist Rakhine against Muslim Bengali minority. Spill-over effect was the distrust which extended to Kaman ethnic people who devoted in Islam and lived in the Rakhine State together with Buddhist Rakhine for centuries. According to MP of National Development Party (Kaman Party), Kaman ethnic people thought they became marginalized in the communal violence of Rakhines and Bengalis in the same areas.

The State Counsellor was trying to keep a neutral stand in the Rakhine incident before the 9 October 2016 attack against Myanmar security forces in Maungtaw, Rakhine State. It was identified by Myanmar government as the terrorist attacks on Myanmar Police Force (MPF). No public comment of State's Counsellor on Rakhine issue has, however, been blamed by both domestic nationalist sentiment groups of Rakhine and foreign-based human rights activists including the youngest Nobel laureate Ms. Malala in 2016. The

State Counsellor requested to former UNSG Dr. Kofi Annan to lead the Advisory Commission on Rakhine State when one of the ASEAN members, Malaysia seriously defamed Myanmar in handling Bengalis (so called Rohingyas in their official writings). Unusually, the State Counsellor invited the Foreign Ministers of ASEAN to Yangon on 7 January 2017 to explain the real situation in Rakhine State. It is the first defect in ASEAN experience for its stand on non-intervention in internal affairs of other ASEAN member based on consensus principle.

The NLD led government since 2015 has been in the tug of war between national security paradigm clearly articulated by the groups of nationalist sentiment and human security paradigm prioritized by international actors. As soon as terrorist attack against Myanmar security forces in the outpost of MPF in Maungtau Township, the Rakhine State Investigation Commission headed by Vice President U Myint Swe has been formed on 1 December 2016 by Notification No. 89/2016 to investigate the separate but sequential terrorist attacks on 9 October, 12 and 13 November 2016. It was attacked by Bengalis terrorists trained by foreigners and extreme Islamic leaders to the outpost of joint forces of Defense Service and Myanmar Police Force along Myanmar-Bangladesh border. Minister of State for Foreign Affairs U Kyaw Tin, at the High Level Segment of the 34<sup>th</sup> Session of the Human Rights Council held in Geneva on 28 February 2017, clearly underscored that

*“Human Rights Council should be promoting and protecting of the rights of all people in the manner of impartiality and the interests of all states. Any deviation from such inclusive, equal and non discriminatory approach will affect the confidence in the work of council by the member states of the UN.”*

However, Government of Myanmar continued its cooperation with UN Special Rapportuer Ms. Yang hee Lee to facilitate the discharge of her HRC mandate. In July 2017, the HRC passed the resolution at 34<sup>th</sup> Session which called for the dispatch of international fact-finding mission to Myanmar. It also asked for free travelling of stateless Bengali people within Myanmar without any constraints and granting of citizenship for those undocumented Bengali fled to Bangladesh during riots. On 21 July 2017, Government of

Myanmar released press statement in responding to the 34<sup>th</sup> Session HRC Resolution and terminated the cooperation with UN Special Rapporteur. Paragraph 2 of the Press Release of Myanmar Government is stated as follows:-

*“The Resolution was based on unsustainable allegation. Additionally, the establishment of the fact-finding mission would do more to inflame rather than resolve, the complex and challenging situation that the country. Myanmar, therefore, dissociated itself from the HRC Resolution as a whole”*

It is clearly obvious that such universal norms as human rights and refuge repatriation together with granting of citizen scrutinizing cards demanded by UNHRC and its Asia Human Right Council (AHRC) severely marginalize the concept of sovereignty and national security of Myanmar which are the particular norms and vital national interest of Myanmar citizens. More prominent difference can be found after a series of terrorist attacks by Arakan Rohingya Salvation Army (ARSA) against the Myanmar Police Stations and some other security outposts located in Maungtau Township on 25 August 2017. Although the ARSA attacks were implicitly defined as terrorist attacks against security forces of the Government of Myanmar and caused instability and serious alarm to general public, such terrorist attacks were portrayed as liberation movement of the most oppressed stateless Bengali on the world described by some international organization after nearly 700,000 Bengalis who fled to Bangladesh after Maungtau clashes. Primacy of universal norms over particular norms became a controversial in Myanmar national security. The UN Security Council through UN Human Right Council decided to dispatch the fact-finding mission sent by UN Human Rights Council to Rakhin State of Myanmar while the Government of Myanmar was trying to solve the Bengali issue in Rakhine State with the advice of former UNSG Kofi Anna, popularly known as Kofi Annan Commission.

Although Myanmar was trying to solve her own domestic issues, at the annual meeting of UN Human Right Council, without voting among Council's members, the Council decided to send Fact-Finding Mission to Myanmar to investigate the reality of Rakhine State on 13 March 2017. Myanmar

government clearly stated that it will dissociate with the Council's decision and Myanmar will not issue visa for the members of Fact Finding Mission which has more controversial impact in the Rakhine issue. Immediately, the National Security Advisor (NSA) U Thaung Tun has been appointed to handle this issue and NSA reconfirmed that Myanmar will pursue exactly 30 points suggestions advised by Dr. Kofi Annan in his interim report. The NSA U Thaung Tun quoted the State Counsellor's interview with BBC News on 5 April 2017 that there is no evidence of ethnic cleansing or genocide as accused by international media, Muslims are killing Muslims who seemed to be engaged and cooperated with official authorities in the areas. On 6 August 2017, Vice President U Myint Swe, Chairman of Investigation Commission on Maungtau in Rakhine State responded the allegations as follows:

*“there was no possible evidence indicating crime against humanity or any act of ethnic cleansing in support of the UN Office of the High Commissioner for Human Rights (OHCHR)...Sadly we found that OCHER report fails to describe the brutal acts and murders by terrorist organization against member of security forces in the first instance in Maungtau areas in October last year, or the indiscriminate killing and intimidation of natives and Muslims villages, or the terrorist trainings by terrorist organizations, or the arrival of domestic and international assistance to Maungtau villages”*

When the US Ambassador to the UN Ms. Nikki Haley called on Myanmar to accept the Fact-Finding Mission on 11 July 2017 at the UN in New York, the National Security Advisor reaffirmed the Myanmar stand, that is “dissociation” as follow -

*“We dissociate ourselves from the decision because we found that it was less than constructive...The decisions of the other countries – including China and India – to join Myanmar in distancing themselves from the resolution was a “Principle Stand” ”*

Although NLD-led government tried to solve Rakhine issues through international advisors and domestic experts by forming a numbers of commissions, there is a disagreement from some self-identified nationalist groups led by Buddhist Sanghas and Rakhine nationalists. Two camps to boycott the government efforts on Rakhine issue were opened in Yangon and Mandalay on 2 August 2017. After a numbers of formal requests from the State Sangha Maha Nayaka Council, camp in Mandalay was forcefully shut down by authorities on 5 August 2017 and camp on Yangon was terminated voluntarily. It is clear that the Maungtau issue in the Rakine State is a very sensitive issue that can destabilize political development of Myanmar and cause disintegration among all works of Myanmar people. Regional Director Mr. Phil Robinson of the Asia Human Rights Watch (AHRW) severely criticized the Report of Investigation Commission on Maungtau and asked to accept Fact Finding Commission of the UN.

The Government of Myanmar decided to terminate cooperation with some international organizations whose resolution spoiled the integrity of Myanmar. However, the State Counsellor initiated to form the Advisory Board for the Committee for Implementation of the Recommendation on Rakhine State chaired by Dr. Surakiart Sathirathai. Myanmar also accepted the official appointment of UN Special Envoy Ms Christine Schraner Burgener. Myanmar also signed MOU with UNDP and UNHRC to repatriate Bengalis after legally scrutinizing the Bengalis who settled along Myanmar-Bangladesh border. In 2017, Myanmar accepted the UNHRC Chief Commissioner Mr. Filippo Grandi to visit Maungtau and permitted four groups of international media and journalists to observe the arrangement of repatriation of Bengalis fled to Bangladesh.

In this scenario, there are two sharp different stands between national security and human security. For Myanmar, serial attacks against security forces stationed along Myanmar-Bangladesh border since 9 October 2016 is simply the terrorist attack like breach of national security. For the UN Human Rights Council together with OIC, terrorist attacks against Myanmar security forces were not mentioned as national security concerns in their discussions and decision. But the Council highlighted the case only the violation of human rights and ignorance of human security which calls for desperate international

humanitarian assistance since most of the Bengalis villagers including fugitive criminals fled to UNHCR Camps. However, the Council persistently emphasized the serious human security concerns articulated by international actors. Primacy of human security over citizen security has been the defect in handling the national security concern of Myanmar.

### **Primacy of Self Determination-based Federal Propositions versus National Reconciliation**

Another clash between universal norm and particular norm can be observed on the self determination which is clearly outlined in the UDHR and other important UN Conventions like Convention on Elimination of All Forms of Discrimination against Women (CEDAW) and Convention on Child Rights (CRC). The idea of self-determination was a potential driving force in uniting the Myanmar people and regaining the independence from colonial rule. It became a popular idea among Myanmar nationalist leaders under the leadership of General Aung San during independence movement. Wider perspective on self-determination among nationalities was a motivating factor for strong nationalist movement with patriotic spirit which was an effective instrument for national unity among different nationalities living in the different geological locations of Myanmar. It became a uniting force in 1948. Divide and rule of British policy was terminated due to self-determination of all national races in claiming self rule administration.

Constitutional provisions under unitary nature did some points in 1974 and prohibited the formation of separate or autonomous states within the Union but the two federal constitutions paved the way for limited autonomous areas for ethnic minorities of Myanmar. In 1947 Constitution and 2008 Constitution, prominent provisions for nationalities have been specifically promulgated. The 1947 Constitution with federal characteristics also reflected the importance of ethnic affairs and it also provided the two legislative chambers, namely Chamber of Deputies and the Chamber of Nationalities. There was no provision for specific state constitutions for eight major ethnic groups under 1947 Constitution. Under the 1974 Constitution, which was a unitary nature, the Special Chin Division was constituted. Typically under the 2008 Constitution, there are 11 self-administered zones and self-administered areas designating the specific ethnic nationalities residing in Myanmar. It is

true that 2008 Constitution is composed of many flaw factors in consideration on ethnic nationalities affairs though it has been drawing on federal character in nature.

However, strict sense of self-determination among ethnic nationalities led to cession rights and claim for formation of federal army among ethnic nationalities groups which emerge as a source of limitation in national reconciliation, especially at the holding of 21<sup>st</sup> Century Peace Conference in February 2017. Outspoken voices on equality, self-determination and individual rights were the principal demands claimed by nationalities. Ethnic nationalities groups constantly blamed on Myanmar Chauvinism, camouflaged federalism under 2008 constitution, limitations on self-determination and individual rights for ethnic nationalities which led to the failure of trust building between government and ethnic minorities since independence. To remedy these deep rooted pains, there came out a historic decision at the Union Political Dialogue Joint Committee (UPDJC) Meeting on 12 May 2017 to draft the state and region constitutions as a supportive measure to self-determination and individual rights of ethnic nationalities. However, it is still unclear for drafting the respective state and region constitutions under the 2008 Constitutions which is composed of flaw points to complete federal nature in essence which is severely criticized by constitutional experts. In fact, there are many vague factors to draft the state and region constitutions since the Nationwide Ceasefire Agreement (NCA), the only means to building peace and political dialogue failed to attract the non-signatories ethnic armed groups. Of 7 signatories, only 5 ethnic armed organizations wished to continue political dialogue through NCA in June 2017.

National security is the continuation of domestic stability, especially peace process. Even though the United Nationalities Federal Council (UNFC) and UPDJC are asking the ethnic armed organizations to sign NCA, fighting had broke out between Myanmar Defense Forces and Arakan Army (AA), Myanmar National Democratic Alliance Army (MNDAA) and Ta'ang Palaung National Liberation Army (TNLA) in the Kachin and Shan States since April 2015. In short, lawful freedom and legitimate self-determination are the two appropriate means to move forward the current peace process

based on NCA. Deadlock in peace process brought instability and expended the more mutual distrust among ethnic nationalities, Myanmar Defense Forces and government.

In this context, for its national interest, China emerged as a key player in national reconciliation effort of Myanmar, especially in the Union Peace Conference – 21<sup>st</sup> Century Panglong. China clearly took the key role in the Union Peace Conference which was held on 24 May 2017 to which China brought leaders of ethnic armed organizations and non-signatories to NCA. It is clear that Myanmar-China relations became closer after NLD led government won 2015 elections. China expected to cooperate with Myanmar government which laid down anti-corruption as the core principle for national development. It is coincided with President Xi Jinping's anti-corruption campaign in PRC. Besides, for China, Myanmar is the strategic access to Indian Ocean and is located on President Xi's Belt and Road (BRI) though Myanmar is not included in 21<sup>st</sup> Century Maritime Silk Road.

Moreover, PRC attempted to establish party-to-party relations apart from China's role in national reconciliation effort of Myanmar. Mr. Song Tao, Head of the International Liaison Department of the Communist Party of China visited Myanmar on 5 August 2017. During two days visits, Mr. Song Tao met with senior and important persons of NLD Party including NLD Party Patron U Tin Oo. There was no significant claim to lift suspension for Myitson Dam construction from China side even though frequent state visits were multiplied between Myanmar and China in 2015-2016.

### **Conclusion: National Security Considerations**

Myanmar government officially stated that the incident in Rakhine State was the terrorist attacks on security forces or law enforcement agencies and the deterioration of rule of law. However, implementation of suggestions in the interim report by Dr. Kofi Annan was delayed due to tough stand of ethnic Rakhine people who opposed the international intervention in Rakhine affairs. On the side of international actors, especially UNSG Special Rapporteur on Myanmar did rarely suggested possible engagement to settle the problem rather than bluntly blamed on government in failure of protecting human rights on Bengalis living in the IDP camps for long time. More

international interventions in Rakhine State minimized the role of state and threatened to the government efforts for national reconciliation.

It is important for Myanmar government not to lose sight on national security rather than human security. In other word, Myanmar agreed the idea of human rights as a state responsibility but it will not be acceptable unethical claim of human rights at the expense of its national security. It can also be noted that human rights and citizen rights are two separate entities with own identities in legal context so that primacy of human rights over citizen rights further undermines the state sovereignty and national security concerns. Besides, it is necessary to send out intelligent Myanmar diplomats who can response alleged accusation of International Organizations with sharp but smart tones timely. In fact, every individual citizen is the ambassador of one's own country and it is import that all citizens must have sound knowledge on political development and political culture of own country.

It is suggested that Myanmar government is to be careful not to deviate from communal violence to religious issue which is loudly portrayed by international media and organizations and by collecting misinformation from criminals who are taking refuge in refugee camps along Myanmar-Bangladesh border. NLD led government seems to be trapped in allegation of OCHER in international scenario on one hand and terrorist attack as well as blame of ethnic Rakhine and Buddhist Sangha in domestic scene on the other. It is very important for Myanmar not to hamper the good integrity and image of Myanmar in international context and pressure through international organizations whose resolutions and press releases were used to based on distorted and exaggerated or fake news. More importantly, public in Myanmar should also hold cultural values to avoid any kind of misinterpretation on information and not to relay such kind of misinterpretation or hate speech via social media to other community outside of Myanmar. Myanmar people must have to observe impact of international organizations on Turkey, Tunisia, Yemen and Congo in handling domestic issues.

In fact, Myanmar has the state right to deny the investigation of UNSG Special Rapporteur as did by the People's Republic of China during 2008 Tibet Earthquake, North Korean or Democratic People's Republic of Korea, Sri Lanka government in 2013, Laos PDR government and Vietnamese

government in 1999 and 2000 respectively. These governments clearly rejected to accept UNSG Special Rapporteurs for further investigations in disaster-hit areas and conflict areas. Moreover, without the prior permission of the PRC government, Special Rapporteur could not have access to traveling in the country. So, it is to recommend that NLD led government should not put the Rakhine case to international table. At the same time, it is very important to understand all Myanmar people that the OCHER attempt on Rakhine issues is a trap for Myanmar into UN Resolution to Protection Principle (RtoP). In this context, UNSC can send international forces without sovereign government permission on the accusation of government failure to protect and safeguard the lives of people residing within the national boundary as the UNSC did in former Yugoslavia in 1992-1997. It is recommended by the Myanmar Institute of Strategic and International Studies (MISIS) which is composed of senior former Myanmar Ambassadors and academic experts under the Ministry of Foreign Affairs (MOFA) that integrity building is vital important not only for nation as a whole but also individual citizen in protecting the vital national interest and nation's survival in international arena.

In the case of self-determination and federalism claimed by ethnic nationalities, it can be suggested that the most critical point to fulfill those claim is to amend the constitution. Without constitutional amendment, it is very difficult to draft state and region constitutions agreed at the UPDJC Meeting in May 2017. If so, strict claim on narrow sense of self-determination and federal army constantly highlighted by ethnic armed organizations led to disintegration of the Union. Now, it seemed to be stagnant in success of peace dialogue and fighting between Tatmadaw and ethnic armed organizations became severe in the Kachin and Shan States again. There are many criticism on defense budget for Myanmar Defense Force, especially from ethnic armed organizations. Myanmar is the lowest one in ASEAN for defense budget spending and is now in middle of Thailand and Bangladesh whose Navies are modernized with submarines and air-to-naval commands. It is necessary to consider the neighborhood policy of Myanmar neighbors, that is, China role in MNDAA attack in April 2015, India informal attempt through Hindustan Times's Perspective on internationalization of territory at the China-Myanmar-India Tri-junction border point, Bangladesh Navy attempt on show

of force during Myanmar-Bangladesh maritime boundary clashes in 2012, and the modernization of Air-to-Navy Command in Thailand since 2012. However, security sector reform through DDR (Disarm, Demobilize and Rehabilitation) is sluggish or is in bottleneck for the moment in Myanmar. In this context, legislative oversight on security sector is important for effective security reform in line with constitutional provisions. Constitutionally security sector reform only can bring domestic peace and security which can precede the continuation of modernization on national defense for Myanmar instead of federal army formation. Briefly, it can be concluded that the internalization of universal norms which is difficult to be relevant to particular norms of different countries in different situations – human security, human rights and self determination - are the critical consideration on national security and national reconciliation of Myanmar. For Myanmar, minimizing role of state in the context of liberal perception through universal norms is a big concern for national security in the context of realist assumption on particular norms, protection of vital national security interests.

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ဆလိုင်လျှောက်မှုန်း၊ တိုင်းရင်းသားလူမျိုးများအရေးနှင့်စစ်မှန်သောဖယ်ဒရယ်ပြည်ထောင်စုစနစ်၊  
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## **ECONOMIC COOPERATION BETWEEN MYANMAR AND THE REPUBLIC OF KOREA AFTER 2011**

Tin Tin Mar\*

### **Abstract**

After 2011, Myanmar has undertaken a series of political, economic and administrative reforms. Regarding economic reform, Myanmar initiated policy reforms of anti-corruption laws, currency exchange rates, foreign investment laws and taxation. Myanmar's reform offer good opportunities for the country's economic development through friendly relations with neighboring countries including the Republic of Korea (ROK). Economic cooperation between Myanmar and ROK has increased gradually since 2011. The question raise by the paper is "what extent Myanmar's reform since 2011 has contributed to the improving state-level relationship between Myanmar and ROK, how it effects on economic cooperation?"The purpose of the paper is to emphasize on how economic cooperation between Myanmar and ROK contribute to Myanmar's transition. The paper includes three main points. First section illustrates the new arrangements of Myanmar's economic reform. Second section highlights on economic cooperation between Myanmar and the ROK. The last section points out the increasing factors of economic cooperation between Myanmar and the ROK.

**Keywords:** reform, democracy, economic cooperation, investment

### **Introduction**

The relations between Myanmar and the Republic of Korea (ROK) have strengthened and expanded since the time of the establishment of diplomatic relations in 1975. The economic cooperation between Myanmar and the ROK has steadily increased through investment and official development assistance. Since President U Thein Sein took office in 2011, Myanmar initiated four phases of reform process on political, economic, public administration and private sector development. The reform process paves the ways for increasing engagement with neighboring countries including the ROK. The visit of the President of the ROK to Myanmar in 2012 also paves a way to reestablishing economic and development cooperation with Myanmar. The purpose of the paper is to emphasize on how economic cooperation between Myanmar and the Republic of Korea

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contribute to Myanmar's transition. The paper includes three main points. First section illustrates the new arrangements of Myanmar's economic reform. Second section highlights on economic cooperation between Myanmar and the Republic of Korea. The last section points out the increasing factors of economic cooperation between Myanmar and the ROK.

### **The New Arrangements of Myanmar's Economic Reform**

Myanmar has embarked on a historic path of political and economic transformation and reform. Major achievements have been made since this process began in 2011, particularly on the economic field, while the reform of the exchange rate and a new Foreign Investment Law symbolize Myanmar's aspirations to revitalize its economy and reengage with regional and global economies. The new government under President U Thein Sein announced a series of policy changes and he outlined economic reform as a key priority of his government in his inaugural speech to Parliament. Since then, the government has implemented a series of reforms to remove economic stagnation.

The reform strategy is focused on four economic policies, namely, sustaining agricultural development towards industrialization and all round development, balanced and proportionate growth among regions and states, inclusive growth for entire population, and quality of statistics and statistical system. Liberalization of trade and foreign investment is an integral part of these economic reforms.

The drive toward reform was boosted by holding an inclusive national-level policy workshop on economic development in August 2011, which highlighted rural development and poverty alleviation and was attended by hundreds of representatives from the United Nations and international agencies and Myanmar's academic, non-governmental, policy, and business communities. The workshop apparently led to the formulation of a guiding document for economic reforms known as the Framework on Economic and Social Reforms (FESR) in 2013. The FESR established three-year goals for the national economy, placing into context many of the developments witnessed in 2013. It articulated the government's target to achieve an average annual growth rate of 7.7 percent, a 6 percent rise in industrial and service

sectors proportional to the national GDP, and a per capita GDP growth of 30–40 percent. It also listed nine target sectors for 2012–15: fiscal and tax reform; monetary and financial sector reform, liberalization of trade and investment; private sector development; health and education; food security and agricultural growth; governance and transparency; communication (mobile phones and internet); and infrastructure.

As the FESR expected goals, the national economy has developed to some extent. According to the World Bank data, Myanmar GDP growth rate in 2016 and 2017 was 6.4 percent and is expected to remain the same in 2017/18, growing to 6.7% in 2018/19 and 7 percent in 2019/2020, mainly driven by services, industry and agriculture. After liberalization of the telecommunications sector, mobile and internet access has considerable increased in Myanmar since 2016.

When Myanmar government enacted Foreign Investment Law (FIL) in 2012 and Western countries lifted key sanctions, large corporations such as Coca-Cola, Pepsi Co., GE, Cisco and Unilever began to enter the Myanmar market in 2013, sending a strong signal that Western companies were committed to investing in the country. Of the US\$ 44 billion approved in Myanmar, US\$ 243 million originated from US companies. Yet, much of the foreign direct investment in 2013 came from Asian nations who had continued to engage Myanmar through nearly two decades of Western imposed sanctions. Eight of the top ten countries investing in Myanmar were Asian nations, with China constituting 32 per cent of the total foreign investment. India and South Korea have also conveyed serious investment plans in Myanmar by focusing on the development of special economic zones and Yangon's financial sector respectively.

According to the data of Central Statistical Organization in 2016-2017, the total foreign trade of Myanmar amounted to \$29,162.7 million, with export registered at \$11,951.6 million, while import was valued at \$17,211.1 million. In 2017-2018 April to September, the total trade was \$16,325.8 million in which export was \$7,230.9 million and import was \$9,094.9 million. Exports are composed of seven main groups of commodities in Myanmar. In 2016-2017, the most important exports were manufactured products, agricultural products and mineral products. Within these groups, the

major products are rice, matpe, green mung bean, maize, pesingon and sesame seeds for agricultural products; gas and garment for manufactured products; and, jade for mineral products. Imports are constituted to three main groups, of which, the two main ones in 2016-2017 are capital goods and intermediate goods. The major products are non-electric machinery and transport equipment, base metals and manufactures, electric machinery and apparatus for capital goods, and refined mineral oil, edible vegetable oil and other hydrogenated oil for intermediate goods.

While Myanmar undergoing to a fundamental political and economic transformation to a democratic, federal and peaceful national state, investments are crucial requirements for and direct drivers of sustainable and inclusive economic development. Therefore the government began to enact on a new investment law in 2014, intended not only to further liberalize the investment regime but also address the redundancy of two distinct investment laws. A draft consolidated investment law was published in early 2015, and a revised draft in early 2016. The new investment law was finally approved in October 2016 and come into force on April 1 2017, replacing the 2012 FIL and the Myanmar Citizen Investment Law. The new law intends to simplify and streamline the investment screening and approval process and liberalize the entry conditions, both intended to attract more foreign investment as well as promoting domestic investment.

In 2017, Directorate of Investment and Company Administration (DICA) released an announcement that the most significant foreign investment sectors in Myanmar were transport and communication with 46.14% and manufacturing with 17.74% and power with 13.68% of the total permitted amount of foreign investments.

Myanmar is now at the beginning of a new era, as was a neighboring country South Korea about two decades ago. With all possible events and differences considered, South Korea's success story could serve as a model of political and economic development for Myanmar.

## **Economic Cooperation between Myanmar and the ROK**

As an Asian neighboring country, the ROK has continued to be one of the close partners for most of bilateral relationships with Myanmar in the economy, trade and investment, business and commerce as well as regional politics and diplomacy. The experience of the Asian region has generally been of economic transition with the lack of real democratization (such as China and Vietnam), or of economic transition followed by democratization (such as South Korea and Thailand). These countries attempted to establish strong (if undemocratic) political institutions as a foundation for economic reform or for economic development and the emergence of a middle class to move democratization.

Since 2011, reforms and progress made by the Myanmar government are remarkable and have drawn keen attention worldwide. Consequently many Korean business people are interesting to invest in Myanmar for their business opportunities and partnerships. After South Korean President's state visit to Myanmar in 2012, economic cooperation has strengthened between two countries for mutual benefits.

## **Bilateral Trade**

Since Myanmar has changed its economic course from a centrally planned economy into a market oriented system, a series of structural reforms had been introduced and new legal policy instruments given the private sector including foreign investors and businessmen, the right to do business and to make investment in the country was enacted.

The Government of the Union of Myanmar has recognized, in the context of the market-oriented economic system, the private sector as a prime-mover of the market mechanism and pays great attention for its development. All-out efforts are being made to encourage the active participation of private sectors in foreign trade and giving full support in every sector. Therefore trade liberalization measures were introduced as follows: - (1) To be in line with the changing economic system, the private individuals or enterprises are allowed to carry out the export import business which was previously monopolized by the state. (2) Border Trade was regularized in order to develop and strengthen the bilateral trade relations with the five neighboring countries. Department of

Border Trade was established and its 11 branch offices providing one - stop service for border trade matters in collaboration with various departments concerned. (3) Export and Import procedures were realigned. (4) Lowered the technical barriers to trade and simplified export/ import procedures geared towards trade facilitation and promotion. (5) Incentives are being given to exporters by allowing 100 % retention of export earnings for importation of goods. (6) Trade notifications are being issued by specifying necessary rules in conformity to the changing internal and external business environment. (7) Exemption of commercial tax and customs duty on the imported items like fertilizers, agricultural machineries and implements, insecticides and pesticides, medicines and raw materials. (8) The role of Chambers of Commerce and Industry had reactivated and reorganized the Union of Myanmar Federation of Chambers of Commerce and Industry - UMFCCI for the promotion of trade and industry of the private sector.

Since 1987, South Korea foreign trade policy was structured for further expansion, liberalization, and diversification. Because of the paucity of natural resources and traditionally small domestic market, South Korea relied heavily on international trade as a major source of development. South Korea also sought to diversify trading partners to ease dependence on a few specific markets and to remedy imbalances in the tendency to bilateral trade.

Trade Relations between Myanmar and South Korea were first established in 1975 and a significant amount of trade started to take place under President U Thein Sein period. The trade between the two countries has growing steadily since 2011, surpassing US\$850 million in 2015. Currently, South Korea is the fifth largest foreign investor in Myanmar, two of the notable corporations in Myanmar being conglomerates Daewoo and Lotte. The South Korean economy is highly developed but lacks natural resources. Import of raw materials and semi-finished goods is essential to the country's economy, which relies on refining and adding value to the goods for export – notably electronics, semiconductors, telecommunications equipment and vehicles.

Rice and broken rice, coffee, mangoes, pulses, apparel produced by Myanmar's garment sector on cut-make-pack basis, shrimp and sesame oil, among other things, are exported to South Korea, while Myanmar imports

capital goods such as machinery and equipment, raw industrial goods such as fertilizers and garment materials, and consumer goods.

**Table 1: The value of bilateral trade between Myanmar and the ROK (2011-2018)**

Serial No.	Fiscal Years (FY)	\$ million
1	2011-2012 FY	\$ 667
2	2012-2013 FY	\$623 million
3	2013-2014 FY	\$1.57 billion
4	2014-2015 FY	\$862 million
5	2015-2016 FY	\$ 657 million
6	2016-2017 FY	\$ 866 million
7	2017-2018 FY	US\$ 635 million

**Source:** Foreign Trade, Nay Pyi Taw, Ministry of Commerce, 2018

According to the Table 1, the value of bilateral trade has been increasing from the fiscal years 2011-2012 to 2017-2018. During 2013-2014 fiscal years, bilateral trade was exceeded \$1.57 billion due to the ROK's increasing export to Myanmar.

### **Investment of the ROK in Myanmar**

Since 2013, sixty South Korean companies have been invested in Myanmar in the field of apparel industry, posted to Myanmar including Daewoo Sewing, Shinsung Trading, Opal, and Myanstar Garment. Some Korean finance and service sectors have also been noticeable expansions in Myanmar. Woori Bank (5th biggest bank by assets), KEB-Hana Bank (3rd) and Shinhan Bank have set up their regional offices in Yangon. Further, Lotteria, the biggest fast-food franchise in South Korea, opened up their first restaurant in Myanmar, in April, 2014 and is proved to be very popular among the locals. Other manufacturing and resource development areas are also boosted by POSCO (Zinc Plywood Plant Close-up) and Daewoo International (New Resource Development Promotion), which are expanding into other areas despite already having substantial business presence in the country.

South Korea's investment to Myanmar was focused on the energy sector of Daewoo International. The company has obtained the development rights over the sea mine blocks of A-1 and A-3 located on the north-western coast of Myanmar and finished the reserves verification procedure (4.8-8.6 trillion cubic feet). Initially, the ownership structure of A-1 and A-3 photosphere consisted of Daewoo (60%), Oil and Natural Gas Corporation Limited (ONGC, India, 20%), GAIL (India, 10%) and Korea Gas Corporation (KGC, South Korea, 10%), but Myanmar Oil & Gas Enterprise converted the existing consortium with equity participation rights pursuant to production sharing contracts of the East Block, which resulted in some fluctuation in the ownership: Daewoo (51%), ONGC (17%), GAIL (8.5%), KGC (8.5%) and MOGE (15%). The entire production has been exported to Yunnan Province of China from July, 2013.

On 28 August 2017, Lotte Hotel & Resorts, the hotel arm of South Korean conglomerate Lotte Group, opened its new five-star hotel in Yangon, Myanmar as a move to grab opportunities in the country where foreign investment has increased since its democratization in 2011. The \$200 million FDI project began in 2014 and was identified as a joint venture between Daewoo International, KDB Daewoo securities, POSCO E&C and Lotte Hotels and Resorts owning a total of 85% stake while the rest was owned by Myanmar's IGE Group of Companies.

**Table 2: Foreign Investment of Existing Enterprises in Myanmar AS of 31/3/2018 (By country)** (US \$ in million)

Sr. No.	Particulars	Existing Enterprises		
		No	Approved amount	%
1	Singapore	234	18003.037	28.89
2	China	206	17174.927	27.56
3	Hong Kong	146	7697.804	12.35
4	Thailand	76	3902.503	6.26
5	Republic of Korea	138	3737.283	6.00

**Source:** Foreign investment by country, 2018, Yangon, Directorate of Investment and Company Administration

According to the Table 2, the ROK investment in Myanmar is the fifth and approved amount of US \$ 3737.283 million in March 2018. Singapore's investment is the largest home country amongst existing investors with the approved amount of US \$ 18003.037 million; Chinese investment is second largest with the approved amount of US \$ 17174.927 million.

### **Technical Cooperation**

#### **Korean International Cooperation Agency (KOICA) and Korea Trade-Investment Promotion Agency (KOTRA)**

Since 2011, the ROK extended its assistance to Myanmar by implementing projects involving Official Development Assistance, Economic Development Cooperation Fund and Korean International Cooperation Agency (KOICA). The KOICA is providing assistance to some projects for the development of agriculture, encouraging export of Myanmar's agricultural produce to the East Asian country. Among them the two are rural development projects covering establishment of Myanmar Development Institute (MDI) and launching of Saemaul Undong, which is a New Village or Community Movement. MDI is one of the flagship projects named 'Establishment of MDI' from 2014 to 2019 with \$20 million. MDI will play a role of national think-tank in Myanmar as it is a decision maker to plan national socioeconomic and country policy after its launching. The five-year Saemaul Undong aid project (2015-19) covers the 100 villages scattered in Nay Pyi Taw, Yangon, Tanintharyi, Ayeyawaddy, Mandalay, Sagaing regions and Shan state. There had been such aid projects of KOICA as Saemaul Undong Academy, Post-Harvesting Research Institute and Agriculture Machinery Training Centre under implementation in the capital.

In October 2016, KOICA handed over a final master plan to the Myanmar government which aims to activate the trade and investment sector in Myanmar and establish the Myanmar Trade-Investment Promotion Agency (MYANTRA). KOICA focuses on sharing the economic development experiences of Korea with Myanmar, which has the most promising growth potential among the Southeast Asian Nations. Through the Project for Establishment of a Master Plan for Myanmar Trade-Investment Promotion Agency (MYANTRA) and Capacity Development for Trade Investment Promotion, KOICA has managed to establish a master plan to present a

detailed action plan for Myanmar's six major export industries (Textile / Forestry/ Fisheries / Tourism / Jewelry / Agricultural processing industry). This master plan also includes consulting on organizational design of Trade-Investment Promotion Agency as Korea's KOTRA.

KOTRA announced in May 2017 that POSCO Daewoo and Yangon Bus Public Company (the Yangon Region Government of Myanmar) signed a contract to supply 200 buses, manufactured by Hyundai Motor, to the Yangon region and shipped the first batch of 50 buses. The transaction is a government-to-government (G2G) export contract and a G2G contract is made by KOTRA signing an export contract as a contracting party with a foreign government at the request of a purchasing country to support Korean exporting companies in accordance with the Foreign Trade Act. The deal marks South Korea's first G2G contract for general supplies with an Asian country.

## **The Increasing Factors of Economic Cooperation between Myanmar and the ROK**

### **State Level Relations after 2011**

Myanmar and the ROK have gradually stepped up mutual cooperative relationship in political and economic fields. After historic exchange of State visits between the President of Myanmar and President of the ROK in 2012, high ranking government officials, politicians, businesspeople and academics have visited each other's and exchanged views to strengthen cooperation in such areas as development cooperation, infrastructure, investment, trade, construction and joint research. During his 2012 visit in Myanmar, the ROK President Lee Myung-Bak invited several South Korean business leaders to be part of the visit, including the president of Daewoo International Corp., which is spending \$1.7 billion to develop a natural gas field in Myanmar and sell its production to China.

Under President Park Geun- hye period, Myanmar President U Thein Sein visited to the ROK in 2014, and they had discussed on promoting cooperation between governments, peoples, parliament and armed forces of the two countries. On the sidelines of the 25th ASEAN-South Korea Commemorative Summit, both sides focused on improvement of SME

industries for production of value-added agricultural and livestock products; promotion of trade, investment, culture, education and health sectors; development of ports, waterways, electricity and energy sectors.

In November 2015, the first free general elections in Myanmar was held and elections resulted in a victory for the National League for Democracy (NLD). The NLD formed a new government in 2016 with President U Htin Kyaw and with Daw Aung San Suu Kyi in the position of State Counselor. The new government has made one major public statement on 12 points of economic policies in July 2016, highlighting the importance of developing a market-oriented system “in all sectors” and establishes an economic framework in support of national reconciliation. The most crucial reform on the economic front is the new Myanmar Investment Law, enacted by the new government in October 2016. The aim of the legislation is to equalize treatment of foreign and domestic investors, while also simplifying procedures.

President U Htin Kyaw has strong interested in the promotion of close and warm relations and friendship between Myanmar and the ROK. When President Moon Jae-in elected new President of Korea in May 2017, President U Htin Kyaw expressed that the Myanmar Government looks forward to working closely together with the ROK under President Moon Jae-in to further strengthen of bilateral ties and enhance cooperation in the bilateral and regional contexts.

After President U Htin Kyaw resigned, Myanmar Parliament elected former Pyithu Hluttaw speaker U Win Myint to be the country’s President in March 2018. Under the new Myanmar government, a relationship between two countries has constantly stepped up for economic cooperation. South Korea's trade minister Kim Hyun-chong visited Myanmar to promote greater economic cooperation and exchange. The visit by Minister Kim is the first by a minister-level South Korean official to Myanmar since President Moon Jae-in took office in May 2017. The Minister expressed that it is important for Myanmar to strive for the development of both its traditional manufacturing sectors and its future-oriented industries and that Seoul is willing to provide technology and manufacturing knowhow. Therefore a number of exchange visits would lead to bring more foreign investment in Myanmar and better use

it as an effective instrument for mutual benefit of bilateral economic cooperation.

### **Korea-Myanmar Forum/ Trade Centre**

In addition to the state visit between two countries, strengthened economic ties between the two countries are also further gaining momentum. Korea and Myanmar held the First Joint Economic Forum in 2013 in which both sides sought ways to develop economy and notably agreed to build the Bridge of Friendship. According to their agreement, Ministry of Construction in Myanmar has received a Loan from the resources of the Economic Development Cooperation Fund (EDCF) of the ROK in the amount of \$ 137,833,000 toward the cost of the Bridge Construction Project and intends to apply a portion of the proceeds of this loan to payments under the contract for which this Invitation for Bids was issued in 9th January 2018.

To promote economic, political and cultural exchanges between the two countries the Korea-Myanmar Forum 2015 was held in Yangon. The forum was part of Korea Week 2015 in Myanmar to mark the 40th anniversary of diplomatic relations between Myanmar and South Korea. Meanwhile, economic cooperation between chambers of commerce of the two countries is progressing following the establishment of Myanmar-Korea/Korea-Myanmar Business Council. Moreover, Ministry of Commerce has launched 'Myanmar Trade Centre' in Seoul to bolster trade and share information with the ROK in February 2016. Ministry of Commerce pointed out that the trade centre will not only distribute information on trading with Myanmar but also exhibit Myanmar's export products so that South Korean traders can observe Myanmar products directly. Moreover, the centre could provide a link between local and foreign business people and promote more trade.

### **Conclusion**

Myanmar's dramatic political transition and lifting western sanctions lead attracting many countries to boost their investment in Myanmar. The ROK also gives more attention to boost its investment in Myanmar through exchange of high level visits and economic cooperation. The trade value

between Myanmar and ROK has been growing since the introduction of economic reform and the significant economic corporations between Myanmar and the ROK are conglomerates Daewoo and Lotte. The closer economic cooperation would contribute to mutual benefits and the two countries would exchange the products as Korean industrial output to Myanmar and Myanmar's natural resources to Korea. Moreover, state level visits between the leaders of two countries are reopened since Myanmar embarked on political transition. After 2011, state and ministerial level visits are constantly taking place between the two countries. During their visit to Myanmar, the ROK leaders take part their business leaders and discuss for more economic cooperation between the two. Through state exchange visits, as for Myanmar, Myanmar could draw lesson from the ROK experience of political transition and economic development. In addition to the learning of the ROK experience Myanmar could extend its economic experience on policy formulation for effective implementation of economic reform. As for the ROK, Korean people would expand their business environment and advantage in various firms in Myanmar. It is found that bilateral trade value has been steadily increased from \$667 million in the 2011-2012 FY to \$ 866 million in 2016-2017 FY. There are 138 South Korean enterprises in Myanmar with approved amount of \$ 3737.283 million on 31<sup>st</sup> March 2018 and currently South Korea is fifth largest investor in Myanmar. Therefore, increasing high level exchange visit of Myanmar and the ROK would contribute to strengthening the economic development of Myanmar and vital effects to Myanmar reform process to some extent.

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## **MYANMAR-INDIA TRADE AFTER 2011**

Yin Yin Kyi\*

### **Abstract**

Myanmar is undergoing a period of remarkable, political, economic and social change since 2011. There has been tremendous change under the government of U Thein Sein (2011-2015). At that time, Myanmar- India bilateral relations appear to be more affected by political and strategic considerations rather than economic ones. India's engagement with Myanmar is based on 1991 initiated "Look East" policy because Myanmar is an economic opportunity and geostrategic buffer for India. Therefore, Myanmar-India bilateral trade is not only in economic sphere but also in the development of regional cooperation. In this context, this research tries to analyze what are the changing patterns of Myanmar- India trade. Besides, it also attempts to examine why Myanmar- India trade is lagging behind Myanmar-China and Myanmar-Thailand trades.

**Keywords:** Myanmar, India, change, export import, policy, bilateral trade, development

### **Introduction**

Myanmar foreign trade is operated mainly with Asian countries such as People's Republic of China, India, Japan, Thailand, Singapore, and Malaysia. Among trading partners of Asian countries, India is not only for the major trading partner for Myanmar, but also a main country for the development of Myanmar infrastructure, technology, communications and transportation sectors. These sectors are important for bilateral trade, especially border trade. Myanmar-India economic cooperation is interdependently related for a long time because Myanmar's export markets and technical developments depend on India. On the other hand, Indian Northeast region stability and oil and gas depend on Myanmar. Besides, Myanmar is one of the main countries to act as a land bridge to the Southeast Asia and Southwest China for India. This paper is included two approaches: firstly, trade policy reforms in Myanmar and India. Secondly, trade (normal and border) between Myanmar and India.

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## **Myanmar's Trade Policy**

Myanmar practices independent, active and non-aligned foreign policy that aimed at world peace and friendly relations with all nations and upholds the principles of peaceful coexistence among nations. In line with this policy, Myanmar trade policy is also an independent one that is Myanmar believes in trade liberalization and wants to free and fair trade in the world. There are five trade policy objectives of Ministry of Commerce are:

- (1) To formulate and implement the trade policies systematically in accordance with market economic system.
- (2) To implement export promotion and enhance trade by means of advanced ICT.
- (3) To expand trade through regional and international cooperation.
- (4) To improve trade environment.
- (5) To produce/maintain enough amount of essential and important goods for domestic consumption and manufacturing industries and stability of prices.

Myanmar-India trade is based on foreign policy and trade policy. In Myanmar, a market-oriented economic policy was officially adopted in March 1989 when the Law of Establishment of the Social Economic system was revoked. This policy reforms have helped not just the increase in production but also increased export of goods and services. The open-door policy has drastically changed the geographical patterns of trade in Myanmar since 1988. Myanmar's cross-border trade countries are Bangladesh, India, China, Laos and Thailand. Cross-border trade is an important role to develop and strengthen the bilateral relations with neighboring countries. Myanmar has strengthened its trade relations with neighboring countries.

Myanmar has changed its trade policy in 2012. The government can levy three types of taxes on imports: import duties, commercial taxes and license fees. Besides, Myanmar has started to remove some of the most significant barriers to the trade including restrictive license requirements, export taxes and arbitrary fixed exchange rates. However, many issues surrounding trade policy. In April 2012, the government formally abolished a

dual exchange rate system which had hindered foreign trade and investment. In June 2013, the government announced a 2 percent tax on all imports and exports. The government maintains a list of restricted imports and exports. The states has a monopoly on legal exports of teaks, petroleum, natural gas, gems, jade and pearls, though its sometimes authorize others to export these products. Relevant government ministries control export of these natural resources.

### **India's Trade policy and its policy towards Myanmar**

Indian foreign trade policy is also known as Export-Import policy or EXIM policy. The EXIM policies are adopted by any country regarding the export and import goods and services with other countries. Two types of trade policies are the free trade policy and the protective trade policy. In the free trade policy, there is complete absence of restrictions on the exchange of goods and services among the nations. Protective trade policy is to protect the domestic economy from the competition of foreign goods. The government of India has implemented Duty Free Tariff Preference (DFTP) Scheme and the ASEAN-India Trade in Goods Agreement (AITGA). DFTP is applicable to Myanmar and AITGA is the tariff lines subject to tariff reduction and/ or elimination under this agreement. Tariff rates are zero percent. Myanmar can more beneficial from this agreement.

India's relation with Myanmar is of utmost importance in the context of India's new orientation and area specific approach to its security as well as economic interests since 1991. According to Dr. Ram Upendra Das, there are four reasons of India interests in Myanmar. These are: (1) Containment of Chinese economic and strategic influences in Southeast Asia in general and Myanmar in particular, (2) Guiding Myanmar in exploring her vibrant gas fields and thereby exploiting the energy resources, (3) Getting the Myanmar government to come down heavily on the North East's insurgents and rebel groups that have taken shelter and been pursuing violent activities there, (4) To obtain inter-modal transit facility for the goods and services being traded between India and Southeast Asian countries. Therefore, India adopted 'Look East Policy' in 1991. This policy was not only focused on Asian markets but also to extend trade relations with other Southeast Asian countries. Under this new framework, a fresh start in Myanmar- India

relations was possible. Myanmar holds a special position in India's neighborhood vis -a- vis the "Act East Policy". Myanmar is strategically important for India to implement and to achieve the objective its policy. India has to maintain a cordial relationship with Myanmar to extend its influence in Southeast Asia and due to internal security concerns of its north-eastern states. These considerations led India to enter into a number of significant economic arrangements with Myanmar.

### **Normal Trade between Myanmar and India**

Myanmar's abundant land, extensive labor resources and proximity to the major emerging of food markets of China and India offer distinct competitive advantages for doing business. Agriculture is the backbone of Myanmar economy: the sector account for about 30 percent of GDP, over 50 percent of total employment and approximately 20 percent of exports. Myanmar is essentially an agricultural economy with three-fourth of its population engaged in agriculture. The high growth rate of GDP was mainly because of improved performances in agriculture, fisheries and manufacturing and trade. About half of total output comes from agriculture, fisheries and forestry. Industry contributes about 15 percent of GDP and services contribute 35 percent. There is a marked difference between Myanmar and India economy. Indian economy is more diversified in industry, services, science and technology. India has a highly diversified pattern of exports, both manufactured and agricultural, that is competitive with exports from industrial countries.

India's perspective and prospects for Myanmar-India relationship in six policy areas: democratization and stability; security in Northeast region and illegal migration; trade and infrastructure; energy security; development cooperation; and the role of China. Therefore, Myanmar and India set up a Joint Trade Committee (JTC) to appraise their bilateral trade and development since 2003. The main items of India import to Myanmar are steel products, agricultural tools, bicycle, coal, sewing machines and three wheelers/ cars below 100cc, machinery, textile, yarn. The main items of Myanmar export to India are agricultural and forest-based product, oil and natural gas, bean and pulses and rice. Principal commodity of import/export between Myanmar and India shows detail in Table-1 and Table-2.

**Table-1: Import from India by Principal Commodity**

(US\$ in million)

No.	Commodity	2012-13	2013-14	2014-15	2015-16	2016-17
	<b>Normal Trade</b>	<b>289.53</b>	<b>476.36</b>	<b>577.35</b>	<b>788.5</b>	<b>624.72</b>
1	Pharmaceutical Products	89.1	71.63	74.08	69.71	67.81
2	Transport Equipment	35.31	20.61	29.47	36.51	43.33
3	Machinery & Mechanical Appliance	26.3	39.84	139.8	33.62	30.05
4	Electrical Machinery & Apparatus	5.4	27.64	47.02	30.31	16.72
5	Chemical Elements & Compounds	4.68	3.34	3.54	7.05	7.34
6	Plastic & Articles Thereof	1.43	2.7	7.34	5.56	6.75
7	Scientific Instruments	0.05	2.78	2.89	7.67	2.86
8	Fabric of Artificial & Synthetic Fabric	0.6	0.89	14.72	1.06	0.42
9	Fertilizer	0.02	0.19	0.35	0.36	0.41
10	Cement	1.33	0.71	6.66	6.12	0.22
	Other	55.9	99.81	167.58	537.22	369.65
	<b>Border Trade</b>	<b>3.17</b>	<b>17.15</b>	<b>18.3</b>	<b>18.85</b>	<b>18.34</b>
	<b>Total</b>	<b>223.29</b>	<b>287.29</b>	<b>511.75</b>	<b>754.04</b>	<b>563.9</b>

Source: [www.mmsis.gov.mm/.../statistics/fileDb.jsp](http://www.mmsis.gov.mm/.../statistics/fileDb.jsp)... (E.Books-MMSIS)

**Table-2: Export to India by Principal Commodity (2012-2017-April)**

(US\$ in million)

No	Commodity	Unit	2012-2013		2013-2014		2014-2015		2015-2016		2016-2017	
			Qty	Value	Qty	Value	Qty	Value	Qty	Value	Qty	Value
	<b>Normal Trade</b>			<b>1006.7</b>		<b>1114</b>		<b>752.2</b>		<b>844.6</b>		<b>704.7</b>
1	Pulses	MT	925530	570.2	748225	460.4	857110	693.2	711142	694.8	483466	581
2	Plywood&Venner	MT	46315	5.66	15029	7.9	53573	26.89	199601	76.79	11483	72.77
3	Timber		978857	404.8	1079491	564.3	8010	12.9	26862	42.58	15941	23.82
4	Fish	MT	351	1.85	5412	6.63	1091	1.7	1069	1.72	837	1.63
5	Garment	NMB	79390	0.39	267	0.34	732	-	238592	1.48	329253	1.1
6	Copper Cathodes	NMB	200	1.61	400	2.82	229	1.9	346	1.88	200	0.99
7	Rubber	MT	60	0.17	1035	2.3	61	0.09	-	-	699	0.9
8	Rice	MT	35589	12.33	37327	12.7	21596	7.35	675	0.22	275	0.11
9	Tabacco	NMB	1216	3.71	128	0.12	-	-	29	0.02	17	0.01
10	Ginger	MT	76	0.03	1031	0.6	-	-	60	0.1	-	-
	Other			5.96		56.2		8.19		24.96		22.33
	<b>Border Trade</b>			<b>8.87</b>		<b>28.17</b>		<b>42.61</b>		<b>53</b>		<b>51.5</b>
	<b>Total</b>			<b>1015.6</b>		<b>1142</b>		<b>794.8</b>		<b>897.6</b>		<b>756.2</b>

Source: [www.mmsis.gov.mm/.../statistics/fileDb.jsp](http://www.mmsis.gov.mm/.../statistics/fileDb.jsp)... (E.Books-MMSIS)

Myanmar's agricultural and forest-based product dominates to India. Myanmar has had a history of supplying rice to many parts of Asia and has the potential of supply quality rice. The total volume of Myanmar's rice export to India was 37327 metric tons in the value of \$ 12.69 million in 2013-14. It was declined to 21596 metric tons with the worth in \$ 7.35 million in 2014-15. It was decreased to 675 metric tons in the worth of \$0.22 million in 2015-16. This amount was decreased to 275 metric tons in the value of \$ 0.11 million during 2016 to 17(April). The declined of rice export to India is increased the development of rice production following the green revolution in India. Besides, the need for domestic consumption was one of the reasons for the decline of Myanmar's rice export to India. Besides, U Thein Sein government was suspended to export timber since 2014.

However, pulses and wood and wood products are major official import items from Myanmar. Similarly, the growth rates of rice production were 136.66 percent in 2012-13, 2.92 percent in 2013-14, -42.08 percent in 2014-15 and -50 percent in 2016-17. The decline of growth rate was mainly due to unfavourable weather conditions and constraint in foreign exchanges resulting in short supply of many agricultural inputs in Myanmar.

As per EXIM policy in force wood/timber are freely importable under normal trade, subject to the payment of Customs Duty that allow in several forms to be imported at a concessional rate of duty of 5 percent ad valorem under both border and normal trade. India's export to Myanmar consists mainly of cement, cycle, drugs and pharmaceuticals, auto parts and accessories, and cotton yarn. The potential available in the capital goods and raw materials sectors does not appear to have been, as yet to be exploited by India.

India is buying pulses and beans including the sesame in the total exports of pulses and beans of 70 percent annually. From Myanmar pulses and beans export to India, Myanmar and India agreed to practice the direct trade system instead of the transit trade system. By using of the direct trade system, the amount of trade value is steadily growing between the two countries. Formerly, Myanmar's pulses and beans are exported to India through Indian companies in Singapore as the transit to India. The two Governments agreed to use the direct trade system on 12 November 2008. If Myanmar sells pulses

and beans with direct trade system to India, India offers to use the Euro and Singapore dollars for letter of credit (LC) instead of U.S dollars in the consultation with the United Bank of India and Myanmar Economic Bank (MEB), Myanmar Investment and Commercial Bank (MICB) and Myanmar Foreign Trade Bank (MFTB). Pulses and beans are directly exported to India.

The high demand and deficit in local supply of beans and pulses has increased and India depends on imports from Canada, Myanmar and Australia. Canada is the largest exporter to India. Myanmar is the second largest supplier of pulses and beans to India that is accounting for one third of India's total requirements of imported pulses. However, Bangladesh, Sri Lanka, Pakistan and Nepal replaced India as the main importer of Myanmar's beans and pulses. In 2017, India was issued an order to protect India's bean and pulses farmers during the bumper year for the domestic sector. India imposed a quota on all Myanmar import and limit on the import of black beans, pigeon peas and mug beans to protect its beans cultivators from foreign competition. This had caused prices for Myanmar's beans and pulses to drop substantially. After India halted bean and pulses import from Myanmar, the market price has also tumbled. The arrangements are underway to plant matpe in Rakhine State and to export in excess of 10,000 tons in 2017-2018 to India. In doing this, it will be exported directly to India from Sittway port. But a potential problem is that only vessels weighing a maximum of 3,000 tons can berth at the Sittway port. If a new port is built in Sittway, this will become a major transfer point capable of exporting beans and pulses directly to India. Myanmar is the major exporter of beans and pulses for India. Pulses are major staple foods of India. India is the largest producer as well as importer of pulses. Therefore, India imports pulses from Myanmar and a number of African nations to fulfill their high demand.

On the other hand, India's imports to Myanmar, though small, range from primary commodities to manufactured products. Primary and semi-finished steel along with steel bars and rods constitute over one third of India's exports. Transport equipment is -5.90 percent in 2015-16. Pharmaceutical are the next most import item and accounted for 36.57 percent in 1915-16. Indian drugs and pharmaceuticals have established a significant market presence and major pharmaceuticals companies.

Although India is Myanmar's second largest export markets, India only accounted for 3 percent of Myanmar's total imports. Indian companies have a significant impact in only pharmaceuticals sector which account for 37 percent of Myanmar's domestic market. India is invested in accounted for 98 percent in oil and gas sector between 1996 and 2013. This ranked India 13<sup>th</sup> behind China, Thailand and Hongkong which together accounted for 73 percent of total investment into Myanmar. In spite of having long trade relations, India has failed to create any sizable export market in Myanmar. India is having persistent deficit of trade balance with Myanmar in most of years since independence. The usual explanation, that the restrictive import policy of Myanmar Government has been the prime cause of India's export sector to compete with its counterpart China, Japan and other Southeast Asian countries. Myanmar offers opportunities for a wide range of Indian products. But Indian goods have not placed themselves between cheap and ample Chinese goods and neat and small Japanese and Singaporean goods in the Myanmar's markets. At that time, Myanmar is also a site of regional completion. China has gained many economic concessions and access to natural gas through a Myanmar- China pipeline. It also has a substantive naval presence in Myanmar's ports. India concerns about the strength of Chinese influence are shared by Myanmar and the junta appears to be encouraging competition between China and India for access to the country's natural resources. Moreover, China has taken over the entire nation's construction of infrastructure and transport links, including development of airfields and naval bases, as well as fulfillment of its energy security needs in Myanmar. Besides, when Myanmar-China border trade was legitimized and formalized, China has enjoyed an important position in Myanmar's external trade and has constantly occupied a high ranking among Myanmar's trading partners.

In the energy sector, Myanmar's dramatic growth in consumption of refined oil products and the inability of its aging refineries to meet that incremental demand have whetted the appetite of Indian oil companies to play a bigger role in Southeast Asian nation's oil and gas sector\_ from upstream to retail. Indians refiners are increasingly looking to sell products to Myanmar in order to tap a growing market. This makes sense both on the geographical level where India is increasingly seeking regional influence and Indian refiners' corporate needs to deepen in new markets. Plans for constructing

such a pipeline would be considered when refiners come up with an estimate of export volumes, provided that such volumes could justify the cost of a pipeline.

Numarligarh Refinery Limited (NRL) has been first off the block to market various petroleum products in Myanmar from its grassroot refinery located at Golaghat, in Assam. The Assam-based refinery was best placed geographically to cater to markets in Myanmar that petroleum products would be shipped to the bordering country by road. However, NRL would benefit significantly from the proposed pipeline. The distance between Assam and centre of Myanmar is about 553 km and about 938km by road. NRL operates a three-million-ton a year refinery which is being ramped up to nine-million tons a year. Government-owned oil refiner-marketer Indian Oil Corporation (IOC) has also submitted a proposal to the Myanmar government to set up a retail outlet to vend automobile fuel, and once retail outlets are in place, it will also benefit from transporting petrol and high-speed diesel through the pipeline. An oil pipeline to Myanmar is part of India's plans to construct a network connecting neighbouring countries Nepal and Bangladesh and will expand Indian oil companies' markets.

### **Border Trade between Myanmar and India**

With the emergence of the open-market economic system, the previous dependence only upon sea trade is being supplemented by border trade. The border trade policy of the Government is to develop and strengthen trade relations through added border activities with the five neighbouring countries – Bangladesh, China, India, Laos and Thailand. There has been an existence of border trade between these countries since a long time past. Mutual interests were shown between the governments to establish smooth and official flow of trade across the borders. Myanmar's border trade policies are:

- (1) To gain more friendship between the two countries;
- (2) To develop legalized normal trade;
- (3) To get full taxation for the State;
- (4) To have the private entrepreneurs to get their deserved benefits and
- (5) To have the smooth flow of commodities.

Myanmar-India border trade officially began on 1 December 1991 and payment can be settled in dollars. Indo-Myanmar Border Trade Agreement was signed between the two countries on 21 January, 1994 and it came into operation on 12 April, 1995 through Tamu border. Myanmar and India have agreed to open three border points. According to Department of Trade, Moreh (Manipur) in India and Tamu in Myanmar and Champhai (Mizoram) in India and Rhi in Myanmar are official points. However, Paletwa- Pansung is unofficial points because it is in very poor condition and is not often used.

The Myanmar-India border trade started with high expectation went on smoothly till December 1997. The Tamu-Moreh sector is heading towards a definite imbalance. The sudden down fall of the border trade is the sudden change of policy by Letter of Credit (LC) system in dollars, insurgency problem and frequent road blockade have hampered in the Myanmar-India border trade, non-availability of importable items in Myanmar combined with higher prices have made import non-profitable to the traders thereby affecting the import, unilateral loan imposed on some import items like onion, garlic, groundnut and rice.

The restriction of the EXIM policy 1997-2002 have become a stumbling block in conducting free import and export through Tamu-Moreh border. The United Bank of India (UBI) Moreh branch has often refused to accept Government deposits thereby creating lots of problems to the trade and customs officials. For example, the temporary ban on export of wheat flour by the Indian side has upset the export as wheat flour forms the 93 percent of total export and Myanmar has already started importing wheat flour through other routes, the condition of road from Moreh to Pallel is very bad. The situations of normal trade and border trade between Myanmar and India show in detail in Table-3 and Table-4.

**Table-3: Trade between Myanmar and India (2012-2017-April)**

(US\$ in Million)

No.	Description	2012-13	2013-14	2014-15	2015-16	2016-17
1	<b>Export</b>	<b>1020.23</b>	<b>1146.41</b>	<b>745.80</b>	<b>904.16</b>	<b>760.07</b>
	Normal	1011.36	1118.24	703.19	851.13	708.57
	Border	8.87	28.17	42.61	53.03	51.50
2	<b>Import</b>	<b>301.7</b>	<b>493.51</b>	<b>595.65</b>	<b>807.35</b>	<b>643.06</b>
	Normal	298.53	476.36	577.35	788.50	624.72
	Border	3.17	17.15	18.30	18.85	18.34
3	<b>Total Trade</b>	<b>1321.23</b>	<b>1693.92</b>	<b>1341.45</b>	<b>1711.51</b>	<b>1403.13</b>
	Normal	1309.89	1594.60	1280.54	1639.63	1333.29
	Border	12.04	45.32	60.91	71.88	69.84
4	<b>Trade Balance</b>	<b>718.53</b>	<b>652.90</b>	<b>150.15</b>	<b>96.81</b>	<b>117.01</b>
	Normal	712.83	461.88	125.84	62.63	83.85
	Border	5.7	11.02	24.31	34.18	33.16

**Source: Statistical Yearbook**, Central Statistical Organization, Nay Pyi Taw, 2011, 2012 & 2016

**Table-4 : Growth Rate of Myanmar-India Trade (2012-2017 April)**

(US\$ in Million)

FY	Export	Growth Rate (%)	Import	Growth Rate (%)	Total Trade	Growth Rate (%)
2012-13	1120.23	- 2.46	301.70	- 7.26	1321.93	- 3.61
2013-14	1146.41	12.37	493.51	63.58	1639.92	24.05
2014-15	745.16	-34.94	595.65	20.70	1341.45	- 18.20
2015-16	904.16	21.23	807.35	35.54	1711.51	27.59
2016-17	760.07	21.39	643.06	80.78	1403.13	42.91

**Source: Statistical Yearbook**, Central Statistical Organization, Nay Pyi Taw, 2011, 2012 & 2016

A large scale of trade is done through illegal channels in the border areas. This might be due to restrictions imposed in the trade and long porous border between the two countries. The flooded of third country goods in Tamu

and Namphalong markets of Myanmar is mainly because of their low prices as compared to goods originated from the states in India. On the other hand, third countries like China, Japan, Thailand, South Korea, and Singapore might have substantially low cost of production, based on their production on labor intensive as well as application of new technologies. The volume of border trade is higher than the volume of legal trade. Border trade has huge potential for expansion of trade between them. The high value of illegal trade carried out on the borders could be due to long porous borders, the restrictions, low transaction cost and low transportation costs. Moreover, Myanmar had artificially high official exchange rates for its currency. Given the difference between market value of the currency and its official exchange rates, formal trade between the two countries was a difficult enterprise.

Moreover, the situation of border trade is no clear increasing trend in the proportion of the border trade to the imports. When the border has been growing, the total imports have grown faster. The composition of Myanmar's import from China exhibits a higher proportion of capital goods and industrial raw materials whereas the import from Thailand includes a higher proportion of consumption goods such as beverages. The import of public sector concentrates on capital goods and industrial raw materials. It is conjectured the proportion of the imports by the public sector is higher with China than with Thailand. However, Myanmar-China trade could be affected by China's slowdown because of the falling global commodity prices and devastating nationwide floods in 2015. Myanmar-India trade remains highly unbalanced; one-to-five in favor of Myanmar, which imports less than US\$ 200 million worth of products from India. Indian goods are sparse in Myanmar's markets because they are unable to compete with the cheap Chinese, Thailand and even South Korean products. However, India is the leading exporter of pharmaceutical to Myanmar since the Burmese Socialist Programme Party Government. India is the first export country of Myanmar's agriculture and forest based products such as beans and pulses and timber.

Although Myanmar and India signed a Bilateral Investment Promotions Agreement (BIPA) and a Double Taxation Avoidance Agreement (DTAA) in 2008, less favorable geographies, infrastructure deficiencies inside Myanmar and inadequate banking services in a country cripple by

international financial sanctions have much hindered India's trade trust. State-owned companies are clearly spearheading India's tentative thrust Oil and Natural Gas Corporation (ONGC), Gas Authority of India Limited (GAIL), National Hydroelectric Power Corporation (NHPC), Indian Border Road Organizations and so on. But the vibrant Indian private companies that lead India's forays in Africa, the West or the Middle East are quite absent from the Myanmar markets. Myanmar has to concurrently develop import substitution as well as export promotion. India first sought to invest in Myanmar's deficient infrastructure sector, mostly through road constructions, upgrading of railways, a river port project, hydroelectric projects and extension of communication lines. However, compared with the number and diversify of Chinese or Thailand involvement in the very same sectors of activities in Myanmar, or even to India's own growing presence elsewhere in Asia (eg. Afghanistan), doubts have emerged regarding the long-term impact of India's low-key Myanmar's projects, for they remain quite peripheral or involve limited budget lines.

### **Conclusion**

It can be concluded that the trade policy changing of Myanmar and India can increase trade volume and upgrading the seaborne and border trade are gradually increased the total trade. However, some of the difficulties can face between them because the two governments need to aware that policy concerning with export/import tax in both side, especially border trade markets. On the other hand, Myanmar is an important country to implement India's Act East Policy and Myanmar can get benefit from re-export and transit trade from India's AITGA. Concerning with trade, Myanmar's export is higher than India's import. Trade balance was significantly favors to Myanmar. Myanmar-India trade is interdependently related. Myanmar depends on India for export markets and technical developments. India depends on Myanmar for oil and gas, Northeast region stability and to achieve the goal of its policy.

Most of the Myanmar and India export-import items are entirely the same items with China and Thailand. However, the prices are not the same. The prices of India and Thailand goods are more expensive than Chinese goods. Most of the Myanmar people use the Chinese products which are poor

quality. It is important to note that Myanmar-India trade is mostly less than Myanmar-China trade. On the other hand, India-Myanmar trade severely decreased from 2010 to 2015 because of India is not trust in Myanmar political situation and some of the bilateral agreements are not implemented because India delays to invest in Myanmar. Some of the projects are suspended by India.

Myanmar and India need to build infrastructure in both side because China and Myanmar constructed the infrastructure in both sides. It is easily to border trade and charges are less for both. Myanmar-China and Myanmar-Thailand border points are more than India border points. Myanmar and India need to open much more border points. Furthermore, waterways are more cost effective than roads and railway and so any goods required to be traded to Myanmar could be done in a very cost effective manner. To promote the trade sector, the main road linking the two countries will be upgraded and cooperate on exporting products and enhancing small and medium enterprises. Besides, China and Thailand is concluded the long-term agreement for economic cooperation and they are implementing to the development of bilateral cooperation. Therefore, Myanmar-China and Myanmar-Thailand trade are stable than Myanmar-India trade. It notes that Myanmar and India need to conclude the long-term agreements. If Myanmar and India solve the border insurgent problem, border areas will be developed trade, infrastructure, communication, transportation and so on. There are several reasons for the lesser amount of trade between them. The two countries' economic relationship, especially border trade, has suffered from lack of clear policy, insurgent problems and stability in the exchange rate to attract for investment. Therefore, Myanmar India trade is lagging behind Myanmar-China and Myanmar -Thailand trade.

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## **CHINA'S POLICY TOWARDS MYANMAR AFTER 2011**

Mi Win Htwe\*

### **Abstract**

This paper argues that Myanmar is in the key factor of Chinese strategic goals. Although Myanmar endeavored to reintegrate itself into the international community or its rapprochement with the United States, China has tried to pursue its foreign policy to Myanmar better than ever before in particular after 2011. On the other hand, it can be said that China for its national interests, continues to make an effort to pursue the appropriate diplomacy towards Myanmar. Therefore, in order to forecast the future prospect of Sino-Myanmar relations, it needs to study Chinese strategic goals towards Myanmar and how Myanmar responses to its policy. Moreover, the influence on Sino-Myanmar relations exerted by other factors such as anti-China sentiment came from Myanmar's people society will also be discussed. Finally, this paper will attempt to analyze the strategic interests of the rising China on Myanmar.

**Keywords:** China, Myanmar, foreign policy, strategic goal, national interest, diplomacy

### **Introduction**

Geographically, China and Myanmar have approximately 2200 km border and diplomatic relations were established between the two countries early in 1950. In fact, since Myanmar became an independent nation in 1948 from Great Britain, Chinese attention has been focused on Myanmar's strategic importance. When the National troops of Chiang Kai-shev were being driven out by the communist forces and the People's Republic of China (PRC) was founded in 1949, some nationalist forces invaded Shan state of Myanmar in the hope of positioning for a counter attack against the Communist government. China pursued an assertive foreign policy from 1949 until 1954 and supported the Burma Communist Party (BCP) against the government in Yangon. But as the political changes in PRC, China made a decision to be flexible in its foreign policy. Thus, China maintained dual track diplomacy in dealing with Myanmar government. It was only after the beginning of the economic reforms of Deng Xiaoping in the early 1980s that Myanmar's leaders began to build up a new level of trust. From 1986 to 1987,

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the Myanmar Armed Forces (MAF) went on the offensive against the BCP and recaptured the trade route along the border.

In 1988, China made normal relations with cordial friendliness upon Myanmar. After the 1988 internal political upheaval, the State Law and Order Restoration Council (SLORC), was pressured by the western countries in particular the United States and the European Union (EU) began imposing sanctions on the country. But China did not make the intervention and only gave necessary assistance and initiated a strong bilateral relationship with Myanmar new military government. Then the leaders of the two countries made mutual visits. Since diplomatic relations were established in 1950, China and Myanmar has adhered to pursue the Five Principles of Peaceful Co-existence and maintained their Paukphyaw Friendship until now. In relations with China, Myanmar government reiterated often that it will continue to follow “one China” policy and will never develop any official contacts with Taiwan. In fact, the support for one China policy is part of Chinese political and strategic needs. Thus, Sino-Myanmar relations since 1988, has been closer than ever before.

However, when President U Thein Sein government came to power in March 2011, the Sino-Myanmar relationship started showing delicate changes. Myanmar, in order to separate itself from over dependence on China, it began to find out ways to improve its relations with the US and some western countries. After President Obama visited Myanmar in November 2012 and hosted President U Thein Sein in Washington in May 2013, this signaled Myanmar came back to the international community. The US started developing its economic relationship with Myanmar by lifting some restrictions on American companies investing in Myanmar. Under the Barack Obama government, the US reinstated Myanmar’s eligibility for the Generalized System of Preferences benefits after imposition of economic sanctions against Myanmar for more than two decades. Today, Myanmar’s bilateral trade with the US during the 2017-2018 fiscal year hit US\$ 718 million. Then, the US made investments of \$ 129 million in Myanmar during the same year. The follow by the US, the European Countries (EU) also made investments of US\$ 6.6 billion in Myanmar as of April 2018. There are 300 registered EU companies in Myanmar. Therefore, after President U Thein

Sein took power, China's situation in Myanmar has been relatively no stronger. Moreover, China has also faced anti-sentiment among Myanmar people due to its realist diplomacy. To maintain its formal status and to achieve its strategic interests in Myanmar, China seems to understand that it needs to pursue its appropriate diplomacy with Myanmar.

Thus, in order to forecast the future prospect of Sino-Myanmar relations, it is necessary to study Chinese strategic goals towards Myanmar and how Myanmar responds to its policy. Moreover, the influence on Sino-Myanmar relations exerted by other factors such as anti-China sentiment came from Myanmar people society will also be discussed.

### **Myanmar in the importance of Chinese Strategic goals**

Myanmar is located in Southeast Asia between China and India. Myanmar geostrategic location is the most important factor in military, politics and security, energy resources and economic considerations. Economically, Myanmar is the bridge of inland trade and commerce strategic country between Southeast Asia and South Asia. It is strategically located at the edge of India Ocean. Myanmar shares a common border with China in the North and Northeast, with Laos and Thailand in the East and Southeast, with India and Bangladesh in the West. Then, Myanmar possesses 1385 miles of coastlines, bounded in the west by the Bay of Bengal and in the south by Andaman Sea, through which Myanmar can access to the Indian Ocean. Thus, Myanmar's strategic position has needed stable relationship with giant neighbors, China and India and its other immediate neighbors.

After 2011, its rapprochement with the United States (US), Myanmar could now play the role of geopolitical pivot in the strategic competition between the US and China and India and China. Myanmar's location allows Chinese resource shipments to avoid sea-lanes choke points, the Strait of Malacca and provides access to the Indian Ocean. Thus, Myanmar can give an outlet for China's less-developed western provinces such as Yunnan. For the landlocked Yunnan, securing access to the Indian Ocean through Myanmar as a land bridge is important for achieving trading routes as well as for security. The proposed railway construction between Kyaukphyu and Muse will serve as a corridor for Chinese exports to western markets. The other route will be

created by constructing a river port on Bhamo in Kachin State, from which the Ayeyawaddy River will lead to the Yangon and Thilawa. On April 27, 2011, the China Railways Engineering Corporation and Myanmar Union Ministry of Rail Transportation signed a memorandum of understanding (MOU) for the construction of a railway from Muse to Kyaukphyu. The development of a port and a Special Economic Zone (SEZ) in Kyaukphyu will serve Chinese strategic interests on the Indian Ocean. Thus, Myanmar location will also be part of China's two Ocean strategies to win access to the Pacific and Indian Ocean.

Furthermore, Sino-Myanmar connection is strategically useful for China to contain India's influence in Southeast Asia especially its neighbor, Myanmar. Being sandwiched by the Indian sub-continent and China, Myanmar is strategically important for the two rival regional powers China and India. The rising China desires to be a regional great power in shaping future world events. Then currently, China has been emerging as a truly global power, the biggest economy in the world, and shaping everyone's future. For its security, China has enhanced its military cooperation and exchanges with Myanmar since 1988.

Actually, after 1988 upheaval in Myanmar, mutual relations with China has been increasingly cordial than ever before, driven by geostrategic significance of Myanmar. Myanmar government has had the unintended consequences of encouraging ties with China. During the period of western sanctions on Myanmar, a spillover from China was like a tidal wave in Myanmar especially Mandalay. There were no western companies and few Myanmar competitors. The Chinese were entering a vacuum and taking advantages of a new opening. Thus, China could promote its economic cooperation and investment throughout the period of Myanmar's military government.

In fact, China has economically developed a strong interest in securing Myanmar's plentiful natural resources. China's heavy investment in Myanmar is not only in the oil and gas sector but also in mineral extraction. It also exploits Myanmar's water resources for electric power generation. Then, Myanmar also provides a market for its commodity. Moreover, China has recently constructed both oil and gas pipelines through Myanmar, connecting

Kyaukphyu with Kunming in Yunnan Province. The plan is also to transport crude oil, which is carried by tankers from the Middle East and Africa to Myanmar, through a pipeline to the Yunnan Province in China. It was because industrializing China really needs most energy from the outside world. Thus, the pipelines can serve the strategic interests and also economical in the sense of by-passing the Malaca Strait. Another project is the construction of hydroelectric dams in the border area which is underway. The electricity generated in Myanmar will be sent to Yunnan Province. The China Power Investment Corporation planned to construct seven hydroelectric dams along the upriver basin of the Ayeyawaddy River. But among them, the Myitsone Dam was suspended by President U Thein Sein on September 30, 2011. However, the other six dams have still under plans to construct. Thus, Myanmar actually is a source of energy supply for China.

In addition, the securing of border trade routes and the stability of border regions is vital for Chinese strategic interests in Myanmar. In economic factor, trade at the people to people level is mainly implemented at the upper Myanmar, Shan and Kachin States and the border of Yunnan. China tops the lists of foreign countries with investments in Myanmar till the end of February according to the 2015-2016 fiscal year released by the Directorate of Investment and Companies Administration. Under this 2015-2016 fiscal year, China stands first with over US\$ 15 billion worth of 126 investment projects, followed by Singapore with over \$ 12 billion in 199 projects.

According to official statistics, bilateral trade between Myanmar and China amounted to over 10 billion US dollars in 2014-2015 fiscal year. Of the total, Myanmar's export to China hit 4.6 billion dollars. And the bilateral trade between Myanmar and China hit over 9.4 billion US dollars in first ten months (April-January) of 2015-2016 fiscal Year sources with Ministry of Commerce. During the period, Myanmar mainly exports oil and gas, agricultural products to China. The imports from China include industrial products and commodities. However, the border trade has played a major role in the trade between the two countries. Thus, China needs the border stability between the two countries in order to operate its strategic economic factors in Myanmar. China will cooperate with any government that comes to power in

Myanmar in the interest of stability and smooth economic relations in order to achieve its national interests.

In contrast, the ethnic armed groups in the Myanmar side have conducted antigovernment activities for a long time with the support of the Chinese Communist Party. But these armed forces have produced narcotics or stimulant drugs in order to export into China. Therefore, the border security remains a key concern for China. Indeed, Myanmar's political stability is very important for Chinese security. Myanmar ethnic armed conflict is harmful to Chinese border security and stability. At the same time, China is anxious in the internalization of such a KIA and MAF conflict. They are still fighting even today. Thus, it can be said that China has these key strategic interests in Myanmar as mentioned above particularly to access to the Indian Ocean, to get energy security and security of the border areas.

However, these key strategic interests will be able to support its grand strategic project: the Belt and Road Initiative (BRI). The BRI project were proposed in 2013 to invest hundreds of billions of dollars in new infrastructure investments and upgrades including highways, pipelines, railroads, and power grids, along with related port and logistics upgrades in maritime partner countries. The BRI or OBOR (One Belt One Road) focuses on connecting China to Europe. The BRI certainly have to pass the Indian Ocean through Myanmar in connecting China to Europe. Then, China today has tried to implement China-Myanmar Economic Corridor (CMEC), Kyaukphyu deep sea port and border economic zone along all Sino-Myanmar border as part of the BRI project. Thus, Myanmar' geostrategic location is very important for Chinese strategic interests' goals.

### **Myanmar Perception and Reaction towards China**

Myanmar is a country where the basic national aims have not changed over the years since its independence in 1948. Myanmar has maintained its sovereignty and national interests by pursuing independent and active foreign policy. Myanmar's leaders are strongly committed to its basic national aims: political independence, territorial integrity, security, unity and self-reliance. Myanmar historically has relied on a foreign policy of strict neutrality, coupled with low-key bilateral relations based on the Five Principles of

Peaceful Co-existence. It can be learned from the successive governments' practicing foreign policy respectively. After President U Thein Sein came to power, in his inaugural speech on March 30, 2011, he confirmed that his government would continue to exercise a non-aligned, independent and active foreign affairs policy and dealt with other countries in line with the Five Principles of Peaceful Coexistence although successive governments have practiced different political and economic policies and concepts.

Similarly, it can be learned from today new NLD government's foreign policy. On April 22, in a meeting with foreign diplomats at her office in Nay Pyi Taw, Union Foreign Minister, Daw Aung San Su Kyi clarified that her government's foreign policy is oriented to the protection of national interests and environmental sustainability. In addition, she added that the policy also holds in high esteem such virtues as freedom, sovereignty, culture and tradition and national solidarity. There has been a dramatic shift of emphasis in the country's foreign policy from "bilateral relations" to "regional integration" and "multilateralism". The NLD government's foreign policy is aimed at enabling cooperation with neighboring countries in an effort to maintain peace, regionally and globally.

Myanmar Geopolitical ramifications have been overwhelmingly determined by bilateral relations with China. From Myanmar's perspective, its government has always watched China with great suspicion. This is why Chinese government historically maintained "dual track diplomacy" in dealing with Myanmar government and the outlawed BCP. Since the by-elections of 2012, China has engaged with political parties and civil society organizations. Then, China has also engaged on a charm offensive of public diplomacy in Myanmar. At the same time, Myanmar government has been particularly concerned about Chinese involvement in and support for the UWSA (United Wa State Army) in order to use as leverage against Myanmar government. Moreover, Myanmar government also perceives as a threat from the China's huge population particularly the growing Chinese population in Myanmar and their wealth. On the other hand, China's investment into joint ventures with Myanmar's military government's owned companies is a great dissatisfaction among the Myanmar people as the military government had survived through increased funding from China. China's three big projects: the Myitsone

Hydropower Dam project, the Lapaduang Copper Mine project and the Kyaukphyu- Kummin Oil and Gas Pipelines project are controversial as none of them helps Myanmar with the sustainable development, technology transfer and long term employment opportunities, but just leaves the country with great environmental and social impacts. Thus, anti-China sentiments among Myanmar people have risen sharply since 1988 up to present. Then, Myanmar government had become aware of China's international obligations and its desires to project and maintain a positive image among the international community. It was because during the crackdown on the monk-led anti-government demonstration of September 2007, China played an important role in facilitating meeting between the Myanmar military government and the UN. Myanmar people has become anxious China's influence on its domestic affair. Thus, the key influent factor on Myanmar relations with China after 2011 is the anti-Chinese sentiment and negative attitude towards China.

However, China and Myanmar has become strategic friends since 1988 until present time. The strategic cooperation between the two countries in 1989 had coincided because of the West's diplomatic isolation of Myanmar. Due to isolation and its necessity, Myanmar decided to move closer to China so as to seek both military and economic development assistance. In this situation, it is possible that China saw a golden opportunity to fill the strategic vacuum in Myanmar economic crises. When the border first opened up in the 1980s, cheap Chinese goods came into Myanmar markets and then, came the logging on a huge scale for trading to China. The trade in heroin developed long a staple of the Golden Triangle. Chinese businessmen rent the land from local authorities for growing rubber, sugar cane and pineapples. The enormous new Chinese-owned and run plantations could be seen over the border. Myanmar snow leopards, rhinos and other endangered species are being hunted and shipped across to impatient customers on the border. Moreover, women are usually tricked into believing they are going to a new job in China. Thus, the successive Myanmar governments have become understand to solve the growing Chinese factors in Myanmar. Thus, when President U Thein Sein took power, he suspended the Myitsone hydropower dam project on 30 September, 2011 in response to increasing public opinion against the project by the Myanmar people and strong protest over the construction of the dam. At the same time, under his government, Myanmar

has involved rapprochement with the United States in order to reduce its over-reliance on China. Since 2011, Myanmar has currently been taking further steps in the reform process and to improve its relations with the U.S and other Western countries. In addition, in line with reducing its dependence on China, Myanmar has promoted its cooperation with India as China's regional power rival by using Indian look east or today look act policy.

To reduce its over-dependence on China, Myanmar decided to adopt a "counter balancing" strategy by diversifying its diplomacy, welcoming the U.S, India and ASEAN countries as well as encouraging Japan and other industrialized nations like Singapore and the EU to invest in the country. The United Kingdom tops the list of European member states making investments in Myanmar according to the Myanmar Investment Commission. Myanmar received a total of over \$ 23.84 billion in Foreign Direct Investment (FDI) between the 2011-2012 FY and the 2015-2016 FY (according to the Directorate of Investment and Company Administration). Moreover, under the new government President U Htin Kyaw came to power in April 2016, Myanmar can attract more FDI and acquire new technology and skills for its labor force to overcome the structural weakness and backwardness of its economy. On the other hand, Myanmar government made effort to achieve the nationwide ceasefire concord with all armed ethnic groups so that there would be prevented China in supporting or interference in Myanmar internal affairs. They believe that peace would lead to national development. This peace process perhaps can also support for implementing Myanmar's democratization smoothly. Then, there is no many advantages for Chinese expectation in line with its strategic partnership particularly under the new NLD government. Indeed, Myanmar is aware of the potential dangers of being too close to China to arouse uneasiness.

However, after the New NLD government was formed in late March 2016, the State Counselor Daw Aung Sunn Su Kyi made a visit China as her first visit trip with foreign countries. Myanmar new government is determined to end ethnic conflicts. she has announced that Myanmar would hold the 21<sup>st</sup> Century Panglon Conference on August 31. Since China has the historical linkages with the multiple parties in particular ethnic armed groups, the new government hopes that China could play a mediating role in the process of

reconciliation. On the other hand, Myanmar is also keen on economic cooperation with China as well as gaining financial support from its big neighbor. Then, Myanmar's long term economic relationship with China is essential. Myanmar needs billions of dollars form foreign investment. China can be a source of investment. Nowadays, there is the planned China-Myanmar Economic Corridor (CMEC), which envisaged as part of China's broader Belt-Road Initiative. To gain this opportunity, Myanmar needs managing properly relations with China. The necessary reforms will also be made to promote Foreign Direct Investment as economic security will contribute to national security. If Myanmar effectively plays the relations with the economic powerhouse, China, it would gain more. Thus, it can be said that Myanmar always endeavors to keep its independence, strategic non-aligned and active foreign policy while maintains a good relationship with giant neighbor, in particular the rising China to achieve national interests.

In reality, the strategic partnership between China and Myanmar can possibly be a marriage of convenience. Myanmar's geographical position on a tri-junction among South Asia, Southeast Asia and China is nevertheless economically and strategically significant. Meanwhile, Myanmar can give China a trading outlet to the Indian Ocean for its landlocked inland Yunnan province and Sichuan. Then, the oil and gas pipelines were completed between Kyaukphyu (Myanmar) and Kunming in China's Yunnan province. The gas pipeline is already in use and the oil pipeline opened in April 2017. Moreover, Myanmar is endowed with rich natural resources and a geo-strategic position between the two big giants China and India. However, since U Thein Sein came into power in 2011 until now, Sino-Myanmar relations have been showing subtle. To reduce its dependence on China, Myanmar necessarily embarked its rapprochement with the U.S. Due to the exigency of circumstances; Myanmar needed Chinese assistance but at the same time, was wary of Chinese ambivalence as demonstrated by its past attitude in the historical contest. Moreover, because of its realist diplomacy, there is growing anti-China sentiments come from Myanmar people society. Thus, Sino-Myanmar relationship can be seen as limited to the status of strictly business or marriage of convenience.

### **China's Appropriate or Charm Diplomacy toward Myanmar**

After President U Thein Sein government took power, the changes in relations between China and Myanmar has greatly influenced on China's policy to Myanmar. To protect its strategic interests in Myanmar, China has continued to pursue its new policy or charm offensive diplomacy to Myanmar. China can make sense that its misjudgment policy has caused Myanmar people unhappiness. Therefore, standing with the military government for its national interests was not encouraged. China has become notice that Daw Aung San Suu Kyi is as a key factor in implementing its strategic partnership with Myanmar after she had a landslide victory during the by-election in 2012 and the election in November 2015. China pursued its appropriate policy with NLD Party and other political parties as well as civil society organization and so on. Thus, to appease Myanmar people, China have agreed to pay some compensation for the loss of property to the local people as well as for their welfare. Moreover, China donated round about 1000 US dollar to the NLD National Health Network in April 2013. Besides, China possibly accepted that the impact of media which are lifted post 2011, has occurred increasing the anti-China sentiment in Myanmar. That has affected on the image of its government, strategic cooperation and its business people. Therefore, China has tried to interact with the NGO and the media.

Moreover, China had presented Myanmar-China Paukphaw friendship awards to 10 associations, including the Myanmar-China Friendship Association during the ceremony of Myanmar-China Paukphaw Friendship Day in Yangon in June 2018. Then, the Myanmar-China Paukphaw Friendship Fund donated Ks 80 million to Myanmar government for supporting of internally displaced persons and those affected by disasters. Thus, it can be assumed that China has tried to appease Myanmar people especially anti-China Myanmar Society in order to support its strategic cooperation in Myanmar. In general speaking, China has tried to treat the China-Myanmar relationship from a strategic and long term perspective.

Thus, China for its national interest, continues to make an effort to practice the appropriate diplomacy towards Myanmar's NLD government. It can be seen that Foreign Minister, Mr Wang Yi visited Myanmar on 6 April, 2016, and met President U Htin Kyaw and Foreign Minister, Daw Aung San

Suu Kyi to offer his praise and congratulations to the new government on their smooth democratic ascension to becoming the ruling party. During this meeting, they did not discuss any cooperation. It was because China already noticed that it cannot get any expectation about strategic partnership in relations with Myanmar like the military government age. However, for China, the charming offensive diplomacy is very important for its grand strategy: the Belt and Road Initiatives. Myanmar is a key factor in this strategy. To achieve its goals, China thus, will definitely practice its appropriate diplomacy with any successive government of Myanmar. For Myanmar, it needs to manage properly any Chinese offering opportunities for its national development.

### **Conclusion**

The economy of China has been growing. China is the second largest economy after the U.S. On the other hand, some estimate that China is emerging a real global power and the biggest economy in the world. Moreover, it determines firmly to become a developed modern nation in 2049 and trying to get water blue navy in 2050. To achieve this aim, China is apparently striving to expand its string of pearl strategy in the Indo-Pacific. China extends its helpful hand to the countries not only Myanmar but also other countries which needs its assistance for development. Then, it is pursuing a non-aggressive foreign policy or a good neighbor policy to its neighbors. China has increasingly involved international organizations and the setting of international norms and rules too. Thus, it seems that China wants to be not only a regional great power but also a global power as its foreign relations changes.

Moreover, China has been implementing a project named the Belt and Road Initiative (BRI) which is comprised of the 21<sup>st</sup> Century Maritime Silk Road and the Silk Road Economic Belt in order to develop countries and improve global connectivity. In fact, the Silk Road Economic Belt focuses on connecting China to Europe through Central Asia and Southeast Asia, South Asia and the Indian Ocean. While the 21<sup>st</sup> Century Maritime Silk Road focuses on utilizing sea routes and Chinese coastal ports to link China with Europe via the South China Sea and the Indian Ocean, and the South Pacific Ocean through the South China Sea. Kyaukphyu Sea Port (Myanmar)

involves in the BRI's key port cities. At the same time, Bangladesh-China-India-Myanmar Economic Corridor (BCIM) includes among six international corridors of the BRI. The Economic Corridor (BCIM) is a multi-modal corridor made up of both land routes mainly via the Kolkata and Kunming (K2K) highway passing through Myanmar cities such as Mandalay and then Bangladesh through to Kolkata. Myanmar has a key strategic role in terms of energy, in maritime access to the Bay of Bengal, as a land connector to the Road and in development plans for the underdeveloped Yunnan.

Meanwhile, Kyaukphyu Deep Sea Port could be taken as to avoid the Malacca Straits. Then, the Kyaukphyu Economic Zone could be a key to the Myanmar, Bangladesh and North East India Economic Corridor. Myanmar occupies an unique position in the Belt and Road Initiative. From a strategic perspective, Myanmar is one of the two direct access points to the Indian Ocean for China. Myanmar as a key BRI territorial-maritime corridor connector, has allowed China to diversity its energy import over land for its land-lock provinces Guangxi and Yunnan. Thus, Myanmar with its strategic location would be a priority country in China's Belt and Road Initiative.

In addition, China has required border security between the two countries in the supporting of the concrete implementing of the BRI project. Regarding the issue of achieving sustainable agreements between the government and the multiple ethnic armed groups (EAGS), China is the key external actor and active participating role in the Myanmar's peace process. China donated US\$ 1 million last year and an additional US \$ 1 million and 10 cars in July 2018. Then, China has created the Myanmar-China border economic zone as part of the BRI. While the Kyaukphyu deep sea port project led by CITIC – China International Trust Investment Corporation) is part of the economic corridor of China's BRI. Moreover, the two countries' currently proposed economic corridor (CMEC) will start in Chinese Yunnan Province, extend to the central Myanmar city of Mandalay, and then east to Yangon and west to the Kyaukphyu special economic zone, forming a three-pillar giant cooperation pattern. This CMEC is also part of the BRI. Therefore, the BRI engagements are currently contributing to Chinese active role in Myanmar.

To achieve successful implementation of the BRI, President Xi Jinping in March 2018, secured a path to rule indefinitely as parliament abolished

presidential term limits, handing him almost total authority to pursue a vision of transforming the nation into an economic and military superpower. Under this expectation, China would continue to practice its appropriate or charming diplomacy with Myanmar while China also maintains its friendly and strategic partnership with Myanmar in various aspects. Its grand strategy “BRI” is very important for China’s image as regional or global leadership in the world. Since it occupies a very unique position in the Belt and Road Initiative, Myanmar thus, is the strategic interests of the rising China.

Thus, it can claim that Myanmar is in the key factor of Chinese goals. For Myanmar, to response the rising China’s strategic interests namely BRI engagement, it needs to prepare well multi-level cooperation including infrastructure, electricity, industrial development and transportation and so on. As being next the rising China, Myanmar can get simultaneously not only Challenges but also opportunities from it. To tickle these events, Myanmar thus needs to know clearly about the China’s policy. On the other hand, Myanmar by playing counter balancing with the US and other countries can reduce its over dependence upon China and then Myanmar can establish interdependent relations with China. In doing so, Myanmar will certainly play its geo-strategic location and rich natural resources in particular energy, with China as an industrial country needs a huge energy from abroad. Thus, Myanmar can achieve its goals by handling skillfully in its diplomatic relations with its economic superpower house, the rising China.

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## **THE US RESPONSE TO POLITICAL DEVELOPMENT IN MYANMAR**

Tin Tin Aye\*

### **Abstract**

The imposition of US economic and trade sanctions against Myanmar began in 1997 in response to control the democratic movement in Myanmar. In 2009, the Obama administration reassessed US national security and foreign policy holistically and practiced “principled engagement” with non-democratic countries to improve bilateral relations through diplomatic dialogue to advance human rights or other conditions. The US initially maintained status quo on sanctions while trying to engage the Myanmar government under this framework. Since 2010, elections led to a peaceful transition from the military government to the new quasi-civilian government. The President of the U Thein Sein government initiated a series of political, economic and administrative reforms. The reform process resulted in a substantial opening of the long-isolated country. In May 2012, the US has begun easing certain sanctions in response to the historic reforms in Myanmar. The majority of financial, investment, and trade restrictions were removed between 2012 and 2013. In July 2012, the US issued general licenses to permit the first new US investment in Myanmar and to broadly authorize the exportation of financial services to Myanmar. The intention of this policy change was to support ongoing reform efforts by the Myanmar government. In historic elections in November 2015, the NLD won a majority of the total seats in the national parliament and in most state and regional parliaments. This research attempts to explore why the US did impose the sanctions on Myanmar. It also analyzes why the US did ease the sanctions to Myanmar after 2010. Then it also examines how far reform process facilitates on the Myanmar-US relations.

**Keywords:** Myanmar, the United States, sanctions, political development

### **Introduction**

Bilateral relations between Myanmar and the US had deteriorated for the violent suppression of pro-democracy demonstrations in 1988. In the 1990s, the US imposed economic and trade sanctions on Myanmar. Besides, the Depayin Crisis in 2003 and the Saffron Revolution in 2007 also strained

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the relationship between the two countries. To implement Myanmar democratic transition, SPDC government announced the seven-step Road Map to the “Disciplined Democracy” in 2003. After the 2010 multiparty general elections, U Thein Sein became a President of the Republic of the Union of Myanmar in March 2011. U Thein Sein government carried out a series of political, economic and administrative reforms. These reforms were the release of pro-democracy leader Daw Aung San Suu Kyi from house arrest, formation of the National Human Rights Commission, general amnesties of more than 200 political prisoners, relaxation of press censorship, and so on. The 2012 by-election was held on 1 April 2012. Daw Aung San Suu Kyi led the winning the by-election in a landslide victory. As a consequence of these reforms, ASEAN has permitted Myanmar’s offer for the chairmanship in 2014.

With the political reforms in Myanmar, the US changed its foreign policy towards Myanmar and initiated to improve its relations with Myanmar since 2011. In order to boost Myanmar transition, the US Secretary of State Mrs Hillary Clinton visited Myanmar on 1 December 2011. The visit was the first visit by a Secretary of State in more than fifty years. As a result, the US appointed Derek Mitchell as the US Ambassador to Myanmar in 2012. In addition, the US President Barack Obama also visited Myanmar in 2012 and 2014. In response, President U Thein Sein and Daw Aung San Suu Kyi visited the US in 2012. This paper aims to focus on the US responses to Myanmar political development before and after 2010.

### **The US Response to Myanmar Political Development Before 2010**

In 1990, the very first multiparty democracy general elections were held in Myanmar. Although National League for Democracy (NLD) led by Daw Aung San Suu Kyi won landslide victory in the 1990 elections, the SLORC failed to transfer of power to NLD on the ground that there was no proper constitution to hand over the government duties and responsibilities. This was one of the facts that the US imposed economic sanctions on Myanmar. In addition, the US cut off economic and military assistance to Myanmar for that reason.

In 2003, the Seven-Step Road Map was announced by the SPDC, the successor of SLORC which included: (1) national reconciliation and democratic transition, (2) step-by-step implementation of the process necessary for the emergence of “a genuine and disciplined democratic system, (3) the drafting of a new constitution, (4) its adoption through a national referendum, (5) the holding of free and fair elections, (6) the convening of elected bodies, and (7) the building of a modern, developed and democratic nation. Indeed, the SLORC government began to call a National Convention (NC) in 1993. Since the beginning of the NC, the US watched continuously political process in Myanmar and imposed more targeted sanction on Myanmar particularly arms embargo, suspension of licenses, technical assistance agreements, defense training and defense facilities produced by the US. It was known as the Arms Export Control Act in 1993.

Unfortunately, the NC was suspended in 1996 because NLD representative walked out from NC which aimed to lay down to detailed principles for national constitution. Energizing the NC was the first step of the seven steps road map for national reconciliation and the transition of democracy on 30 August 2003. Although the US government closely watched the development of the NC in Myanmar, it remained low diplomatic representations in Myanmar since September 1990. It meant that Myanmar-US relations was in deteriorating conditions.

In the 1990s, the US imposed a series of sanctions including visa ban for significant victory leaders in Myanmar. In 1997, the US Congress endorsed to allow the President to block new investment in Myanmar and prohibit professionals from facilitating any transaction that a US citizen could not complete. In addition, the US suspended humanitarian aid, terminated diplomatic relations, imposed an arms embargo, including a ban on imports, visa restriction for some Myanmar military officers and their families and ended Myanmar’s preferred trading position. In 1997, the SLORC government renamed itself as the State Peace and Development Council (SPDC). Since 1988, the US placed the restrictions on the SLORC, later changed to the SPDC.

The official sanctions started in 1997 when President Bill Clinton came to White House. Under the Clinton administration, laws were passed by

the Congress and the White House for required the termination of US economic assistance and the anti-narcotics program and military training were also stopped in Myanmar. The imports sanctions were steadily increased as Myanmar was perceived to be making no progress towards democracy nor demonstrating respect for human rights in accordance with the US democratic benchmark Myanmar had obtained the Generalized Scheme of Preferences (GSP) since 1976. Moreover, the US suspended the GSP in 1989 because the reason was the government used of labour forced. The US and Western European countries initiated the most severe sanctions against Myanmar after the 1988 Uprising.

In 2003, Debayin incident broke out in Sagaing Division when NLD leader Daw Aung San Suu Kyi toured to Debayin to meet local supporters. As a consequence of Debayin incident, the US 108<sup>th</sup> Congress passed the Burmese Freedom and Democracy Act (BFDA). It included the general import ban and restrictions on providing financial services to government-related persons. The US general import ban prohibited US citizens and corporations from importing Myanmar goods. According the 2003 Act, it mandated sanctions and allowed the President to lift them upon the result of progress towards democratic government, the release of political prisoners, freedom of speech and the press, freedom of association, and freedom of religion. The 2003 Act affected Myanmar economy since the law excluded Myanmar nationals from potential trading partners with the US and western markets. The Congress had renewed the BFDA annually and till 2010. The harshness of the sanctions in the 2003 bill was satisfactory to encourage the SPDC to lift house arrest on Daw Aung San Suu Kyi from the house arrest.

On 28 July 2003, President George W Bush passed the Executive Order 13310. It enacted the prohibition of the exportation or re-exportation of any US financial services to Myanmar. According to the Order 13310, Myanmar Foreign Trade Bank (MFTB), Myanmar Investment and Commercial Bank (MICB) and Myanmar Economic Bank (MEB) were prohibited to deal transaction with the US client banks allowed the world. All these banks involved foreign exchange transactions in Myanmar. By 2003, due to the internal and external pressure, the military government required to introduce a roadmap to disciplined democracy which was a blue print for

Myanmar political reforms. However, the international community often viewed these actions by the military regime as dubious attempts to deter punishment, since the Myanmar government continued to commit actions that undermined the efforts of sanctions. Although the NC was convened in 1993, it was suspended in 1996 and was postponed until in May 2004.

In January 2007, although the US and the UK supported a resolution to impose sanctions on Myanmar, it was rejected by China and Russia at the UN Security Council. The SPDC government feared that the US would pursue “regime change”. But the US has not met the goals of “regime change” and forming “American style democracy” in Myanmar. Myanmar has upset a lot because of the US economic sanctions. The relations between the two countries failed to improve during this period.

During August and October 2007, there were mass protests in Myanmar. The protests originated in smaller demonstration against a sudden rise in prices to remove subsidies on food and over increased fuel prices led by pro-democracy activists and Buddhist monks. Through the protests, Buddhist monks and pro-democracy activists demanded for the national reconciliation and the release of Daw Aung San Suu Kyi. The event was known as Saffron Revolution because of the participation of the saffron-robed monks. In line with the Seven Steps Road Map, the SPDC government continued the convening of the NC. It was successfully concluded on 3 September 2007. The successful holding of the NC and the adoption of 104 detailed basic principles for the State’s Constitution of the Republic of the Union Myanmar were the accomplishment of the second and third steps of Seven Steps Road Map. Although the NC gradually proceeded to lay down Constitution, the impact from Saffron Revolution was another negative pressure on SPDC, President George Bush announced the Executive Order 13348 which extended sanctions to include asset freezes against individuals labeled as responsible for human rights abuses and public corruption and individuals. The Order authorized to freeze financial or material support to those labeled entities or the military government in Myanmar.

In addition, the Executive Order 13464 was issued by the President Bush on 10 April 2008 that expanded sanctions to permit freeze assets against Myanmar individuals. This Order could be seen that the US government

sought to increase pressure on the Myanmar government before referendum on new constitution was realized. Before holding the NR nation-wide referendum for 2008 Constitution, the Category IV Cyclone Nargis hit the Ayeyarwaddy and Yangon Divisions on 2 and 3 May 2008. However, on 10 May 2008, despite the aftermath of Category IV Cyclone Nargis, the Myanmar government held National Referendum (NR) to foster a “disciplined democracy”. Holding the NR to approve the 2008 Constitution was the success of the fourth step of the Road Map. The NR was an important feature of the approaching 2010 multiparty general elections which was the fifth step of the Road Map.

The US did not accept the holding the NR to approve 2008 Constitution. Since the process of 2008 Constitution failed to participate the representatives of NLD who won election in 1990. Therefore, the US Congress issued the Tom Lantos Block Burmese JADE (Junta’s Anti-Democratic Efforts) Act on 29 July 2008. It mentioned to restrictions on the use of correspondent accounts in US financial institutions for government-related persons. Its enactment effectively enjoined not only the US but also the third countries’ financial institutions from making dollar-denominated transfers to Myanmar. The US restrictions on the provision of financial services aimed to delay Myanmar export to third country like Japan. However, Japan did not impose sanctions. The Treasury Office of Foreign Assets Control in the US approved unlimited allowances to Myanmar as necessary aid subsequent Cyclone Nargis. But the 2008 election in the US gave an opportunity to improve relations between Myanmar and the US. General Than Shwe, the Chairman of the SPDC, sent a congratulatory message to Mr Obama on the occasion of his election in November 2008.

Since the end of 2008, the Myanmar government tried to improve its relations with the US. The Chairman of the SPDC, General Than Shwe, sent a congratulatory message to President-elect Obama on the occasion of his election in November 2008. It was a signal of Myanmar government to ease tense relations with the US. Similarly, the Obama administration realized that sanctions on Myanmar failed to meet its objective, the regime change. It began to review and adjust the US policy towards Myanmar. In 2009, although the director of the office for mainland Southeast Asia in the US

Department of State and Myanmar Foreign Minister met in Nay Pyi Taw, bilateral relations between Myanmar and the US were deteriorated when Daw Aung San Suu Kyi was house arrest. Sanction on Daw San Suu Kyi was extended due to illegal entering of Mr John Yettaw into the NLD Headquarter in Yangon.

To improve human rights record it is necessary to implement more democratic features into its political system, Myanmar had complied or approved international human rights treaties such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the UN Convention against Transnational Organized Crime (UNTOC) and has extended invitations to UN special envoys. In addition, the government has permitted international agencies such as the ILO and the UNDP access to provide assistance in development plans and programs. Whether this is a direct result of US sanctions or due to humanitarian crises or the HIV/AIDS epidemic is unclear.

Myanmar and the US continued communication and overcame the destructive influence of the incident. However, both countries began to conduct high level meetings. In response, the SPDC government released over 7000 prisoners in September 2009. The US lifted visa bans on Myanmar officers. On 18 February 2009, Secretary of State Ms. Clinton stated in Jakarta that economic sanctions imposed by the US and other Western countries had been unsuccessful to force the SPDC in Myanmar. Therefore, the US was going to start a comprehensive review of the US policy towards Myanmar. At the same time, in order to demonstrate its progress in the human rights field and further express goodwill in Myanmar, SPDC began to release prisoners in February 2009.

The US economic integration policy has one aspect of a constructive engagement strategy. The US has focused on improving diplomatic relations with Myanmar. Besides, President Obama and Secretary of State Ms Clinton visited Myanmar in 2009 and 2012. In response, the President U Thein Sein and the NLD leader, Daw Aung San Suu Kyi, have visited Washington. The mutual visits have provided a dialogue between Myanmar and the US. It has created strong partnerships to advance democratic reforms. The US has

restored financial aid to Myanmar. The US actions are to create strong diplomatic relations between Myanmar and the US.

Gradual development of bilateral relations started to gain momentum. The US declared a new pragmatic engagement policy towards Myanmar. The US government invited Foreign Minister, U Nyan Win to visit Washington for the first time in September 2009. The US permitted former Prime Minister U Thein Sein to join the UN General Assembly (UNGA). U Thein Sein was the official leader of Myanmar delegation to the UN to address at the UNGA since 1995.

On 8 November 2010, a general election was held in Myanmar. It was the fifth step of the Road Map planned by the SPDC in 2003 and was approved in the NR held in 2008. However, the NLD party refused to compete in the 2010 election because of the election laws. The UN, some members of ASEAN, the US and Western countries had contended that the elections was not reliable without the participation of the NLD party.

### **The US Response to Myanmar Political Development after 2010 Elections**

On 31 March 2010, the newly and first time elected government in Myanmar established legislative, executive and judicial pillars that emerged from the 2008 Constitution. These are foundations for emergence of a discipline-flourishing democracy. It also completed the sixth and seventh steps of the Road Map issued by SPDC in 1993. After March 2010, the U Thein Sein government has changed significant steps towards political and economic reforms. On 30 March 2011, the first regular session of Pyidaungsu Hluttaw was successfully convened to elect the President and Vice Presidents.

In order to begin a process of reconciliation with the political opposition such as the NLD, by-election was held on 1 April 2012 to fill 45 vacant seats in Myanmar. The NLD had trumped in by-elections, bringing Daw Aung San Suu Kyi into parliament. In response, the Obama Administration announced a statement on 1 April 2012, congratulating:

“the people of Burma on their participation in the electoral process, and Aung San Suu Kyi and the National League for Democracy on their strong showing in the polls.”

In addition, on 4 April 2012, State Secretary Mrs Clinton announced that US undertaken five steps to support and foster reforms in Myanmar “in light of the by-elections and other progress in recent months.” In response, the 2012 by-election impressed the US lifted the travel ban on Myanmar leaders and eased sanctions affecting US investment.

Within one year, in 2012, the hybrid civilian government termed by some International Relations Scholars released political prisoners, organized ceasefire dialogues with ethnic armed groups, made modest steps towards freedom of press by easing censorship, postponed the Myintsone Dam Project and held by-election. In August 2012, the US Congress reintroduced general import ban under the BFDA and restrictions on investments and financial services were reduced in July 2012. As a result, the State Department and the Treasury Departments of the US announced a waiver of the ban on imported Myanmar goods except jades and rubies. Thus the multitudes of sanctions were lifted by the end of 2012.

In 2013, the US Congress decided not to renew the import ban, prompting President Obama to issue an executive order that maintains the prohibition on the importation of jades and rubies. This ban remained in place to reduce Myanmar’s military resources. Moreover, the US gradually extended its engagement policy by relaxing some sanctions imposed over the past two decades as in response to human rights abuses. The EU and the US suspended sanctions with the exclusion of the arms embargo in 2013 and 2016 respectively. The reasons behind the practice of the sanctions of the US and Western countries particularly EU are to change from the military government to the democratic government and human rights violations in Myanmar. In fact, the US sanctions program has blocked multinational aid targeted to grass-root community directly, not to SPDC. It benefited the Myanmar peoples even though Myanmar received far a smaller amount of assistance than any country in the region. The sanctions undermined the UN Development Programme and pushed Myanmar government into China deeply.

Since the establishment of the first civilian democratic government, Myanmar’s relations with the EU and the US became improved. In 2013, the EU and the US restored GSP scheme for Myanmar and applied the Everything

But Arms (EBA) scheme retroactively since June 2012. Tariff exemptions in EU and the US markets started to open up imports from Myanmar. The US and the UN often choose to practice economic sanctions rather than military force to achieve international political objectives.

Since 2012, the US has begun to ease sanctions on Myanmar. This shift in the US foreign policy took after constructive engagement, focusing on diplomatic relations and economic integration. The easing of sanctions without complete change in the status quo in Myanmar was a significant shift in the US policy as a success story of Obama Administration. While some relaxation were permitted for Myanmar reforms, the US recognized that, through investment, Myanmar would likely to change in accordance with the US goals, economic conditions and the Myanmar people would live better lives.

In 2016, President Obama passed announcement lifting the economic sanctions on Myanmar but under different conditions, stated that:

“I have determined that the situation that gave rise to the national emergency ... has been significantly altered by Burma’s (Myanmar’s) substantial advances to promote democracy, including historic elections in November 2015.”

Unlike President Bill Clinton of Democratic Party, President Obama practiced to waive the sanctions on Myanmar by issuing the Executive Order 13427. It was the waving the economic sanctions described in the section 5(b) of the JADE Act in October 2016. In December 2016, President Obama released Presidential Determination which ended the restriction on the US assistance to Myanmar. But, a number of non-economic restraints remained in effect. These includes: prohibition on issuing visas to enter the US to some forms of Myanmar officials by means of provided by Section 5(a) of the JADE Act and restrictions on arms sales to Myanmar.

In addition, Congress has limits on bilateral relations in appropriations legislation; including limitations on relations with the Tatmadaw. Section 704(b) of the 2017 Consolidated Appropriations Act, for example, placed a number of restrictions on bilateral, international security, and multilateral assistance to Myanmar. Those restrictions remain in effect under the

provisions of the 2018 Continuing Appropriations Act and the 2017 Supplemental Appropriations for Disaster Relief Requirements Act.

Eventually, the second multi-party democracy general election was held in 2015. The 2015 election was held successfully. The NLD party won 327 seats in the Pyithu Hluttaw and 168 seats in the Amyotha Hluttaw. The international communities mentioned the 2015 election which marked the sincerely competitive, free, fair and systematic parliamentary elections since 1990. Also, it was the significant election because the quasi-civilian government esteemed the election results and allowed the peaceful transfer of power to the civilian government.

In addition, the US has also eased sanctions on Myanmar's banking sector. However, oversight has been difficult because Myanmar allows citizen-owned banks to operate. To address concerning with specific banks, the US has placed some banks on the Specially Designated Nationals (SDN) list and issued General License No. 19 to allow investors to carry out transactions with certain banks under certain conditions. This change allows the US investors to import capital and more easily remit profits back to the US on investments in Myanmar. The easing of sanctions and new sanction policies are single for the US and will further the US objectives more efficiently.

The diplomatic gradual engagement was the way to further developing partnerships. It reinforced the economic integration of the country and provide key pledges of a transparent government. The US announced a new partnership with Myanmar to provide technical assistance in Myanmar's extractive industries sector. Myanmar has large natural gas and oil reserves and by becoming an active member of Extractive Industries Transparency Initiative (MEITI). The US policymakers have been concerned about the oil and gas industry, thus resulting in the current disclosure requirements. This is only one example of what is possible by forging diplomatic relations.

Additionally, the government has started working on Central Bank of Myanmar (CBM) law, Microfinance law, new intellectual property laws, a new electricity law and a new arbitration law, etc that will make Myanmar's accession to the New York Convention on the Recognition and Enforcement of Foreign Arbitration Awards effective. The Myanmar government has begun

issuing rules and notifications on many of its internal practices, providing investors with more certainty. Myanmar businesses have also become accustomed to agreeing to either foreign law or international arbitration rules to settle disputes. This is a huge development in the rule of law by a country that had been run arbitrarily. During this time period, investment continued to increase, and many of these laws were developed to accommodate foreign investors.

### **Conclusion**

The purpose of sanctions by both the Democratic President Clinton and Republican President Bush governments was definitely intended for system change, that is, to honor the results of the 1990 elections and give power to the NLD. The US did not impose any sanctions against Myanmar until the 1988 Uprising. Although the US recognized Myanmar as one of the original receivers of its GSP program in 1976, the US imposed sanctions on Myanmar since 1990. The US allowed Myanmar the MFN status (now referred to as Normal Trade Relations or NTR) status. In addition, the US reinforced the authorization of developmental assistance by international financial institutions.

From 1990 to 2008, the US Congress issued many laws: the BFDA and the JADE Act, imposing various types of political and economic sanctions on Myanmar. In addition, the US Presidents have imposed sanctions on Myanmar, such as the imposing of an arms embargo and the withdrawal of GSP benefits. Due to the US's sanctions and increasing condemnation from the international community, the military government accepted to prerequisite political reform in order to retain its legitimacy and survivability. As a result, the military government implemented a "roadmap to disciplined democracy" and drafted a new constitution which called the 2008 constitution and held multi-party elections.

From 2009 to 2016, the Obama Administration adopted a constructive engagement policy. Its policy was made more contact with Myanmar military officers. But the sanctions remained until sufficient changes had taken place in Myanmar to deserve the removal of the sanctions. The 2010 multi-party general elections in Myanmar, peacefully transferred power from the military

government to a hybrid civilian government in 2011, the trump of NLD party in 2012 by-election smoothed the changes in the US sanction policies towards Myanmar. In order to bring democratic change to Myanmar, the Obama administration pursued an engagement policy as well as continuing sanctions. The U.S. intentional goals and interests are still to support a unified, peaceful, prosperous and democratic Myanmar that respects human rights. The US imposed trade and financial sanctions on Myanmar to encourage democratic reforms and human rights. These sanctions fell into several broad categories: visa bans, financial services restrictions, Myanmar imported goods bans, prohibitions on new investments in Myanmar, and the US assistance to Myanmar restrictions.

Under the Obama administration, Myanmar and ASEAN featured prominently in its rebalance policy towards Asia. In fact, President Obama made close ties with the ASEAN leaders chose Myanmar and Cuba as a highlight of his foreign policy success during his 8-year tenure. He visited Myanmar twice and normalized US-Myanmar relations. In September 2016, State Counselor and Foreign Minister Daw Aung San Suu Kyi made a historic visit to the US, further strengthening bilateral relations. As a result, the U.S. made several policy changes toward Myanmar which include reestablishing GSP, establishing a US-Myanmar Partnership, expanding people-to-people ties, developing bilateral economic engagement, and reintroducing a new USAID loan portfolio guarantee. Although the US has lifted sanctions on Myanmar since 2011, the attention of the new sanctions has altered from the democracy to security and community conflicts.

The US policy towards Myanmar has never been not only about promoting human rights and democracy but also its engagement policy was intended to prevent Myanmar away from Chinese influence since 2009. Under the Trump administration, the US has not intentionally engagement with Myanmar. China has so far protected Myanmar from possible UN sanctions for the Bengali issue, while acceleration its drive to strengthen bilateral relations through trade and investment. The Trump administration has not prepared to counterbalance Chinese new growing influence over Myanmar, despite the US Pentagon's desire to reengage its military to decrease its dependence on China. The diplomatic relations between Myanmar and the US

has established on the eve of its independence in 1948. But the relations between Myanmar and the US have always been ups and downs.

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## **THE ROLE OF MILITARY IN MYANMAR'S PEACE PROCESS SINCE 2011**

Myint Zu Win\*

### **Abstract**

Since the new government came to power on March 30, 2011, U Thein Sein led-government's peace process has become a pivotal element of political reform in the country's new political era. Like USDP-led government, NLD-led government has also prioritized national reconciliation and peace process as a part of the road map for democratic federal union. Although the USDP-led government and the NLD-led government have been pushing for the peaceful resolution of the internal armed conflicts, domestic armed conflict remains difficult issues in Myanmar's peace process. The persistent domestic armed conflict between the EAOs and Tatmadaw is also posing a prominent challenge to the government's credibility. The Tatmadaw has remained the most politically influential actor in Myanmar politics with a significant share of seats in parliament. As a result of the continuation of fighting in internal armed conflict, the Tatmadaw plays a decisive role in the peace process. Therefore, in order to achieve lasting and sustainable peace, there are important not only government's peacemaking efforts but also the Tatmadaw's cooperation necessary require. Upon both the USDP-led government and the NLD-led government situation, the research question focuses on how the governments attempt to succeed peace process and how the Tatmadaw influence Myanmar politics and its effects on peace process.

**Keywords:** Peace Process, the Tatmadaw (military), EAOs, NCA, Panglong Conference

### **Introduction**

Since its independence in 1948, Myanmar was unable to establish a united Union, trusted and valued by all and began internal conflict. Later, internal armed conflicts gradually emerged and broke out across Myanmar. From that time, Myanmar has suffered from one of the world's longest domestic armed conflicts. More than two dozen Ethnic Armed Organizations (EAOs), militias and insurgents have been involved in the conflict.

Because of domestic armed conflicts, the Tatmadaw were the only force capable of protecting the country from disintegration and the Tatmadaw

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became one of the most important institutions and increased its political influential domestic player in Myanmar politics. Therefore, Myanmar has been dominated by its national armed forces Tatmadaw who have ruled over the country through junta-style governments which meant that the Tatmadaw's role expanded.

Since the new government came to power on March 30, 2011, the new president, U Thein Sein who was former prime minister of the Tatmadaw government began series of reform process that could show to be the first stage of a gradual transition to democracy since the Tatmadaw government seized power in 1962. Under U Thein Sein government, led by the Union Solidarity and Development Party (USDP), Myanmar's peace process has become a pivotal element of political reform in the country's new political era. The civilian government initiated an effort to end fighting on a nationwide scale and invited a large number of EAOs for peace talks.

In 2015, the USDP-led government signed the Nationwide Ceasefire Agreement (NCA) with eight of the EAOs including the Karen National Union (KNU). However, some EAOs including significant groups such as Kachin Independence Organization (KIO) and Wa are not yet part of the NCA. Like the USDP-led government, the NLD-led government has also prioritized national reconciliation and peace process as a part of the road map for democratic federal union. Therefore, State Counselor Daw Aung San Suu Kyi stated that the government will continue to be able to build up a genuine, democratic federal union through peace conferences. As the top political dialogue, the Union Peace Conference-21st Century Panglong began with the country's incomplete NCA that was initiated by the USDP-led government.

However, there are many complicated and difficult issues about peace process for both governments. The persistent domestic armed conflict between the EAOs and Tatmadaw is also posing a prominent challenge to the government's credibility. In order to achieve lasting and sustainable peace, there are important not only government's peacemaking efforts but also the Tatmadaw's cooperation necessary require. Upon both the USDP-led government and the NLD-led government situation, the research question focuses on how the governments attempt to succeed peace process and how the Tatmadaw influence Myanmar politics and its effects on peace process.

## **I. Myanmar's Peace Process under USDP-led government**

Successive governments of Myanmar did their best to end internal armed conflicts caused by divide-and-rule policy and different political, racial and religious ideologies, and achieve internal peace. However, there were both progress and failures of peace process.

Since the new government came to power on March 30, 2011, Myanmar's peace process has become a pivotal element of political reform in the country's new political era. On August 18, 2011, the USDP-led government invited a large number of Ethnic Armed Organizations (EAOs) for nationwide peace talks because of recognizing that national reconciliation is a vital component of Myanmar's democratic reforms. With democratic reforms and USDP-led government's renewed peace process, Myanmar's peace process, which aims to end the more than 60 years of internal armed conflict, has been in progress in 2015.

On October 15, 2015, one important political development is the signing of the Nationwide Ceasefire Agreement (NCA) with eight of the country's sixteen ethnic armed groups after four years of trust building based on patience and mutual understanding under the USDP-led government. In fact, the NCA was one of the USDP government's tools for achieving nationwide peace in Myanmar. The NCA seeks to achieve a negotiated settlement between the government of Myanmar and non-state ethnic armed organizations (EAOs) that paves the way for peace-building and national dialogue. However, the USDP government's attempt at an 'all inclusive' peace process was not successful because it failed to reach the "all inclusive" objective between the government, the Tatmadaw and EAOs. Until 2018, seven EAOs including significant groups such as Kachin Independence Organization (KIO) and Wa are not part of the NCA.

### **A. Nationwide Ceasefire Agreement (NCA)**

In 2013, in order to achieve lasting and sustainable peace, the government agreed to multilateral negotiations over a single-document Nationwide Ceasefire Agreement (NCA) that encompasses the majority of EAOs. The NCA recognizes, reinforces, and reaffirms all previous agreements between the government and EAOs. The agreement also aims to secure an

enduring peace based on the principles of dignity and justice through an inclusive political dialogue process involving all relevant stakeholders.

Significantly, the NCA was one of the most important political steps taken since 2011 by the U Thein Sein-led government. For the first time in Myanmar's history, the Union Government, Hluttaw, Tatmadaw, and EAOs achieved a milestone in the Myanmar peace process by finalizing the text of the NCA. The NCA intends to end armed conflict and resolve political issues through peaceful political means. The NCA is the outcome of the discussion by the government, Hluttaw and Tatmadaw, based on proposals made by EAOs.

After signing the NCA in 2015, the peace process and political framework is moving full speed ahead. Because of NCA, it can be said that fighting in conflict areas decreased to some extent and eventually cease. However, the government does not successfully complete signing ceasefire agreements with all ethnic groups. As a result of the continuation of fighting in conflict, the Tatmadaw is remaining critical to the government's cause and thus influential.

## **II. Myanmar's Peace Process under NLD-led government**

Since the NLD-led government was taken office on 30 March 2016, national reconciliation and the peace process, constitutional reform, and better living standards were the top priorities highlighted in the inaugural address of President U Htin Kyaw. Therefore, the NLD-led government has been emphasizing the importance of the peace process towards national reconciliation as one of three main priorities.

The NLD-led government has made changes to the government's structures related to the peace process. As the first effort, the NLD-led government replaced the Myanmar Peace Center (MPC: the operating agency for the peace process under the USDP-led government) with a government-controlled National Reconciliation and Peace Center (NRPC) as the secretariat for the peace process.

In the context of political dialogue, the NLD government has constituted a new government peace monitoring body called the Union Peace

Dialogue Joint Committee (UPDJC), replacing the previous Myanmar Peace Center. The UPDJC committee is constituted by the government, the ethnic armed ceasefire groups and political parties. The UPDJC's role is to oversee the "Framework Political Dialogue."

The NLD-led government's major peace initiative is in continuing the Union Peace Conference under the title "21<sup>st</sup> Century Panglong". The NLD-led government's Union Peace Conference has been welcomed as the most encouraging initiative to achieve countrywide peace and political reform in Myanmar. Dr. Tin Myo Win, who was Vice Chairman of the UPDJC, called on all representatives at the conference to strive to reach an agreement on basic principles for establishing a federal democratic system through negotiations.

### **A. Union Peace Conference - 21st Century Panglong**

The NLD-led government, under the leadership of State Counselor Daw Aung San Suu Kyi, is attempting to continue to be able to build up a genuine, democratic federal union through peace conferences. The Union Peace Conference 21<sup>st</sup> Century Panglong began with the country's incomplete NCA as the top political dialogue. The main sources of armed conflicts were the inability to resolve the political problems. The 21<sup>st</sup> Century Panglong Conference can attempt to solve the source of the armed conflicts through dialogue. Therefore, the 21<sup>st</sup> Century Panglong process can bring positive changes through political dialogues in the ceasefire areas.

The first 21st Century Union Peace Panglong Conference was successfully held in August 2016 and a second session took place in May 2017. The Third Session of the Union Peace Conference 21<sup>st</sup> Century Panglong was held in July 2018.

The 21<sup>st</sup> Century Panglong Conferences (first, second, third) were part of the NLD-led government's new way of pursuing peace. The 21<sup>st</sup> Century Panglong Conferences are the only channel to a political solution, as well as the importance of reaching an agreed understanding of the goal of a democratic federal union. Like the USDP's NCA, the NLD's Panglong-21<sup>st</sup> Century intends to be inclusive of all EAOs for political dialogue. The NLD-led government expects to sign non-signatories EAOs in the NCA agreement

as the step of the political road map for peace. “All-inclusiveness” continues to be an issue for peace process. Lasting and sustainable peace cannot succeed without the participation and support of all the armed groups, both signatory and non-signatory ones.

Both the USDP-led government and the NLD-led government have been forcing for deadlines to guarantee rapid completion of the peace process. Although the democratically elected government pushes for the peaceful resolution, persistent domestic armed conflict between the Tatmadaw and EAOs is posing a big challenge to the government’s credibility.

One major difference between the USDP-led government and the NLD-led government peace process is the diversification of power among key government institutions. During the USDP-led government peace efforts, the Tatmadaw and ethnic leaders had established some level of personal trust and the retired Tatmadaw personnel engaged in the peace negotiations were recognized by the ethnic leaders. In contrast, during the NLD-led government peace process, the Tatmadaw has been handling the peace process and Tatmadaw intelligence is the major player which made critical decisions on the peace process. For instance, Commander-in-Chief Senior General Min Aung Hlaing remarked on 27 March 2017 that the Tatmadaw will continue as important role in the peace process because successive Tatmadaw governments, particularly the State Law and Order Restoration Council (SLORC) and State Peace and Development Council (SPDC) initiated several agreements with EAOs since the 1990s.

### **III. Role of Military in Peace Process**

Since independence in January 1948, EAOs in Myanmar have been waging domestic armed conflict with the government. Therefore, the Tatmadaw were the only force capable of protecting the country from disintegration and became one of the most key stakeholders in Myanmar politics. Historically, the Tatamadaw were the most political influential domestic player in Myanmar.

Since 2011, the Tatmadaw has also remained the most politically influential actor in Myanmar with 25 percent of the seats in both the upper house (Amyotha Hluttaw) and lower house (Pyithu Hluttaw) of the parliament

(Pyidaungsu Hluttaw). According to the 2008 Constitution, only serving Tatmadaw officers can lead the three most powerful ministries — Defense, Home Affairs and Border Affairs. Moreover, Senior-General Min Aung Hlaing said that the Tatmadaw intends to continue to play a leading role in Myanmar politics. Therefore, these situations give the Tatmadaw a significant leveraging capacity in the peace process and also control over the security affairs in Myanmar.

In line with the Three Main National Causes and multi-party democracy, the Tatmadaw has its own “Six Peace Principles”: (1) to have a genuine wish for peace; (2) to keep promises they agree to during the peace process; (3) to refrain from reaping benefits from peace agreements; (4) not to become a burden on the people; (5) to follow the country’s existing rules of law; and (6) to respect and march towards a democratic country in accordance with the 2008 Constitution.

Because of these “Six Peace Principles”, the Tatmadaw’s cooperation remains the most key players in Myanmar’s peace process. Therefore, it can be assumed that the Tatmadaw plays a decisive role in the peace process and retains partial control of national politics while the threat of internal conflict remains.

Despite the fact that the USDP-led government and the NLD-led government had been making the peace process, the continued military combat between the Tatmadaw and the non-ceasefire armed ethnic groups like Myanmar National Democratic Alliance Army (MNDAA, “Kokang group”, Ta’ang National Liberation Army (TNLA), Arakan Army (AA), United Wa State Army, and the Kachin Independence Army have not stopped. Suspicion and the lack of trust between the government and EAOs, the Tatmadaw, have resulted in what is known as a “security dilemma” environment.

In Myanmar, the security dilemma situation has a direct effect on the peace process because the Tatmadaw and EAOs have different options for dealing armed groups in the war to peace transition. There are territorial disputes between the Tatmadaw and EAOs. That is increasing number of armed forces Tatmadaw in EAO areas. Therefore, security dilemma and the lack of trust and confidence between the Tatmadaw and EAOs have impeded the Myanmar’s peace process.

From the EAOs perspective, the Tatmadaw is treating EAOs as insurgents rather than nationality resistance groups that are fighting for a political reason. Considering the security dilemma situation on the part of EAOs, disarmament before political settlement can be unlikely because once disarmed, armed groups can lose their bargain capacity in the peace process, as was the case in Myanmar in 1950s and between 2008 and 2010. From the Tatmadaw perspective, NCA signatory EAOs continue to build up military strength and territory as a safeguard.

From the EAOs perspective, the EAOs prefer security sector reform (SSR) with an aim to form comprehensive Union Army by integrating EAOs troops into Tatmadaw while the Tatmadaw has forced for disarmament, demobilization and reintegration (DDR). Moreover, EAOs are unwilling to disarm because of the example that the plans for armed groups to exchange “weapons with democracy” failed in the 1950s. On the other hand, from the Tatmadaw perspective, the Tatmadaw has maintained that DDR can be its favored option to deal with EAOs.

Moreover, national army, secession and federalism are the most controversial issues for Myanmar’s ethnic armed groups and the continuing challenges of Myanmar’s peace process. Concerning with national army, the Tatmadaw, which plays a dominant role in politics and in the entire peace process, insisted that there should be one national army or a single army under the new federal arrangement. Commander-in-Chief of Defence Services Senior General Min Aung Hlaing said that in any country, regardless of practicing democracy or any other system, they have only one Armed Force. Therefore, the ethnic groups should work in accordance with the international peace principles. Nevertheless, the EAOs want to see a federal army, which would allow them to preserve their respective armed forces.

Concerning with secession, it has arguably been the most complicated and challenging single issue the country has faced since its independence from Britain in 1948. Concerning with federalism, there are disagreements over type of federalism between the Tatmadaw and EAOs. Federalism in the Tatmadaw’s earlier vocabulary used to be similar with disintegration. With the path of the NCA negotiations, the Tatmadaw has come to be more accepting of several demands from the EAOs side, especially the notion of

federalism. The Tatmadaw has changed its perception and federalism seems no longer to carry a negative meaning. State Counsellor Daw Aung San Suu Kyi said that federal is not a system for cessation but a system that strengthens unity. In implementing federal, the main principles of non-cessation from the Union and self-determination need to be negotiated because these are delicate problems.

Discussions on federalism, federal army, and non-secession have met a stalemate at the negotiating table between the Tatmadaw and the EAOs. These issues are vital to the success of the 21<sup>st</sup> Century Panglong Peace Conference but the more important issue is to build trust between the government, the Tatmadaw and EAOs. To cease armed conflicts, it is very important to achieve political agreements that are acceptable to different forces. However, main issues of military offensives not yet stopped. The peace process also continues to go through its ups and downs because Tatmadaw operations and civilian displacement have significantly eroded trust, even while peaceful solutions are being sought.

Commander-in-Chief of Defence Services Senior General Min Aung Hlaing said that the Tatmadaw is doing its utmost for the success of the government's peace process based on its experience at the Third Session of the Union Peace Conference-21<sup>st</sup> Century Panglong that was held in July 2018. The Tatmadaw wants to achieve real peace as quickly as possible in such a way that cannot harm the Union, national unity, independence and sovereignty. The Tatmadaw agreed to support the peace process by finding a political settlement.

### **Conclusion**

Myanmar's peace process was succeeded to some extent under USDP-led government. Because of NCA that was initiated by the USDP led-government, it can be said that fighting in conflict areas decreased to some extent and eventually cease. However, the government does not successfully complete signing ceasefire agreements with all ethnic groups. As a result of the continuation of fighting in internal armed conflict, the Tatmadaw plays a decisive role in the peace process and holds partial influence of national politics.

The NLD-led government has also been emphasizing the importance of the peace process towards national reconciliation. The NLD-led government's 21<sup>st</sup> Century Panglong Conferences, USDP-led government's incomplete NCA, were part of the government's new way of pursuing peace. However, the persistent internal armed conflict between the Tatmadaw and EAOs is posing a big challenge to the government's credibility. The NLD-led government wants to give a better deal to the EAOs, but it is the Tatmadaw that can make the final analysis decision.

Although the USDP-led government and the NLD-led government have been pushing for the peaceful resolution of the internal armed conflicts between the Tatmadaw and ethnic based groups, domestic armed conflict remains a serious issue in Myanmar. The democratically elected government's effort at an 'all inclusive' peace process failed to reach the "all inclusive" objective between the government, the Tatmadaw and EAOs. Because of the continuation of fighting in conflict, the Tatmadaw is remaining critical to the government's cause and thus influential. The Tatmadaw were the only force capable of protecting the country from disintegration and the Tatmadaw became one of the most important institutions and increased its politically influential domestic player in Myanmar politics with 25 percent of the seats in both houses of the parliament. According to the 2008 Constitution, only serving Tatmadaw officers can take the three most powerful ministries — Defense, Home Affairs and Border Affairs. Moreover, the Tatmadaw has its own "Six Peace Principles" in line with the Three Main National Causes. Thus, these situations give the Tatmadaw a significant leveraging capacity in the security affairs and also control over the peace process like security dilemma situation. Therefore, it can be assumed that the Tatmadaw's cooperation remains the most key players in Myanmar's peace process.

Similarly, EAOs's perceptions are also important to succeed Myanmar's peace process because there are arguments about defining federal army, non-secession and federalism between the Tatmadaw and the ethnic armed groups. Some EAOs (KIO, Wa) do not believe about Myanmar's peace process. Therefore, it is important to build trust and respect between the Tatmadaw and the ethnic armed groups because mutual trust is playing a pivotal role in Myanmar peace process so as to achieve lasting and sustainable peace.

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## **NEGOTIATIONS ON FEDERALISM IN MYANMAR'S PEACE PROCESS SINCE 2011**

Lwin Cho Latt<sup>1</sup> and Marlar Aung<sup>2</sup>

### **Abstract**

This study examines the struggle for federalism among the key stakeholders in peace and political negotiations in Myanmar since 2011. Conflict over power-sharing arrangements has resulted in a long-running civil war. After the 2011 political reforms, federalism has reemerged in peace talks under and beyond the Nationwide Ceasefire Agreement (NCA) regime. However, a narrow sense of both unitarianism and centralism continue to present obstacles to the realisation of a federal system in Myanmar. This paper raises two main research questions: i) How have the major players (especially the government, the Tatmadaw, and the ethnic armed organizations-EAOs) discussed a future federal state? and ii) What are the key opportunities and challenges in national dialogues on federalization?. We argue that ethnic armed conflicts will continue so long as the federal issue remains constitutionally unresolved. We hypothesize that only a genuine level of politico-socio-economic autonomy will allow the conflicting parties to pursue a genuine federalism in the country. This paper employs a qualitative analysis, relying on documentary proposals authored by some EAOs as well as personal interviews with EAOs and political parties, military officers and government authorities. This study concludes with recommendations on how ethnic minority groups can best deal with the ruling government to promote federal constructional reforms during the peace negotiations.

**Keywords:** federalism, peace negotiations, EAOs, Myanmar, NCA

### **Introduction**

Myanmar is composed of multiple ethnic groups, many of whom hold competing interests and territory. The establishment of a federal system in the country is an important precondition for the long-term stability of Myanmar. Demand for this federal system began in the early stages of Myanmar's nation-building and persisted afterwards. However, successive central governments have never made concrete progress towards implementing a federal system. Discontent over this state of affairs is reflected in the rise of ethnic armed organizations (EAOs). Identity-based politics have caused armed

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revolutions between EAOs and Myanmar's Armed Forces (*Tatmadaw*), and violence that have been used as a regular tool by all parties to achieve politico-socio-economic goals. Therefore, Myanmar has suffered the longest-running ethnic armed conflicts in the world, largely motivated by the search for self-determination in their respective territories.

Many authors writing on the topic believe that federalism is divisive for countries with diverse populations, like Myanmar. Roeder (2009) points out that federalism and autonomy arrangements, especially if designed along ethnic lines, may encourage secessionism and ethno-federalism cements ethnic cleavages and thereby keeps ethnic conflict alive. Brancati (2009) agrees that regional parties can foster regional identities that may be mobilised for ethnic conflict or secessionism. In addition, Suberu (2001) declares that federalism serves to foster competition over powers and resources between the centre and periphery as well as among constituent units. Sisk (1996) says that problems of majoritarianism can develop within federal/autonomous units. According to these authors, demands for federalism would be equated with secessionist aspirations in Myanmar. However, this paper argues that federalism could act a promoter for peace and stability in Myanmar, if its focus is on good governance. Conversely, federalism could be an accelerator if its focus is on separation. It is therefore very important to look more closely at the discussions being had by both parties in the peace process to determine what they mean by federalism and if their federal vision will be peace promoting or separatist and dividing.

This paper examines the struggle for federalism among the key stakeholders in peace and political negotiations in Myanmar. Therefore, two main research questions are raised in this paper: i) How have the major players (the government, the *Tatmadaw*, and the ethnic armed organizations-EAOs) discussed a future federal state? and ii) What are the key opportunities and challenges in national dialogues on federalization?. It hypothesizes that building a federal system based on genuine politico-socio-economic autonomy is highly likely to result in a peace and more sustainable state-building in Myanmar. This paper employs a qualitative analysis, relying on documentary proposals authored by some EAOs as well as personal interviews with EAOs

and political parties, military officers and government authorities. Current legal limitations prevent any interviews with non-NCA members.

This paper falls in four parts. In the first part, the historical background is described to have an insightful understanding on building federalism in Myanmar. The discussion on building a federal state between the main stakeholders is approached in the second part. The opportunities and challenges in national dialogues on federalization are analysed in the third part, and finally, brief recommendations on how ethnic minority groups can best deal with the ruling NLD government for the federal constructional reforms during the peace negotiations are mentioned.

### **Historical Background**

Intrastate conflicts in Myanmar have remained one of the major threats for domestic peace and security and have posed additional challenges to the state-building and peace-building process since 1948. Historically, young Myanmar nationalists and major ethnic leaders in frontier areas made attempts to build collective agreement towards a new nation-state in the process of seeking for freedom from Britain. To establish a newly independent state was one of most important goals for all independence-supporters at that time. General Aung San, a national leader, requested that ethnic leaders support his ambition on national unification, guaranteeing that the future Union of Myanmar would be founded on democratic principles and practices.

The Panglong Conference was held in February 1947. Burma, Shan States, Kachin and Chin Hills were the main signatories. They participated in the hopes of equal political rights and participation in the nation's political process. In a sense, the Panglong spirit embodied a sense of collective work for an independent state of Myanmar. Although the agreement had no clause about '*secession*', some significant points referred to democracy, self-rule and equality to be enjoyed after regaining the country's independence. However, the right of secession from the Union after ten years of independence was enshrined in the 1947 Constitution of the Union of Burma if every State applied for this right through a decentralized federal system.

The Panglong Agreement only represented the formally recognized ethnic groups of Myanmar, so that many smaller ethnicities were not included

in that agreement. The ethnic groups' hope for self-determination after independence took an unforeseen direction due to the assassination of General Aung San and his government members in July 1947. Myanmar never formed a federal union, but it became a quasi-federal state which has been led by a majority ethnic group (Burma) in all governing bodies since independence. The policy of 'Burmanization' (promoting Burman culture as the only culture in Myanmar) was a key factor in bringing Myanmar over sixty years of civil war. Nonetheless, the Panglong agreement was the foundation of the 1947 Constitution of the Union of Burma which was approved by the constitutional assembly in September 1947.

To achieve self-governance, the Kayin National Union (KNU) was founded in February and a Union Defence Organization was created in May which was renamed the Kayin National Defense Organization (KNDO) in August 1947. Its aim was to achieve a separate Kayin State. The KNDO's strategy demanding self-determination by means of using armed forces led to a struggle for power-sharing arrangements. The KNU and KNDO tried to control some areas, leading to the enactment of martial law in Karenni State in August 1948, which was extended for another six months. That was the beginning of the domestic crisis and multi-coloured insurgents' issues for Myanmar.

In 1961, Prime Minister U Nu decided to formulate a religious policy on Buddhism as the state religion of the Union of Burma. Indeed, it was the breach of the Panglong Agreement in which the principle of equal rights was agreed for the non-Burmas and non-Buddhists. Promulgation of Buddhism was problematic to some Christian communities. So, some radical groups began armed rebellions to counter the U Nu's government, aimed at gaining their full political autonomy, self-rule, and religious freedom. The Kachins, almost all of whom are Christians, felt particularly distressed on this issue. As a result, the Kachin Independence Army (KIA) was founded in 1961 and immediately began growing in military personnel mobilization.

In the same year, leaders of the Kachin, Chin, Shan and other nationalities attended the 1961 Taunggyi Conference to discuss the formation of the Federal Union. The country's political instability, weak administration, growing ethno-centric problems, and emergence of insurgents paved the way

for General Ne Win to seize the state power and form the Revolutionary Council (RC) in March 1962. The decree of Buddhism was seen as an intervening factor that destabilizes the country and resulted in military rule.

Under the rule of the RC, General Ne Win invited the major ethnic armed groups on 1 April 1963 to give up their weapons legally by issuing a general amnesty. However, few insurgents accepted General Ne Win's offer and the Burma Communist Party (BCP) demanded to hold peace talks with the government instead. Those talks failed due to lack of agreement on the power to secession from the Union. Fear of secession led the RC government to issue a Law to Protect National Solidarity on 28 March 1964 which made one party (Burma Socialist Programme Party-BSPP) as the sole legal political party in Myanmar.

With the establishment of the BSPP on 4 July 1962, the concept of '*Burmese Way to Socialism*' was included in the 1974 Constitution. U Ne Win intended to use the Tatmadaw and his party (BSPP) as the main engines in building an ethnically homogenous state. However, that proved impossible for heterogeneous Myanmar society and it led to more diversity without unity in the country. Some ethnic groups opposed to the 1974 Constitution because they felt that all their rights were removed from their aspiration of democratic principles and federalism.

As a collective group, the Federal National Democratic Front was founded in 1975 and in May 1976, changed into the National Democratic Front (NDF). The group aimed to establish a federal union, based on the democratic principles of self-government and equality and to abolish national chauvinism and military bureaucratic dictatorship as well as the one-party state system. Not denying that these demands led Myanmar to the military regime in 1988.

Under the Tatmadaw government (1988-2010), hope for a democratic state was so diminished that the EAOs believed that their demands could only be achieved through armed revolution. The State Law and Order Restoration Council (SLORC) adopted a policy of '*arms for peace*' and entered into discussions with many major EAOs. The government signed bilateral ceasefire agreements with seventeen armed insurgent groups in 1996 but this did not include the KNU, or others.

After the introduction of the 2008 Constitution, twenty-five armed groups were invited to discuss ceasefire plans. New concerns emerged over the new constitution. Several major EAOs, such as the KIA, disagreed to the Article 20 which stated that the Myanmar Defence Services would be the sole armed forces for the Defence of Myanmar. They also rejected the requirement to transform their forces into Border Guard Forces (BGFs). Only five out of the twenty-five agreed to transform to BGFs and fifteen negotiated to remain as militias. Therefore, only five armed groups did not sign ceasefire agreements with U Thein Sein's government.

Before the new government took power in 2011, some EAOs gave up their arms and others combined or affiliated with their main partners. Therefore, U Thein Sein's government recognized only fifteen EAOs as major actors to the conflict and officially invited them to ceasefire talks on 18 August 2011. Finally, the Union Solidarity and Development Party (USDP) government signed bilateral ceasefire agreements (state level) with fourteen EAOs, but notably not with the KIA/KIO. Among those fourteen groups, only eight signed the Nationwide Ceasefire Agreement (NCA) on 15 October 2015 (See *Table 1.*). The USDP government could not totally achieve a genuine peace, but its positive initiatives would be some extent useful for the current National League for Democracy (NLD) government in the next phase of the peace process.

**Table 1: NCA Members and Non-NCA Members**

No.	NCA-Members	No.	Non-NCA Members
1.	All Burma Students' Democratic Front (ABSDF)	1.	Kachin Independence Organization (KIO)
2.	Arakan Liberation Party (ALP)	2.	Karenni National Progressive Party (KNPP)
3.	Chin National Front (CNF)	3.	National Democratic Alliance Army (NDAA)
4.	Democratic Karen Benevolent Army (DKBA)	4.	National Socialist Council of Nagaland – Khaplang (NSCN-K)
5.	Karen National Union (KNU)	5.	New Mon State Party (NMSP)
6.	KNU/KNLA Peace Council (KNU/KNLA-PC)	6.	Shan State Progressive Party (SSPP)
7.	PaO National Liberation Organization (PNLO)	7.	United Wa State Army (UWSA)
8.	Restoration Council for Shan State (RCSS)		

**Source:** *Myanmar Peace Center. "Peace and NCA", MPC: Yangon, 2016.*

Since the NLD came to power, it has prioritized national peace and reconciliation and has been trying to build a federal state. One of its main concerns is based on the constitutional amendment. Before moving forward to establishing a federal democratic state, it is necessary to include all EAOs (both of members of NCA and non-NCA) in the political dialogue process. Therefore, a series of the 21st Century Panglong Peace Conferences (21CPPC) has been held in order to review the political dialogue framework under the NLD government. As a result, the New Mon State Party (NMSP) and Lahu Democratic Union (LDU) were able to join the NCA regime on 13 February 2018.

Along with the ongoing political transition to democracy, all interested parties under the peacemaking process have been discussing the development of a federal system, allowing power-sharing arrangements between central and local constituencies. However, federalism alone is not sufficient to ensure sustainable peace. A credible consensus needs to be built on a shared vision of the way forward and on the particular shape federalism will take in Myanmar in the future.

## **Negotiations on Federalism-building in Peacemaking Process**

'Federalism' has been a very sensitive word to previous governments in Myanmar. For incumbent governments, federalism was seen as a first step towards disintegration of the country, resulting in a strong preference towards unilateralism. The 2008 constitution clearly fails to promote the ideals of federalism. The USDP government fully understood that the 2008 Constitution would be unable to usher the establishment of a genuine federal Union as it was envisaged in the 1947 Panglong Conference. The ethnic groups' goal on returning federalism was spearheaded by the USDP government with a move of peace invitation to all EAOs on 18 August 2012. Reforming the 2008 Constitution and forming federalism have been discussed at the third step in political dialogue in accordance with the seven steps roadmap for national peace and reconciliation, adopted in 2013.

However, the 2008 Constitution, even drawn by the military government and came into effect on 31 January 2011, significantly signals positive statements of progress towards the ethnic nationalities' goal for self-determination, stating some provisions for ethnic nationality rights and equality. It also guarantees a multi-party democracy in the country. It can decipher that a future Myanmar federation with decentralization of power will be created. Because it includes a bicameral legislature consisting of an Upper House (*Amyotha Hluttaw*) and a Lower House (*Pyituh Hluttaw*), to be equal representation from each state at the Amyotha Hluttaw, and all Union-member states have their own separate State Assemblies and State governments.

The United Nationalities Federal Council (UNFC) called for a system of democratic federalism. Since February 2013, the UNFC has held several rounds of negotiations with the government concerning the framework for a political dialogue. In May 2013, representatives of the UNFC presented a draft Framework Agreement for a national political dialogue to the government. However, different approaches to peace plan made negotiation stalemate. In 2011, the USDP government encouraged EAOs to enter the legal fold (disarm and transform into BGF/PMF, that is, submit to Myanmar Army control) and then to set up political parties to contest elections. If elected, they could discuss political issues in Hluttaw (Parliament) and they could legally run their businesses. In this context, transforming their armed forces into

BGFs/PMFs is not acceptable for some major EAOs. They objected the Article 20 that invites them to become BGFs. In their opinion, it is a very ill-conceived idea and if this system is adopted, the ethnic armed wings could be absorbed into their respective armed police forces. Alternatively, if not well managed, locally commanded BGFs could easily degenerate into bands of border bandits and smugglers. Therefore, a more suitable and sustainable model for integration of all armed forces should be developed.

During its ceasefire negotiations with the government, some EAOs, such as the KIO and its affiliated small armed bodies, adhered to the '*political dialogue first*' principle, whereas the KNU, the CNF, and the RCSS have chosen the '*ceasefire first*' principle. For the first group of EAOs', political talks should work to amend the Constitution and ensuring ethnic self-determination first. They work for an agreement on Federal Union that would be approved and ratified by parliament. In the eyes of these particular EAOs, a national political dialogue is an effective tool. This dialogue would ideally take the form of a national conference in which all the relevant interest groups of a state would participate and present their ideas for the country's political future. An officer interviewed from the USDP has the second view. He commended that political dialogue would be coming after ceasefires and development had been achieved. An anonymous interviewee from Kachin State said that this position is worrisome for those EAOs who had past experiences in which they were only allowed to engage in their business but not in political talks. It can be seen that there remains some mistrust about the government's good will to its peacemaking process.

Since 2013, the USDP government had paid special attention to concluding a NCA with all invited EAOs because of the desire to gain political good-will and to win the 2015 election. However, some EAOs still say they prefer more political dialogue before signing any ceasefire agreement. According to the USDP, the NCA was intended to include political dialogue around the creation of federalism. After achieving armistice nationally, the USDP promises that structures could develop to broaden the scope of dialogue to include political parties and other representative groups. However, for this to occur, the USDP requires that a ceasefire must be agreed upon first. In the end, eight EAOs signed the NCA, demonstrating to some,

the power of the government in negotiating the peace process. One of the NCA-signatories explained that it saw the current peace process as the first step towards reestablishing the federal structure Myanmar had before the military seized power in 1962 and abolished the 1947 Constitution.

During their political dialogues, the NCA signatories focused on establishing basic principles for new federal union of Myanmar, including the principles of equality, self-determination, minority rights, secular state, democracy, human rights and gender equality. The representative body of EAOs (i.e., UNFC) demanded equal rights and equal opportunity for all citizens before the law. They asked for all ethnic groups to be afforded equal rights to promote and protect their culture, language, religion and national identity. They demanded all member states be granted equal political powers and rights.

In addition, the interesting parties also claimed to protect the minority groups' rights and to develop their own characteristics and personal autonomy. Moreover, they called for a secular state in which it must legally forbid using of religion for any political purposes in the new federal constitution and the Union must stand on neutrality in any religious matters. Based on democratic principles, freedom of speech and expression, freedom of religion, freedom of association, freedom of movement, freedom of voting and contesting general elections, freedom of holding public office, freedom of pursuing an education and a professional life, and freedom of pursuing happiness in life have to be enshrined in the new Federal Constitution of the Union of Myanmar. This includes gender equality, equal rights and equal opportunity for every citizen regardless of gender, race, ethnicity, language, religion and age.

The participants in the peacemaking process discussed that the 2008 constitution differs significantly on several points from the EAOs' proposed ideas on a new federal state. For example, no state constitutions and no quota for women participation in the political domain are enshrined in the 2008 constitution. The EAOs claimed that states should have the right to draft their own constitutions. Another of their concerns is based on equality. The 2008 constitution is uncertain about equality. The 2008 constitution is uncertain about equality. Nonetheless, a number of ethnic nationalities are satisfied, to a

certain extent, with this constitution because it can democratically guarantee the rights of all citizens, political equality for all ethnic nationalities, and the internal rights to self-determination for all member states of the Union of Myanmar.

In regards with the role of military, many EAOS see the 2008 constitution providing for unbalanced power between the military and civilian government. Some argue that the military-backed 2008 Constitution gives almost absolute power to the Commander-in-Chief to stage a coup d'état when need arises. Moreover, the President has no direct power and no command in managing and administrating the military affairs although he is the Head of State. One NCA member interviewed suggested rebalancing military and civilian power (i.e., right of military intervention should be removed) as an important step in the peace process.

Forming a federal army is another contentious issue between the Tatmadaw and its dialogue partners. Two Articles of the 2008 Constitution are particularly contentious: "*The main armed force for the Defence of the Union is the Defence Services (Art. 337). All the armed forces in the Union shall be under the command of the Defence Services (Art. 338).*" The Tatmadaw is assumed here to be the sole people's army or union army. One EAO member suggested that the military habitually shows off its internal legitimacy as the main guarantor of national unity and sovereignty. In their federal proposal, the EAOs demand to have a separate defence force for their respective states. With regard to the formation of a federal army, the Tatmadaw has consistently resisted to accept a building a separate federal army because the Tatmadaw considers itself a union army and believes that all the armed forces must be under its command (Article 338). According to Article 386, every citizen has the right to join the country's armed forces. In principle, the Union Peacemaking Working Committee (UPWC) agreed to form a federal union proposed by the EAOs which would mean that a federal army would be built in accordance with federal lines in the future.

Efforts are currently being undertaken to initiate a national dialogue process under the NLD government as well. Non-secession is the primary concern for both the government and Tatmadaw. This issue arose at the second round of Myanmar's 21CPPC, held in May 2017, under the leadership

of the NLD government. Many EAOs have persistently sought recognition of their rights to equality, self-determination and to draft their own state constitutions in the Union Peace Dialogue Joint Committee (UPDJC) meetings. In the views of the government and Tatmadaw, conceding the right to self-rule to the EAOs might result in secessionism in the future. Therefore, these upper-handed peacemakers said that the EAOs must first commit to non-secession in order to end the long-standing separation debate. Many believe that the government and Tatmadaw have tried to delimit the political rights of the EAOs with a string of non-secession commitments. The EAOs are being asked to give a political guarantee of non-secession and are being promised in return a democratic federal system. Some EAOs agreed in principle to the idea of non-secession and accepted integration into the Union. However, as a precautionary measure, some EAOs submitted a proposal for an exceptional clause to be added specifying they would not secede from the Union as long as their demands for equality and a federal system are carried out. Most EAOs declared that they have strong desire to remain part of the state of Myanmar, but only if their rights to cultural, economic and political autonomy are guaranteed. Although this issue was skipped in subsequent rounds of talks, it has still become a matter of critical importance for all peacemakers that will need to be dealt with soon. Succession remains a potential roadblock for peace.

Another important issue lies in the check-and-balances system. According to the 2008 Constitution, state power is divided into four different branches with equal power: President, Parliament, Military and Political Parties. However, Myanmar is not comparable to the checks-and-balances system of most democratic systems. The constitution seemed to ensure that former military leaders remain powerful and protected. No other group can become too powerful over the others. Although this issue could be gradually changed, the 25 per cent quota of non-elected military personnel in the law-making bodies at both Hluttaws remains a major issue for establishing a federal democracy in Myanmar. Therefore, it is necessary to legally amend the 2008 Constitution as part of a future legitimate political process.

## **Opportunities and Challenges**

There is no doubt that the structure of the current peace process in Myanmar indicates the best opportunity to address the political, social and economic issues that have long driven armed conflict. Although negotiations between the government and ethnic armed groups have struggled to reach agreement on a number of key issues, it has made progress. The NCA was signed on 15 October 2015 and the NCA regime is currently composed of ten EAOs. The USDP government's peace plan made significant progress in bringing key actors to the negotiation table and the NLD government has been working to achieve a federal settlement.

Despite provisional agreement on a number of substantive issues, all parties could diplomatically restructure their state-society relations through peace talks. President U Thein Sein started the first move towards a federalism-building. In principle, he and some EAOs understood that ethnic conflicts could be resolved by holding concrete peace negotiations through which the ethnic nationalities' goal on the self-determination, federalism, and ethnic equality could be discussed. Indeed, the USDP government supported the introduction of a federal system and publicly it was stated in the President's occasional speeches. However, a common position on the issues of federalism and constitutional reforms did not reached at the USDP party congress, held at the end of June 2013. Some concluded that most USDP members are former military persons who had the same ideas with the military ideology and are not willing to make any major concessions towards federal reforms. Few USDP soft-liners did not concur with those hard-liners on this issue in their circle.

In contrast, the incumbent NLD government has publicly stated that constitutional reform is one of its main priorities and it is highly supportive of a democratic federal union. Its strong stance on federalism will unquestionably be of major significance for Myanmar's future. As a positive sign, the Commander-in-Chief Senior General Min Aung Hlaing, for the very first time, used the word 'federalism' at the second session of the 21CPPC. In principle, the military has accepted this system, but he, at the previous conference, only paraphrased the word 'peace and unity' instead of using the word 'federalism'. In his speech, building a democratic federal union can be

created with the results from political dialogue based on freedom, equality and justice, without damaging the three main national causes: non-disintegration of the Union, non-disintegration of national solidarity and perpetuation of sovereignty.

Federalism is one of the main themes of the ongoing peace process. The process has successfully involved a number of parties in a series of political dialogues, giving them the chance to express their political, social, economic and cultural views and voices. Although there is lack of all-inclusivity in the NCA, the NLD government invited both NCA members and non-NCA members to join the series of the 21CPPC to collectively craft a Myanmar model of federalism.

Despite enormous opportunities, several challenges complicate the idea of federalism. In reality, the core demands (self-determination and equality) are not problems at all for the democratic NLD government. However, the military behind the government sees that federalism has a potential to lead to separatism. The military have no tolerance for any possibility of disintegration of the Union.

Another pitfall in the negotiation process has been the vertical role of elites. Many EAOs leaders say they feel powerless. Some have argued that the constitution does not allow the NLD government to be above the military and therefore that the NLD must always agree with the military on all political matters. The military appears to having influence over the negotiations. It is noted that the ethnic movement cannot be avoided if their different perceptions are unequal with the government's policies.

The most important challenge lies in the internal right to self-determination for all ethnic nationalities of the Union. The right to self-determination can be achieved through the development of state/region constitutions. Without any state/region constitutions, it would be difficult to structure any kind of federal arrangements or power-sharing procedures. Without a state/region constitution, any kind of talk of self-determination is meaningless. So long as internal self-determination is absent, there is no guarantee that ethnic nationalities in the country would be able to protect, promote and preserve their respective language, culture, religion, way of life, homeland and their respective ethnic national identities. Without a state

constitution, a state/region governments struggle with weak Assemblies and remain dependent on the central government for key law making actions.

In order to have control of and responsibility for local issues, concrete institutional arrangements have to be established in all states/regions while there is no state/region constitution. The launching of meaningful regional self-governments still need to be worked out in many details, but it can be accomplished within a national political framework. One crucial challenge is that many parties cannot clearly articulate what kind of federalism Myanmar should create to replace the current 2008 constitutional framework. Currently, lack of unity in the EAOs' representative body, no cohesive plan and no collective demands are also challenging to the upcoming peace talks and will present a challenge in establishing a federal nature of Myanmar. Unfortunately, the remaining EAOs seem to be showing no sign of joining the NCA in the near future, demonstrating their lack of trust in the peace negotiations. This is another challenge for the federal dream. An inclusive political dialogue is essential in multi-ethnic diversity of Myanmar.

### **Conclusion**

Achieving the goal of federalism is an essential pre-requisite to ending long-standing armed conflicts and securing a sustainable peace in Myanmar. The call for a federal system of government has been growing louder since 2011. With increasing local recognition of this matter, the failure to achieve this goal will almost certain pose a significant obstacle to national integrity, reconciliation and the maintenance of law and order in the country. A political dialogue is the only mechanism for nation-building with federal system in which various stakeholders (the government, the political parties, the Tatmadaw, the ethnic and religious minorities, EAOs and representatives of Myanmar's civil society) have to have meaningful involvement in this process.

The 2008 Constitution is not federal in nature. It stipulates a largely centralist unitary state. Most importantly, it suggests that reforming the current constitution is significantly less risk than creating a new one. Changing the structure of Myanmar into that of a federal state would require changing the constitution, but this, under the 2008 constitution, could only be

achieved by 75 per cent majority consent in a parliament in which a quarter of all seats are held by members of the military. Therefore, the proposals to the constitutional amendment should not be used as a political tool to prevent further peace negotiations. If the peace talks were unsuccessful, the Tatmadaw would use its absolute right to use of force that is constitutionally provided to.

Federalism should not be seen as a “*one-size-fits-all*” approach. Federal and autonomy arrangements have received much positive attention as means to manage ethnic conflict and ethnic movement because they foster minority rule and increase opportunities for political representation. Federalism can become an even more effective constitutional tool to prevent and resolve conflicts the more it is understood and used as an instrument to promote good governance and inclusion instead of ownership and exclusion. There is no recipe as to the right balance of such instruments, but awareness of the consequences of each of them is often lacking and this represents a danger. Nonetheless, the constitutional reform is not a problem if Myanmar goes through a democratic federal system in which political and economic reforms, resource distribution, sharing political power, rebalance civil-military power, adoption of proportional representation, armed forces integration, and public finance system are well established or functioned. Otherwise, federal reforms, not based on a broad consensus among the elite, might thus prompt the military to block the current reform process or even to stage another coup.

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## **EU-MYANMAR RELATIONS: BUILDING A LASTING PARTNERSHIP FOR DEMOCRATIC TRANSITION**

Kyi Mar\*

### **Abstract**

The democratic transition in Myanmar took a turning point in EU-Myanmar relations in 2011. By recognizing Myanmar's remarkable transition, the EU rapidly re-engaged with Myanmar and provided significant support to encourage reforms. In April 2013, the EU lifted all sanctions on Myanmar with the exception of an arms embargo. In September 2013, the EU also had a full-fledged Delegation in Yangon demonstrating the expansion and importance of bilateral relations. Then, the EU-Myanmar Task Force was launched as part of a lasting partnership between the EU and Myanmar. It is also meant to provide comprehensive support to the transition in Myanmar by bringing together all tools and mechanisms available to the EU. So, the EU has taken a leading role in responding to the political changes in Myanmar through a comprehensive approach. Furthermore, within the first 100 days of the new democratic government, the early adoption of *the Joint Communication* sent a strong signal of the EU's continued firm commitment to Myanmar. This is why the EU continues its prominent role in supporting Myanmar's democratic transition. In development cooperation, Myanmar is also benefitting from the second largest bilateral development cooperation envelop in Asia after Afghanistan with an indicative allocation of €688 million under the Multi-annual Indicative Programme 2014-2020. So, the EU also plays a prominent role in supporting Myanmar's development.

**Keywords:** EU-Myanmar relations, democratic transition, lasting partnership, development

### **Aims and Objectives**

This paper tries to examine the improvement in EU-Myanmar relations since 2011 and to explain why the EU plays an important and ongoing role in supporting Myanmar's development and transition to democracy.

### **Introduction**

Diplomatic relations between Myanmar and European countries were established in early 1948, after independence of Myanmar. However, three

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decades later, among the 1988 events, the relations became increasingly strained with the consolidation of military rule in Myanmar. After the State Law and Order Restoration Council (SLORC) failed to hand over power to the National League for Democracy (NLD), which won 80 percent of seats in the May 1990 national elections, the European Union (EU) adopted its first round of sanctions against Myanmar consisting of an arms embargo and the suspension of defense cooperation. Moreover, the EU Common Position on Myanmar 1996/635/CFSP was adopted on 28 October 1996. According to it, the EU reaffirmed the punitive measures already taken as well as introduced entry visa bans on senior government and military officials and their families (96/635/CFSP, 08/11/1996, P.1-2). An additional measure was the suspension of high-level bilateral governmental visits.

For the next fifteen years, the EU renewed, modified, and extended the scope of restrictive actions against Myanmar, including asset freezes and investment bans. While the European Union (formerly the EC) and its member countries criticized the authoritarian rule of the SLORC, which after 1997 changed its name to the State Peace and Development Council (SPDC), the latter blamed the West for interfering in its internal affairs and supporting anti-government exile groups (Naing Naing Aye, 2013, P.1). As a result, the relations between the EU and Myanmar reached the lowest point with the country of Myanmar suffering as a result.

However, domestic developments in Myanmar opened a turn with the ratifying by a new constitution in 2008 as a part of Myanmar's Seven-Step Roadmap to Democracy. The new constitution downsized the role of the military, although still reserving 25 percent of seats in Hluttaw for the Tatmadaw. In the same year, Cyclone Nargis struck Myanmar causing widespread devastation. After that, the EU and its member countries became the biggest donor of humanitarian aid and development assistance to Myanmar. Indeed, until May 2012, the EU aid portfolio for Myanmar amounted to €97 million with 44 percent allocated to livelihoods and food security, 45 percent to health and education, and the remaining 11 percent to civil society programs, human rights, good governance, and so on (*Office of the European Union in Myanmar*).

## **Turning Point in EU-Myanmar Relations**

Democratic transition in Myanmar took a further turning point in EU-Myanmar relations on 30 March 2011 when the new civilian government was formed by departing from five decades of authoritarian rule. During formally swearing into office, President U Thein Sein outlined the three phases of reform: political reform and national reconciliation; economic and social reform; and administrative reform for good governance. The government stated that the reform process will be inclusive and participatory, bringing all interested parties together, including civil society and the private sector (*The Global New Light of Myanmar*, 31 March 2011). Moreover, Nobel Peace Prize laureate and opposition party NLD leader Daw Aung San Suu Kyi was also released from house arrest in November 2010 (*The Global New Light of Myanmar*, 14 Nov 2010). And she also became a Member of Hluttaw in 2012 (*The Global New Light of Myanmar*, 3 April 2012). Therefore, the return of NLD to the formal political process was further milestone in the peaceful transition to democracy and injected a positive dynamism into political life.

The EU welcomed the release of a substantial number of political prisoners, the major progress made on improved freedom of expression, assembly and association and the unprecedented peace initiative towards ethnic armed groups in a bid to advance national reconciliation in the country's multi-ethnic society. President U Thein Sein was committed to releasing all prisoners of conscience by the end of 2013 (*The EU and Myanmar-A new chapter*, 2013, P.2). Myanmar government had also committed itself to introducing genuine democracy and some significant steps were undertaken towards establishing a more open and equitable society. And, a unique, nationally-led peace process between the government and ethnic armed groups started with the aim to end more than five decades of conflict and raised hopes of lasting peace (*European Commission-Fact Sheet*, 2016, P.1). President U Thein Sein, a former Union Solidarity and Development Party (USDP) leader, appears to be the architect of democratic transition. By recognizing Myanmar's remarkable transition, the EU rapidly re-engaged with Myanmar and provided significant support to encourage reforms.

The official visit of the High Representative of the Union for Foreign Affairs and Security Policy and Vice-President of the Commission Catherine

Ashton in April 2012 marked a new beginning in EU-Myanmar relations. During this visit, the High Representative opened an EU Office in Yangon (*European Commission - Fact Sheet*, 2016, P.1) (Marchi, Ludovica, *Obstinate and unmovable?*, 2014, P.2). Thus, it makes possible more regular contacts and the establishment of fruitful, constructive bilateral dialogue with key stakeholders. Then, in September 2013, the EU also had a full-fledged Delegation in Yangon demonstrating the improvement and importance of bilateral relations.

The subsequent visits of President U Thein Sein, Speaker of the Pyithu Hluttaw, U Shwe Mann, and NLD leader Daw Aung San Suu Kyi to EU countries further helped foster better relations with the EU. On 14 May 2012, the EU adopted Council Regulation (EU) No. 409/2012 suspending restrictive measures against Myanmar until 20 April 2013 (*Council Regulation (EU) No 409/2012*, 14 May 2012). Finally, on 22 April 2013, the EU lifted all sanctions on Myanmar with the exception of an arms embargo (*EU-Myanmar: Charting a course for the future*, 2013, P.4). In a statement issued on the same day, Catherine Ashton said: "Today, we closed a very long chapter in our relations with Myanmar/Burma by lifting political and economic sanctions. Only the arms embargo remains in place" (*European Union External Action*, 2013, P.1).

While the EU stated its willingness to open a new chapter in its relations with Myanmar, it also recognized that the period leading to the general elections in 2015 is critical for the country's overall transition. At the same time, the Council of the EU emphasized the importance of coordination and coherence in the EU's response to Myanmar government (Naing Naing Aye, 2013, P.2). Moreover, the Council continued to express concerns over the need for the government to release remaining political prisoners, to deal with inter-communal violence, to deal with humanitarian risks for all displaced people in Rakhine state, and to allow unhindered and full access for humanitarian and development aid workers to areas affected by conflict and sectarian violence (*Council of the European Union, 3236th Council meeting Press Release*, April 22-23, 2013).

## **Building a Lasting EU-Myanmar Partnership**

Despite ongoing concerns, President U Thein Sein visited to five European countries in February-March 2013. President' visit ensured the issuing of a *Joint statement* on 5 March in Brussels by the presidents of the European Council, European Commission, and the Republic of the Union of Myanmar on “*Building a Lasting EU-Myanmar Partnership*” (EUCO 58/13, 5 March 2013, P.1-2). This was followed up in June by the first EU-Myanmar Forum in Nay Pyi Taw, co-chaired by the then Myanmar Deputy Foreign Minister U Thant Kyaw and Chief Operating Officer of the European External Action Service David O’Sullivan, to discuss priorities and focusing on implementation of the joint statement. The setting up of two working groups was also announced on trade and investment, and on cooperation (*Joint Press Release*, 17-18 June 2013). Thus, the Joint statement refers to the opening of a new chapter in EU-Myanmar relations based on a lasting partnership and closer engagement with Myanmar.

These developments offer an opportunity to review the EU’s efforts to induce Myanmar government to work towards political transformation. The Comprehensive Framework defining the EU’s policy and support in the next three years to the ongoing reforms in Myanmar was adopted by the Foreign Affairs Council on 22 July 2013. Peace, democracy, development and trade and Myanmar’s engagement with the international community had been identified as main areas for engagement. The Council of the EU has also indicated that, having imposed sanctions calling for a change, it now feels a responsibility to help, and assist the government in rebuilding its place in the international community (*Council conclusions on the Comprehensive Framework*, 22 July 2013). So, the primary goal of the EU is to help a legitimate, civilian government to pursue the social and economic development of the country, respecting human rights and rebuilding relations with the international community.

To turn commitments into reality, Catherine Ashton also visited Myanmar on 13-15 November 2013. During this period, the EU-Myanmar Task Force was launched as part of a lasting partnership between the EU and Myanmar, signaling a joint commitment to Myanmar’s political and economic transition (EU-Myanmar Task Force: *Joint Press statement*, 2013). It is also

meant to provide comprehensive support to the transition in Myanmar by bringing together all tools and mechanisms available to the EU, both political and economic (*The EU and Myanmar-A new chapter*, 2013, P.5). By doing so, the EU has taken a leading role in responding to the political changes in Myanmar through a comprehensive approach.

The holding of credible and competitive elections in November 2015 and a smooth transition of political power to the new democratic government marked an important milestone in Myanmar's transition process. On 8 November 2015, the people of Myanmar overwhelmingly voted to leave military rule behind, providing the opposition National League for Democracy (NLD) with an absolute majority in Hluttaws (*The Global New Light of Myanmar*, 16 Nov 2015). Daw Aung San Suu Kyi's ally, U Htin Kyaw was elected on 15 March 2016 as Myanmar's first civilian President in more than five decades (*The Global New Light of Myanmar*, 16 March 2016). Also, Daw Aung San Suu Kyi assumes a key role in the new administration as State Counsellor, Minister of Foreign Affairs, and Minister of the President's Office (*The Global New Light of Myanmar*, 31 March 2016). She also leads the peace process and chairs the Central Committee for the Implementation of Peace, Stability and Development in Rakhine State.

Following credible and competitive elections in November 2015, the EU had a strategic interest in strengthening its relationship with Myanmar and welcomed the peaceful transfer of power. The Council of the EU concluded: "the new government has an historic opportunity to consolidate democracy and to achieve peace, national reconciliation and prosperity. In addition to benefiting Myanmar/Burma and its people, this could further strengthen ASEAN and enhance stability in the Asia-Pacific. Moreover, it has the potential to serve as a positive example to the region" (*Council conclusion*, 356/16, 20/06/2016). The EU also deployed the largest international Election Observation Mission with some 100 Observers to the 2015 general election, on the invitation of the Union Election Commission (*European Commission - Fact Sheet*, 2016, P.1). An Election Expert Mission followed the 2017 by-elections on the ground, confirming the importance the EU attaches to electoral reform in Myanmar (*EU-MYANMAR RELATIONS*, 2017, P.1). As

such, the EU reiterated its commitment to support this remarkable transition through the full use of all instruments at its disposal.

While these changes were positive, the EU also recognized that the new administration, with limited governing experience, faces numerous complex challenges. These challenges include consolidating democracy, promoting ethnic peace and reconciliation, advancing constitutional reforms, institution building and security sector reform, and promoting the rule of law and human rights. Moreover, the EU also expressed concerns over the need for the NLD government to address the people's immense expectations to deliver higher incomes and quality basic services through economic growth and inclusive sustainable development (*European Commission-Fact Sheet, 2016, P.1*). Therefore, the EU intensified cooperation with Myanmar to overcome the formidable challenges it faces.

The arrival in office of Myanmar's democratic government on 1 April 2016 provided the opportunity for the EU to take a fresh look at its engagement with Myanmar and align with the new priorities. On 1 June 2016, the High Representative for Foreign Affairs and Security Policy and the European Commission adopted a *Joint Communication, entitled "Elements for an EU strategy vis-à-vis Myanmar/Burma: A Special Partnership for Democracy, Peace and Prosperity"* in Brussels. In a press release on 1 June 2016, High Representative for Foreign Affairs and Security Policy Federica Mogherini said: "Myanmar is at a turning point. The newly elected government has expressed its willingness to bring peace and development to its people, through a democratic path. As the European Union, we have constantly accompanied this path, and we are committed to cooperate even more with Myanmar to support the reform efforts of the government" (*IP/16/2008, 1 June 2016, P.1*). So, within the first 100 days of the new administration, the early adoption of *the Joint Communication* sends a strong signal of the EU's continued firm commitment to Myanmar.

*The Joint Communication* sets out a vision and concrete commitments in terms of the EU's political, security and development support to and economic engagement in Myanmar for the years ahead. According to the Joint Communication, areas of EU's engagement in Myanmar include: 1) democracy, rule of law and good governance; 2) the peace process; 3) human

rights; 4) poverty reduction and sustainable development; 5) economic engagement; and 6) working together with Myanmar in ASEAN and the region (*MEMO/16/2009*, 1 June 2016, P.1-2). It also looks at how best to work with all stakeholders towards consolidating democracy, creating lasting peace, bringing equitable development and social justice in alignment with the priorities of the government and the aspirations of the people of Myanmar (*IP/16/2008*, 1 June 2016, P.1). EU Foreign Ministers endorsed this strategy in *Council conclusions* on 22 June 2016. So, this is why the EU continues its prominent role in supporting Myanmar's democratic transition through a state-building approach.

### **The EU as a partner of Myanmar in its transition**

The EU is a partner of Myanmar in its transition, having rapidly responded to political changes in Myanmar from the outset. As Myanmar advanced in its remarkable reform path and opened up to the world, the EU has been at the forefront of the international community's re-engagement and has lent its strong support for Myanmar's democratization, national reconciliation and economic transformation. The EU also has a wealth of experience to offer in democratic transition from authoritarian systems, building effective institutions and peace through reconciliation between diverse ethnic groups and transforming the economy (*EU-Myanmar relations*, 28/04/2017, P.1). Furthermore, The EU also believed that Myanmar's successful democratization and socio-economic development will further strengthen ASEAN, the EU's natural partner in South East Asia.

Moreover, Myanmar is strategically located between India and China. It has abundant natural resources (land, water, forests, fossil fuels, minerals and gems) and a young labour force (55% of the population is under the age of 30). With a population of 51.5 million, it constitutes a market of significant potential for EU exporters and investors. It is a member of ASEAN, home to over 600 million people, and is estimated to benefit from the ambitious regional economic integration process. Moreover, Myanmar is the fastest growing tourism market in the region. In 2015-2016 fiscal year, the economy grew by 6.8% (*Myanma Alinn Daily*, 2018, P.3). According to the Asian Development Outlook 2018, real GDP growth is forecast to average over 7% annually in coming years, underpinned by large projects funded by foreign

investors (*Myanma Alinn Daily*, 2018, P.3). Myanmar is also a priority country for the EU's involvement in Asia.

### **The EU's Political Support**

In 2013 the EU and Myanmar agreed to open a new chapter in their relations and laid the foundations of a strong partnership. Moreover, EU-Myanmar relations have dynamically expanded as demonstrated by the establishment of a regular Human Rights Dialogue. The EU used its dialogue with the government, bilaterally as well as in multilateral frameworks and EU-ASEAN meetings, to raise concerns and to encourage the government to continue the process of positive change (*The EU and Myanmar– A new chapter*, 2013, P.4). A high level political dialogue was launched in 2013 and the two partners also engaged in a regular Human Rights Dialogue which is co-chaired by the EU Special Representative for Human Rights in 2014. Its latest session was held on 5 March 2018 (*EU-MYANMAR RELATIONS*, 2018, P.2). This engagement underscored the particular attention the EU places on democratic transition and human rights in Myanmar.

The EU also quickly responded to the immediate needs of Myanmar's transition. As a result, the EU provided swift and targeted support for the peace process, institution building and electoral reform and helped initiate steps to reform the Myanmar Police Force (*EU-MYANMAR RELATIONS*, 2017, P.2). The EU supported the process of bringing peace and stability to ethnic regions and of opening a long-term perspective to their development. During his visit in November 2012, the President of the European Commission Jose Manuel Barroso announced the EU's substantial support to the Myanmar Peace Centre (*The EU and Myanmar– A new chapter*, 2013, P.4). In this respect, the EU allocated initial funds to the Myanmar Peace Centre in Yangon €7 million in 2012 (*The EU and Myanmar– A new chapter*, 2013, P.6). In addition, the EU further contributed €30 million in 2013 to the ethnic peace process.

The EU has also committed to contribute to a sustainable peace accord in Myanmar under the Instrument for Stability. Since 2012, the EU has been supporting Government, international organizations and non-state actors with a total of €16 million. In addition, the EU provided support to ethnic and civil actors in order to facilitate further ceasefire agreements, comprehensive

political settlements and support peace building, including a civilian ceasefire monitoring mechanism and a separate programme to enable pilot demining operations in the ethnic areas (*The EU and Myanmar– A new chapter*, 2013, P.6). These initiatives made the EU the largest grant donor to peace related projects in Myanmar. In October 2015, the EU also signed *the Nationwide Ceasefire Agreement* as an international witness, reflecting its key role in supporting the peace process.

Furthermore, the EU funded specific projects through its Instrument for Stability. Following a request of the Government as well as the opposition, the EU has since 2012 decided to support the reform of the police force in the areas of crowd management and community policing with a €10 million package (*The EU and Myanmar– A new chapter*, 2013, P.6). Improving respect by the police for rights and the accountability of the police to Parliament, civil society and the media are at the heart of this action (*The EU and Myanmar– A new chapter*, 2013, P.6). The EU and Myanmar also agreed to work together on preparedness, response and resilience to emergencies, by building up a professional and effective response system. In this respect, the National Crisis Response Centre was also established with the support of the EU.

The EU is now reaching out to the Myanmar military (Tatmadaw) on the role of the military in a modern democracy. The military remains a key political player and continues to occupy 25 % of the representatives in Amyotha Hluttaw and Pyithu Hluttaw. It also has a veto on constitutional changes and retains three key ministerial posts (home, defense and border affairs). The new context calls for the military to redefine its role in a democratic society. To this end, the Chairman of the EU Military Committee visited Myanmar in June 2016 to establish contact and subsequently received the Commander-in-Chief of the Myanmar Armed Forces. Consequently, the Commander-in-Chief of the Myanmar Armed Forces attended the EU28 Chief of Defense Meeting on 8 November 2016 (*EU-MYANMAR RELATIONS*, 2017, P.2). By doing so, the EU shares its experience of democratic transition and the role of the military in a modern democracy, including promoting respect for human rights and the rule of law. However, in light of the disproportionate use of force carried out by the security forces in the current crisis in Rakhine State following the 25 August 2017 attacks by the Arakan

Rohingya Salvation Army (ARSA) , the EU and its member states decided on 16 October 2017 to suspend invitations to the Commander-in-Chief of the Myanmar Armed Forces and other senior military officers and to review all practical defense cooperation. Anyhow, engaging with the Tatmadaw is a pragmatic step that recognizes the military as an actor that cannot simply be ignored. Thus, it is important for the EU to engage with the next generation of the Tatmadaw.

The EU and Myanmar also cooperate in multilateral forums. For many years, the EU has tabled resolutions on the human rights situation in Myanmar in the United Nations General Assembly and Human Rights Council. In recognition of Myanmar's progress on democratic transition, the reinvigoration of the peace process and the positive steps taken by the new government to improve human rights, in September 2016 the EU took the decision not to table a human rights resolution in the UN General Assembly Third Committee (*EU-MYANMAR RELATIONS*, 2017, P.2). In view of the remaining human rights concerns, in particular the recent violence in Rakhine State following the 9 October 2016 attacks on three border guard posts, the EU continued the resolution in the UN Human Rights Council in March 2017.

Moreover, The EU also has an interest in working with the new government in a regional context, especially on ASEAN integration. Myanmar's first ASEAN chairmanship in 2014 provided the opportunity for the EU to step up engagement with Myanmar at the regional level. In this respect, the EU worked towards implementing *the "Bandar Seri Begawan Plan of Action to strengthen the ASEAN-EU Enhanced Partnership (2013-2017)"* and promoting EU strategic interests in the Asia Pacific as set out later on in the *EU Joint Communication 'The EU and ASEAN: a partnership with a strategic purpose'* and the ensuing *Council conclusions (EU-MYANMAR RELATIONS*, 2017, P.2). Moreover, the EU and Myanmar also cooperate in broad security and defense related matters in the ASEAN Regional Forum (ARF). The Asia-Europe Meeting (ASEM) is also the other multilateral forum for engagement. On 20-21 November 2017 Myanmar hosted the 13th ASEM Foreign Ministerial Meeting. The EU believes that a successful democratic transition in Myanmar will serve as a significant and positive example to the wider region.

## **The EU's Development Cooperation**

With regard to development cooperation, the EU has also responded quickly to Myanmar's development. EU development cooperation has more than doubled in value and expanded in scope and the EU is among the biggest donors. In February 2012, Commissioner Piebalgs announced a package of €150 million for 2012 and 2013 to support immediate needs and inclusive development plans of Myanmar (Marchi, Ludovica, 2013, P. 2). These funds built upon the support to the Millennium Development Goals in the social sectors of health, education and livelihoods/agriculture, while also helping to improve the capacity of government to advance its reforms. As a consequence, the EU's ongoing development assistance portfolio in Myanmar amounted to over €200 million for 2012 and 2013.

Myanmar is also benefitting from the second largest bilateral development cooperation envelop in Asia after Afghanistan. On 8 December 2014, the EU announced its allocation of €688 million (USD 900 million) to support Myanmar's transition over the period 2014–2020. The areas to be targeted include rural development and agriculture, food and nutrition security, education, governance and the rule of law, state capacity building and peace building. The breakdown of the funds is as follows: sustainable rural development (€241 million); education (€241 million); support for democratic and institutional reforms (€96 million); and peace building support (€103 million) (*EEAS*, EU, 2014). In addition, Myanmar also benefits from the EU's thematic and regional programmes and instruments. To promote aid effectiveness, the EU and its Member States have been engaged in *the joint programming of development cooperation* since 2013. Moreover, in order to align with the priorities of the democratic government, the EU and its Member States are drawing up a new *joint programming strategy 2017-2020*. Thus, the EU is supporting the government and playing a leading role in Myanmar's development with Member States and other development partners.

## **EU-supported flagship projects**

EU-supported flagship projects are as follows:

- LIFT (Livelihoods and Food Security Trust Fund) is a multi-donor trust fund improving the lives and prospects of smallholder farmers and landless people in rural Myanmar;
- ‘STEP Democracy’ supports Myanmar’s diverse political and civil actors to seize opportunities to build inclusive, democratic institutions and appeal to the active, informed participation of society;
- ‘My Justice’ improves access to justice and legal aid for the poor and vulnerable, develops legal capacity of justice sector professionals and strengthens selected rule of law institutions to better fulfill their mandates;
- The ‘Joint Peace Fund’ supports nationally-led efforts to achieve a lasting settlement of ethnic armed conflict in Myanmar;
- ‘SMART Myanmar’: actively promotes sustainable consumption and production of garments “Made in Myanmar”, a concept with emphasis on resource efficiency and social responsibility (*European Commission - Fact Sheet, 2016, P.2*).

## **The EU’s Humanitarian Aid**

Myanmar is prone to natural disasters, notably cyclones, floods and earthquakes. In 2015, monsoon rains and Cyclone Komen triggered the largest floods in the country’s recent history, affecting over 20 million people, 1.6 million of which were displaced (*European Commission - Fact Sheet, 2016, P.2*). The impact of climate change is expected to further increase the vulnerability of populations in need. Ongoing fighting has also caused further population displacement in Kachin, Shan and Rakhine States. According to the United Nations in April 2017, there were some 220 000 people living in internal displacement in the country, including some 120 000 people who remain confined to camps following inter communal violence in Rakhine State in 2012 (*EU-MYANMAR RELATIONS, 2017, P.3*).

Since 1994, the EU has provided €229 million in humanitarian aid to Myanmar. It included €145 million in response to conflict situations, €84 million in response to natural disasters and epidemics, and to build resilience (*European Commission - Fact Sheet*, 2016, P.2). Since 2010, €9.7 million has been dedicated to disaster risk reduction in coastal flood-prone areas and in urban agglomerations facing earthquake risks (*EU-MYANMAR RELATIONS*, 2017, P.3). The EU is also a lead donor to Burmese refugee camps in Thailand, where it has provided €171.4 million since 1995 (70% through its humanitarian aid department and 30% through its instrument for Aid for Uprooted People) (*MEMO/16/2010*, 2016, P.2). Since 2007, over €30 million has been allocated for basic health care, water, sanitation, shelter, nutrition, protection and psychological support.

### **The EU's Trade and Economic Cooperation**

Myanmar's efforts in combating forced labour have opened the way for the EU to restore preferential market access under the "Everything But Arms" scheme in 2013. In July 2013, the EU reinstated Myanmar's access to the Generalized System of Preferences (GSP) which provides for duty-free and quota-free access for the country's products to the European Single Market (*The EU and Myanmar– A new chapter*, 2013, P.7). According to the European Commission, such a move could help raise Myanmar's exports by 30% (*EU-Myanmar: Charting a course*, 2013, P. 4). A report by the International Labor Organization (ILO) recognized that the country has made "significant" progress in tackling forced labour, the reason Myanmar lost GSP status in 1997 <[www.friendsofeurope.org](http://www.friendsofeurope.org)>. As such, Myanmar is eligible for access to the EU market for all exports, except weapons.

As a result, bilateral trade exceeded €2 billion in 2017 up from €404 million in 2012. Exports to the EU quadrupled between 2012 and 2015, from €165 million to €675 million. Then, Myanmar exports to the EU reached almost €1 billion in 2017 (*EU-MYANMAR RELATIONS*, 2017, P.3). Major exports from Myanmar to the EU were garments (more than 69% of total exports), rice (8%), and footwear (6%). Machinery and electrical appliances constitute almost half of EU exports (*MEMO/16/2016*, 2016, P.2). According to Myanmar's official statistics of January 2017, the EU was the 4th largest foreign investor in 2016 and cumulated investments originating from the EU

amounted to USD 5.5 billion (or 8.8% of total), behind China (USD 18.4 billion or 31%), Singapore (USD 15.7 billion or 27%) and Hong Kong (USD 7.4 billion or 13%)(*EU-MYANMAR RELATIONS*, 2018, P.3). Therefore, the two economies are perfectly complementary.

Furthermore, the EU is working towards concluding an *Investment Protection Agreement* to enable European businesses to realize the full potential offered by Myanmar's economy, while complying with the highest standards of corporate social responsibility and responsible investment. The EU demonstrated its commitment to work with the government, the International Labour Organization and other partners (Denmark, the United States and Japan) on labour rights when joining the Initiative to Promote Fundamental Labour Rights and Practices in Myanmar in May 2015 (*MEMO/16/2016*, 2016, P.3) . The EU is also actively engaged to promote responsible business conduct and is funding a €9 million ILO/OECD project in this area in a number of Asian countries, including Myanmar (*EU-MYANMAR RELATIONS*, 2017, P.3). Moreover, Myanmar-EU Economic Forum was also held in Nay Pyi Taw on 7 June 2018 (*Myanma Alinn Daily*, 2018, P.1). In order to help European business to better access Myanmar's vast economic and investment potential, Myanmar has also been selected as a European Economic Diplomacy case study country. The recently established *Eurochamber* can play an important role in representing EU business interests in Myanmar. So, the EU also plays a prominent role in supporting Myanmar's economic development.

### **Research Finding**

Upon reviewing the achievements made since 2011, it can be said that there has been a marked improvement in bilateral relations between the EU and Myanmar. As such, it is encouraging that the EU supports Myanmar and its people on its path to democracy, peace and prosperity. Also, the EU shows its understanding of the challenges facing Myanmar's democratic transition. Moreover, the conclusion of the *EU-Myanmar Investment Protection Agreement* will stimulate European business interest in a strategic region and contribute to inclusive and sustainable development of Myanmar. In addition, there is an implication that a democratic and successful Myanmar will also strengthen ASEAN integration and further the EU's strategic role in the Asia

Pacific region. However, the transition from military rule to democracy requires the participation and not exclusion of the security sectors, including the Tatmadaw. In fact, encouraging civil-military relations is crucial for the success of the political transition underway. Engaging with the Tatmadaw is important for the EU. These evidences show that the EU has a big stake in the success of the on-going transition and an interest in helping to ensure its completion.

### **Conclusion**

As Myanmar seeks to consolidate democracy, transform the economy and strengthen social justice, the EU makes full use of all the instruments at its disposal to address the remaining challenges of the transition process. New areas of EU's engagement include working directly with the government on reform and policy formulation through state building initiatives. Also, the EU intends to reach out to the military, which remains an influential political player, by sharing experience in democratic transition and the role of the military in a modern democracy. As part of the peace process, the national political dialogue offers the opportunity to engage with all stakeholders on the issues of federalism, devolution of executive powers and decentralization. However, there will be no lasting peace without an agreement on these principles. Its support of peace, through the Joint Peace Fund, will enable the EU to work concurrently with the government and ethnic representatives to address the needs of communities affected by conflict, including on new issues such as security sector reform. Moreover, the conclusion of *the EU-Myanmar Investment Protection Agreement* will stimulate European business interest in a strategic region and contribute to inclusive and sustainable growth of Myanmar. Furthermore, a democratic and successful Myanmar will also strengthen ASEAN integration and further the EU's strategic role in the Asia Pacific region. To conclude, therefore, the EU plays an important role in Myanmar's democratic transition as a lasting partner.

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## **JAPAN'S OFFICIAL DEVELOPMENT ASSISTANCE FOR MYANMAR IN THE TRANSITION PERIOD**

Thi Thi Lwin\*

### **Abstract**

Japanese aid assistance to Myanmar began since 1955 in the form of reparations. In the wake of Myanmar's transition to democracy, Japan was responded more enthusiastically to Myanmar's political transition and has forgiven unprecedentedly his percentage of Myanmar's debt and allocated new large-scale official development assistance (ODA). Japan's assistance is quite frequently provided in links with the economic sector to support economic development and stabilization which will lead to the country towards democratization in the long run. However, some ethnic minorities such as Karens and Mons are eager to have genuine federal autonomy and open political institutions. They argued that economic development can be accompanied by political development. In my paper, I intend to reveal the helpful role of Japanese aid assistance for Myanmar's economic and political development in the transition period. I will be looking at Japanese ambitions for Myanmar's development. I also intend to explore the reasons why some ethnic minorities in Myanmar are more enthusiastic in order to achieve political development than economic development. So, my paper highlights the eagerness of some ethnic minorities for political development although Japanese development assistance is helpful for Myanmar's development at the time of Myanmar's needs.

**Keywords** : development assistance, economic development, political development, open political institutions, politics first approach

### **Introduction**

After Japan joined the Colombo Plan in 1954, Japanese Official Development Assistance (ODA) began with the development of a support system alongside postwar reparations. In 1977, because of Japanese economic growth, it expanded globally while systematically increasing ODA aid amounts. In 1989, Japan overtook the United States to become number one worldwide in the quantity of ODA. From 1991 to 2000 Japan supported the growth of developing countries as the world's largest donor nation. In 1992, the first ODA Charter was established in response to the post Cold War

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international situation, clarifying principles and strengthening policies .Then, in 2003, the ODA Charter was revised for the first time in eleven years.

Over the past two decades, Japan has made strenuous efforts to build ODA institutional framework. These efforts are the formulation of ODA Charters (1992; 2003) and related policy framework, the establishment of the new Japan International Cooperation Agency (JICA) in 2008 as a single aid agency providing technical cooperation, grant aid. After many years of engagement with Myanmar's military regime, Japan began to play a significant role in supporting the country's shift toward political reform in 2011–2012. Even before Myanmar's 2011 opening, Japan diluted sanctions and focused on diplomatic dialogue with the regime. While other donors were reducing their aid to Myanmar, Japan provided millions of grant aid and technical assistance between 1989 and 2011. Japan was Myanmar's largest donor during the period of military rule. The Japanese government suspended new official development assistance (ODA) projects after Aung San Suu Kyi's third house arrest in 2003.

Japan's 1992 Official Development Assistance (ODA) Charter committed the country to provide foreign aid in a manner that promotes democracy abroad. The 2012 ODA white paper, which was released in March 2013, not only expressed Japan's intention to strengthen democracy abroad but also prioritized human security and hard infrastructure assistance. In order to support Myanmar's democratization, national reconciliation and sustainable development, Japan extended economic cooperation with Myanmar. It focused on improvement of people's livelihood, capacity building and development of systems to sustain economy and society, development of infrastructure and related systems necessary for sustainable economic system. However, the conventional approach to development, seeing it as solely an economic or technical problem while ignoring the political, social and historical contexts, poses the danger of causing more harm than good to local communities.

### **Types of ODA**

ODA is broadly divided into bilateral aid and multilateral aid. Bilateral aid is given directly to developing countries, and multilateral aid is

provided through international organizations. Bilateral aid comprises of Finance and Investment Cooperation (ODA loans and Private Sector Investment Finance) and grants (grant aid and technical cooperation). Of these, JICA provides concessional loans as ODA loans. To address the underdevelopment of economic and social infrastructure in developing countries, the increasing poverty in these regions and emerging the global problems of HIV/AIDS and other communicable diseases, air and water pollution, and conflicts and terrorism, the United Nations set out the "Sustainable Development Goals (SDGs)" as common goals, and individual countries have launched a range of measures. (<http://www.jica.go.jp>, P.12). ODA loans support developing countries by providing low-interest, long-term and concessional funds to finance their development efforts.

### **The Unique Presence of Japan International Cooperation Agency (JICA) in Myanmar**

Japan through JICA has a very unique presence in Myanmar. Although the World Bank and Asia Development Bank do not have local offices, and the majority of international agencies provide assistance through non-governmental organizations, JICA is currently the sole donor providing direct aid to the government of Myanmar. Moreover, Japan has the most international students and trainees through government-sponsored programs for humanitarian cooperation. (<https://www.jica.go.jp>, February 9, 2012, P.2). Many of the cabinet members and department directors of the new administration have been exchange students in Japan.

JICA has concessional terms for developing countries, based on the LDC category and the World Bank income groups. There are four groups of developing countries (as of 1 April 2017):

1. LDCs with per-capita income less than \$1,025;
2. Non-LDCs with per-capita income less than \$1,025;
3. LDCs with per-capita income equal to or greater than \$1,025, and;
4. Non-LDCs with per-capita income equal to or greater than \$1,025. (<https://www.jica.go.jp>, P.1)

JICA has recently issued a blueprint of Preparatory Survey or the Integrated Regional Development for Ethnic Minorities in the South –East Myanmar which proposes industrial development in Southeast Myanmar. The JICA blueprint proposed “to promote peace through development” and encourages development activities to be conducted “in parallel” with political dialogue.( Khen Suan Khen,2015, p.9).Japan's support for Myanmar consists of three pillars: 1) improvement of people's livelihoods, including assistance for ethnic minorities and people living under the poverty line, 2) capacity building and institutional development, and 3) development of infrastructure and related systems necessary for sustainable economic development. All three pillars are important. (www.dw. com/.../can – japan... China, February 2018, P.2). JICA tries to keep an appropriate balance in each project, across different projects, and in the program as a whole, between economic development and poverty reduction, urban development and rural development, tangible assets and intangible assets, and between short-term outcomes and long term outcomes.

#### Aims of Japanese ODA towards Myanmar

Myanmar's great potential of natural resources and labor force and its abundance of energy, mineral, forest and agricultural resources have attracted Japanese attention since the nineteenth century. This was a major motive for Japanese occupation of Myanmar during the Pacific war. In the wake of transition, Japan enthusiastically supported Myanmar's political transition, allocated new large-scale official development assistance (ODA) and forgave large amount of Myanmar's debt. In order to support Myanmar's efforts for reforms in various areas towards its democrati-zation, national reconciliation and sustainable development, Japan extended economic cooperation focusing on the improvement of people's livelihood, capacity building and development of systems to sustain economy and society, development of infrastructure and related systems necessary for sustainable economic system (Donald M Seekins, 2015,p-125).

Japan adopted the 1992 ODA Charter. It recognized democratization as a factor in aid allocations to recipient countries, showed an attempt on Tokyo's part to satisfy Washington. Although it is unclear that democratization was ever actively applied as a criterion in Japan\_ Myanmar

relations, the Japanese government gave moral support to Daw Aung San Suu Kyi. Japanese ODA in Myanmar intended to focus on public works and large infrastructure projects rather than “grassroots” or small-scale projects. (Donald M Seekins, 2015 , p-124). These projects were financed with concessional loans rather than grants in order to promote the recipient country’s “self- reliance”.

Japanese ambition and scale on several aid projects for Myanmar exceeds those of earlier infrastructure projects. These projects are not only the development plan for Karen and Mon States but the Dawei SEZ, a 60 billion USD project - a collaboration of Thai and Japanese public and private sector located in still another ethnic- minority area in Southern Myanmar and the Thilawa SEZ, located Southeast of Yangon, which is already under construction and now be considered the flagship if the Japanese aid presence in the country. Japan expected benefit from Myanmar as close ties are expanded. Its major interests in Myanmar are to make Japanese companies’ profit, to have access to Myanmar’s raw materials and to gain ability to compete with an economically expansive China. Myanmar attracted China for its abundant natural resources such as oil, natural gas, and minerals. Until 1988, Japan exerted the greatest influence in Myanmar (Donald M Seekins, 2015,p-113).When Japan and Western countries suspended a substantial amount of ODA to Myanmar in 1988, China increased its presence as a major investor in Myanmar and assumed its influence on Myanmar since then.

To counter China’s power, Japan has sought to create a coalition of democracies in the region. Japan noticed that Myanmar’s reform process as an opportunity to strengthen its relationship with Myanmar and thought that it would weaken China’s influence on Myanmar. Myanmar’s geographic proximity to China increased Myanmar’s strategic value. Democracy support for Myanmar became a top priority of the Abe administration’s foreign policy. The most important interest of Japan for Myanmar’s development is to compete with China for geopolitical strategic importance. It is both a driver and an inhibitor of Japan’s democracy support. Japan’s encouragement for Myanmar’s democracy was motivated by the post–2011 democratic transition. But the most distinctive impetus for Japan’s democracy support for Myanmar is its ongoing power struggle with China (Maiko Ichihara: January 22, 2015,

p.7). Although Japan has its own interest in Myanmar, Japan's aid, grant and ODA were very helpful at the time of Myanmar needs. The ODA was in billion US dollar for making the country stable in every respect.

### **Japan's ODA for the Development of Myanmar**

Japan plays a major role in Myanmar's economic development through its allocation of war reparations and official development assistance (ODA), especially yen loans. From 1988 to 2011, Tokyo exercised some self-restraint in giving aid to Myanmar due to pressure from its major ally, the United States and its human right agenda. However, Japan increased its ODA from the transition from military rule to constitutional government in 2011. It also forgave a large amount of debt and invested in ambitious new special economic zones (SEZ). Japan diluted sanctions and focused on diplomatic dialogue with the regime in times of Myanmar's 2011 opening. Although other donors were reducing their aid to Myanmar, Japan provided \$857 million of grant aid and \$360 million of technical assistance between 1989 and 2011. Japan was Myanmar's largest donor during the period of military rule (Donald M Seekins, 2015,p-113).After Aung San Suu Kyi's third house arrest in 2003, the Japanese government suspended new official development assistance (ODA) projects.

Western countries have dropped their heaviest sanctions and grasped normalization of ties with Myanmar after the election of Daw Suu Kyi and 42 of her NLD colleagues to the Pyidaungsu Hluttaw in a by-election on April 2012. However, no country has responded more enthusiastically to Myanmar's political transition than Japan. It has forgiven an unprecedentedly high percentage of Myanmar' debt and allocated new large-scale official development assistance (ODA), including the first yen loans to Myanmar in a quarter of a century. Tokyo has sketched out ambitious development projects for Myanmar in collaboration with the new post-junta regime (Donald M Seekins, 2015, p-116).These development projects would be a major factor in transforming the government's economy as well as society and inter- ethnic relations.

Japan's support for minority issues does not directly help Myanmar progress toward democratization. However, this support could facilitate

democratization in two ways. First, to be a genuinely democratic country, Myanmar must fully incorporate the voice of its ethnic minorities, who constitute 30–40 percent of the population. Although the Thein Sein administration has reached ceasefire agreements with most minority groups, sporadic fighting persists, especially between the government and the Kachin Independence Army (Maiko Ichihara, January 22, 2015, p. 8). The termination of conflict is fundamental to the country's democratization.

Myanmar became the top recipient of Japanese ODA for the first time ever in 2012. Japan was Myanmar's largest creditor (approximately 75 percent of all foreign- debt obligations) and provided not only a bridge loan to resolve these obligations, but also 900 million USD to pay off debt owned by Myanmar to the World Bank and the Asian Development Bank. This made Myanmar eligible to accept new loans – especially from Japan. However, the 2014 Annual Report of the Japan International Cooperation Agency (JICA) noted that the total value of its ODA (loan and grant) projects in Myanmar amounted to only 23 billion (Donald M Seekins , 2015, pp-128-129). In other words, there is plenty of room for Japan's aid presence to grow.

Japanese finance minister, Taro Aso, met with President U Thein Sein and senior government officials in Nay Pyi Taw in 2013, to discuss bilateral economic relations. Mr Aso reaffirmed an earlier promise to waive part of Myanmar's US\$5.74 billion debt to Japan and said that the Japanese government would absolve about \$3.36 billion of the debt in two phases throughout 2013. In 2013, the Japanese government plans to loan \$56.1 million in ODA and plans to allocate \$22.4 million to infrastructure projects throughout the seven states and regions. According to Mr Takahara, Executive Director of JETRO, \$11.2 million will be allocated to the rehabilitation of existing power plants and \$22.4 million to the completion of the Thilawa SEZ outside of Yangon for the aims of reducing electricity cuts and providing Yangon with an international-standard industrial park. The Japanese government has been trying to invite Japanese investment towards Myanmar. However, the major obstacle for new investment is the lack of proper infrastructure (Aye Thida Kyaw, June 2018, P.2). Mr Takahara said the completion of the Thilawa SEZ will continue towards solving this obstacle.

In 2013, Japan resumed ODA loans to Myanmar after a 25-year hiatus, and since then has provided ODA loans for 15 projects, backing reform in Myanmar and supporting sustainable development. As a result of economic sanctions being lifted and the promotion of investment and trade in recent years, Myanmar has undergone a transition in its real economic growth to a rate exceeding 7 percent. The economic infrastructure of the country never the less faces many challenges which hinder sustained economic growth, poverty reduction and further investment. On March 1, 2017, JICA signed loan agreements(L/A) with the Government of the Republic of the Union of Myanmar in Nay Pyi Taw to provide Japanese ODA loans of up to a total of 125.021 billion yen for six projects.

A summary of the six Japanese ODA projects provided by the loan agreements is as follows:

- (1) Bago River Bridge Construction Project (loan amount: 31.051 billion yen)
- (2) Regional Development Project for Poverty Reduction Phase II (loan amount: 23.979 billion yen)
- (3) Agriculture and Rural Development Two Step Loan Project (loan amount: 15.135 billion yen)
- (4) Greater Yangon Water Supply Improvement Project (Phase II) (I) (loan amount: 25 billion yen)
- (5) Power Distribution System Improvement Project in Major Cities (loan amount: 4.856 billion yen)
- (6) Yangon-Mandalay Railway Improvement Project Phase I (II) (loan amount: 25 billion yen). (<https://www.jica.go.jp>, March 1, 2017, p. 5)

The six projects will be completed in the respective year: in 2021 (the first), in 2021(the second), in 2020 (the third), in 2025(the fourth), in 2020(the fifth) and in 2023(the six).

On October 23, 2017, JICA signed with the Government of the Republic of the Union of Myanmar for the Project of Myanmar-Japan Center for Human Resources Development, a technical cooperation project. The project will support the Myanmar-Japan Center for Human Resources

Development(MJC) in developing its organizational structure, enhancing the business training service administration and strengthening networks with the aim of making the MJC a hub for industrial human resource development, information and networking. The activities of the project include launching and strengthening the MJC organization, providing business courses, and networking with Japanese municipalities and economic groups. The planned implementation period is from April 2018 to March 2023 (<https://www.jica.go.jp>, October 25, 2017, p. 3).Japan's ODA would support Myanmar's efforts to promote the nation's democratization, rule of law, economic reform, and national reconciliation. The Japanese government believed that the aid assistance will promote inclusive and sustainable growth in Myanmar and Myanmar's efforts to restore security and stability according to international standards.

#### The Reasons for “Politics First Approach”

Ethnic minorities in Myanmar favour the “politics first approach” for the allocation of Japanese ODA towards Myanmar. They argue that economic development can be accompanied by political development. They said that not only with faster economic growth but also with better quality growth and political change that will unify the nation and create broad progress. The transition from a repressive, extractive and exclusive political system with crony businesses to a broadly inclusive political system only spreads economic opportunity. However only moving in the political sphere will not be sufficient, broad political and economic change need to go hand in hand (David Dapice, March 2013, P. 6). Many states and ethnic political parties have not given much thought to the precise institutional arrangements regarding limited autonomy. It is necessary the discussion and negotiation prior to any transfer. Elections alone do not ensure good government or outcomes (David Dapice, March 2013, P.11) .It is therefore important for the states to have control of and responsibility for many local issues.

Ethnic minorities want the government has to make some symbolic and practical concessions and gestures for showing good faith and awareness of ethnic grievances. For example, measures to allow the use of languages in government schools and State/Region level administrations, and action to address widespread land grabbing, would do much to build confidence in the

peace process on the part of ethnic communities. Donors and policy makers should support “convergence” between the state and non-state governance regimes and service delivery systems, in ways which build local practice – demonstrating to communities that the peace process can create spaces to support local agency. They need not have large-scale international assistance that delivered only through government channels, without the participation of key stakeholders, including conflict-affected communities, women and civil society actors (Ashley South, 2013, p-77). Locally-owned and sustainable attempts to build peace “on the ground” are particularly important.

Large-scale aid in the ethnic and armed conflict-affected areas before ceasefires are consolidated and political dialogue has been seen to have started could be dangerously counter-productive. Because of the government’s an “economic development first” agenda, many ethnic communities are concerned for using aid as an alternative to needed political dialogue. Ethnic communities are also concerned that aid interventions represent efforts by the Myanmar government to intensify its presence in and control over ethnic communities. Large-scale economic aid can in most cases be delayed until after political dialogue is started (Ashley South, 2013, pp-78-79). Furthermore, aid needs to be delivered in ways that reflect respect by donors, the government and implementing partners for the principle of ethnic autonomy.

To address ethnic concerns through political negotiations, it might be appropriate to transfer some issues from the political agenda onto the aid and development agenda. It is sure that conflict-affected areas are in desperate need of economic development, and private investment which can produce jobs and sustainable livelihoods (Ashley South, 2013, pp-79-80). In the absence of political progress and economic development without widespread consultation, it is unlikely to solve the deep and long-standing problems of armed and state-society conflicts in Myanmar.

Lack of transparency regarding export earnings from the sale of natural resources is a problem for ethnic minorities. More importantly is the country’s economy is dominated by monopolies under state-owned Economic Enterprises and crony capitalists with connections to the military leaders. The limitation of access to the government’s budgetary information and lack of

media scrutiny of economic policies are the major concerns for ethnic minorities. The government largely focused large-scale infrastructure projects for development rather than investing in the population through improvements in health and education (Anders Engvall & Soe Nandar Linn, 2013, p-111). Much of the infrastructure obsolete is rendered by the lack of transparency and chronic corruption and this lead to unable to serve the needs of the population.

A large variation in the level of economic and social development between different areas of the country, and similar differences exist between ethnic groups can to some extent be stated by differences in endowments and opportunities for economic activities, trade and labor migration. However, these differences have been accelerated by political factors – as policies favored the centres of Yangon and Mandalay at the expense of the peripheral border areas. The economic impact of armed conflicts is another avenue by which politics has held back development in ethnic minority areas. This leads to a negative cycle where by conflict holds back development and underdevelopment in itself feeds a sense of relative deprivation (Anders Engvall & Soe Nandar Linn, 2013, pp. 112-113). To bring about long-term stability together with political settlements as part of national reconciliation, it is necessary to maintain the situation of economic development in post-conflict areas.

Ethnic minorities are distrust central government and demand for self-determination. While violent struggles are fundamentally political, conflict over natural resources aggravate the problems. Resource- rich ethnic states have been targeted for predatory resource extraction by the military governments for decades, serving to perpetuate the animosity towards the Union government (Anders Engvall & Soe Nandar Linn, 2013, p. 115).The developments in the ethnic minority states are crucial for stable change. These issues need to be forcefully and jointly addressed by successive governments because there are complex links between natural resources conflict and poverty.

## **Finding and Conclusion**

Indeed, Myanmar is in the midst of historic change. Japan's ODA for Myanmar has a long history. Long - term engagement between Myanmar and Japan helps the patterns of accumulate technology, infrastructure, human capital as well as built relationship of trust. Development assistance continues to play a vital role in supporting Myanmar's transformation. Making development assistance transparent helps to ensure this assistance goes where it is most needed. Japan aid, grant and ODA were very helpful at the time of Myanmar needs. The ODA was in billion US dollar for making the country stable in every respect.

However, an economics - first - approach to development in ethnic-minority areas might exacerbate rather than resolve conflict. According to them, major flaws in JICA's development plan include working through established administrative institutions rather than recognizing the need to reform them to provide for genuine federal autonomy, failing to investigate the sources of conflict in Karen and Mon states and assuming that poverty rather than politics (or power inequalities) is the major factor in ethnic unrest; and failing to consult with local people.

For some ethnic minority, although the assumption of economic development and rising standards of living will solve political problems, experience has shown that the opposite is true: Economic development often brings greater social. According to them, without a political resolution to Myanmar's many social conflicts, including the establishment of genuine open political institutions, the large-scale "economic first" approach of Japan is likely to hinder rather than promote the country's development into a truly democratic and developed country.

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## **MICROFINANCE FOR SMES IN MYANMAR**

Thida Myint\*

### **Abstract**

SMEs dominate most of Myanmar's economic sectors, accounting for 90 percent of the industrial sector and 99 percent of the manufacturing sector. Myanmar has to develop its Small and Medium enterprises (SMEs) sector in order to become competitive with neighboring countries. But SMEs in Myanmar encounter the poor infrastructure, limited market access, outdated technology, low skill and productivity levels and a lack of business development services including inadequate access to finance. SMEs in Myanmar are hindered from reaching their full potential and bringing the widespread benefits of socioeconomic development to its people. Myanmar has gradually begun to open up its markets since Myanmar adopted the market economy. The development of SMEs is an effective mechanism in achieving socioeconomic growth. The country has gone through dramatic changes since 1990. Myanmar has opened its doors for foreign investment across sectors. Therefore the financial sector can fulfill to thrive for SMEs. Microfinance in Myanmar was introduced in 1997 as a separate project under UNDP's Human Development Initiative (HDI) in eleven townships. The main objective of the project has been to progressively develop locally managed self-sustaining microfinance operations to serve the needs of poor households. The UNDP microfinance project in Myanmar is servicing more than 440,000 clients, of whom ninety seven percent are women. The programme is one of the largest and most successful in the world and ranked 20th among all microfinance programmes worldwide. The micro-lending operations have a huge impact on the poor, benefiting particularly women who enter into business of their own and are having income of their own. . This study examines opportunities available for SMEs to obtain funding for sustainable development for SMEs. The study also identifies current challenges that restrain access to finance for SMEs in Myanmar.

**Keywords:** SMEs, Microfinance, AEC, UNDP

### **Introduction**

The Myanmar government is making efforts to transform the political, economic and social environment to be in line with global changes, and to promote sustainable economic growth. This includes promoting small and medium-sized enterprises (SMEs), which play a pivotal role in the economic

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development of both developing and developed countries. Myanmar has a vision to develop SMEs, based on the policy to create regionally innovative and competitive SMEs across all sectors, to stimulate income generation, and contribute to socio-economic development. Small and Medium Enterprises (SMEs) all over the world have played a fundamental role in promoting economic and industrial production. In particular, SMEs provide the necessary foundations for sustained growth and rising income in the less developed and transitional economies. Myanmar SMEs did not have a chance to develop their full potential relatively except during the period when Myanmar gained independence (1948-1962). However, traditional enterprises have long existed in Myanmar villages. After the State Law and Order Restoration Council came to power in September 1988, it announced to dissolve the socialist economic system. After taking over national power in 1988, the state Law and Order Restoration Council (SLORC) officially declared the adoption of market oriented economic system. Since 1988, the change in the economic system there has been some developments as a result of liberalizing measures taken by the military government. The government allowed not only the foreign investors to do business by giving incentives and privileges but also local Myanmar citizens are permitted to set up private own enterprises. For those purposes, the government enacted rules and regulations for the private sector development leading to the emergence of private industries and Trade. SMEs are traditional and major tool for domestic industry. Thus, SMEs play an important role in the country's economic development and are pioneers in creative entrepreneurship.

Microfinance is an emerging important thing in transitional economy. Myanmar is an agriculture-based country in which more than 70 percent of its population resides in the rural areas and the agricultural sector accounts for 57 percent of GDP. The Myanmar Agricultural Development Bank(MADB), a state-owned bank established in 1953, is virtually the only major source of institutional credit, with the exception of financial cooperative societies; the Myanmar Economic Bank (state-owned) and private commercial banks are mostly confined to the urban areas. The MADB.s mandate and funding priority have been for the benefit of farmers, but the scale of loans is severely limited, mainly due to funding constraints. There is huge excess demand for capital in the countryside.

Based on this background, the paper aims to analyze microfinance for SMEs in Myanmar. The first part will be explained the role of SMEs. Evolution of Microfinance is analyzed in second part and participation with NGOs, INGOs and social Organizations on Microfinance in Myanmar is stated in third part.

### **The Role of SMEs**

The role of SME sector is to generate job opportunities and income growth. SMEs are considered vital for a healthy private sector in all economies. In developing economies they are often the only realistic employment opportunity for poor people in rural and urban areas. In particular they are the avenue for labor to make transition from subsistence agriculture to non-farming occupations. (Naylin Oo: *The Implementation of Small and Medium Enterprises Development in the Rice Sector of Myanmar: Empirical Research Findings*, June 2015, p.106) SMEs dominate most of Myanmar's economic sectors, accounting for 99.4 percent of overall industries across the country. On average, SMEs in Myanmar account for 50-95 percent of employment and contribute 30-53 percent of GDP in ASEAN member states. (Thomas Bernhardt, and Giles Dickenson-Jones,; *Myanmar SMEs' Participation in ASEAN and East Asian Regional Economic Integration – with a Focus on Processed Food and Apparel Manufacturing*, 2016, p. 27). Therefore Myanmar has to develop its Small and Medium enterprises (SMEs) sector in order to become competitive with neighboring countries.

Development of SMEs sector is an issue of interest for developing economies from a poverty perspective. Population growth, structural change and a desire for higher living standards requires growth in non-farm jobs. SMEs are the primary source of new job opportunities and increased income. SMEs play a vital role in farm level adjustment to policy reforms. For these reasons policies targeted at SMEs are advocated as a way to accelerate growth and reduce poverty. In developing economies they are often the only realistic employment opportunity for millions of poor people in rural and urban areas. In particular they are the avenue for labour to make the transition from subsistence agriculture to non-farming occupations. (*The White Paper on Small and Medium Enterprises of Thailand in 2003 and Trends 2004*, 2003, p.4). SMEs in Myanmar encounter several major physical and non-physical

challenges relating to access to market and finance. (Dr. VijiSupinit: *The Study of SME's Contribution to Myanmar's Economic Development*, March 2016. P.2). Thus the development of an appropriate SME definition is of critical importance to guiding SME development policies and other supporting measures.

To support SMEs and enable smooth participation in the ASEAN Economic Community (AEC) 2015, the Government also created the Central Department of SME Development in 2012, which operates under the Ministry of Industry. In order to promote the development of SME clusters, the Government is aiming to link industrial estates and economic zones with research and training institutions. The Government undertook various measures to improve SME development in Myanmar. ([http://Maturing microfinance in Myanmar \\_ The Myanmar Times.htm](http://Maturing microfinance in Myanmar _ The Myanmar Times.htm), Tuesday 13, March, 2018). The new Small and Medium Enterprise Development Law, which was drafted and passed by the parliament in April 2015, classified enterprises in Myanmar in six broad categories based on the number of employees and the value of the enterprise's capital investment (table 1).

**Table 1: New SME definition, 2015**

No	Category	Small		Medium	
		Employees	Capital (millions, kyat)	Employees	Capital (millions, kyat)
1	Manufacturing, mining, construction	Up to 50	Up to 500	51-300	501-1000
2	Labour intensive Manufacturing	Up to 300	Up to 500	301-600	501-1000
3	Wholesale business	Up to 30	Up to 100	31-60	101-300
4	Retail business	Up to 30	Up to 50	31-60	51-100
5	Service business	Up to 30	Up to 100	31-100	101-200
6	Others	Up to 30	Up to 50	31-60	51-100

**Source:** Nay lin Oo: *The implementation of small and medium-sized enterprise development in the rice sector of Myanmar: Empirical research findings*, p.108

But the criteria used to define SMEs in Myanmar have varied according to the country's economic condition. But the Private Industrial Enterprise Law of 1990, the classification of business enterprises in the private sector into small-, medium- and large-scale enterprises is based on four criteria; namely, power usage, number of workers employed, capital invested and annual production. A definition of SMEs can also be found in the Promotion of Cottage Industries Law of 1991, which classifies the size of cottage industries. The Ministry of Cooperatives is the focal point for cottage industry promotion. (Naylin Oo: *The Implementation of Small and Medium Enterprises Development in the Rice Sector of Myanmar: Empirical Research Findings*, June 2015, p.106). According to new SMEs definition, 99.4 percent of business in Myanmar are approximately classified as SMEs, and there are now 50,694 SMEs altogether in the regions and states on Union territory (<https://www.mmtimes.com/national-news/nay-pyi-taw/25525-myanmar-smes-to-get-a-boost>)

SME growth is, however, often constrained by various factors, such as limited access to information and technological know-how, lack of economies of scale, deficiencies in corporate governance and limitations in access to funds. Government has been required to create enabling environments for SME growth. It includes transparent licensing and permit procedures, financial provisions, information gathering and sharing, infrastructure and efficient customs procedures. SMEs in Myanmar are facing the obstacles: poor infrastructure, inadequate access to finance, limited market access, outdated technology, low skill and productivity levels and a lack of business development services.(Dr. VijitSupinit: *The Study of SME's Contribution to Myanmar's Economic Development*, March 2016. P.2). These factors hinder SMEs in Myanmar from reaching their full potential and bringing the widespread benefits of socioeconomic development to its people.

### **Evolution of Microfinance**

Microfinance is to provide extremely poor people with small loans so they can start and operate a business. The borrowers are able to save money and pay back the loan over time. Microfinance helps support financial security. The idea behind microfinance is to empower borrowers by helping them build a business which can create income and grow.

Typically international in scope, microfinance support enables economically disadvantaged individuals to obtain the small-scale capital they need to start up viable income-earning businesses. Organizations that provide microfinance or microcredit are known as Microfinance Institutions, or MFIs. These providers can be nonprofit organizations but also commercial banks or other financial institutions. The terms “microfinance,” “microcredit” and “microlending” are often used interchangeably. (<https://grantspace.org/resources/knowledge-base/microfinance/>). The poor people are credited with being the first to use microfinance as a tool for social improvement.

Yunus offered as a guarantor for poor villagers who borrowed small amounts of money from banks. In 1974, Yunus, a Bangladeshi economist from Chittagong University, led his students on a field trip to a poor village. They interviewed people and then he found that raised themselves. Yunus took matters into his own hands, and from his own pocket lent the equivalent of \$27 to 42 basket-weavers. He found that it was possible with this tiny amount not only to help them survive, but also to create the spark of personal initiative and enterprise necessary to pull themselves out of poverty. Yunus carried on giving out 'micro-loans', and in 1983 formed the Grameen Bank, meaning 'village bank' founded on principles of trust and solidarity. In Bangladesh, Grameen has 1,084 branches, with 12,500 staff serving 2.1 million borrowers in 37,000 villages. On any working day Grameen collects an average of \$1.5 million in weekly installments. Of the borrowers, 94% are women and over 98% of the loans are paid back, a recovery rate higher than any other banking system. Grameen methods are applied in projects in 58 countries, including the US, Canada, France, Netherlands and Norway. In 2006, Yunus and the bank were jointly awarded the Nobel Peace Prize, "for their efforts to create economic and social development. (<http://bigthink.com/experts/muhammadyunus>)

The microfinance community, in particular the MFIs, is given an opportunity to help the government further strengthen and implement them. In connection with micro finance, the majority of the poor are rural people because they have lack capitals. Microfinance is an effective instrument in poverty alleviation. The lack of access to credit and savings is a serious constraint to people's economic activities and improvement of their life.

Therefore, Micro finance is a tool to alleviate poverty. Micro finance is to be carried out to the rural level. It is needed to form legal organizations in accordance with laws for sustainable development of micro finance plans.

Besides, formation of microfinance institutions is aimed at providing loans to alleviate poverty and improve the socioeconomic status of people of ordinary class. Microfinance institutions have two major functions: to provide microfinance and save money. To get micro loans, people of ordinary class do not need to mortgage anything. In general, banks cannot provide loans for people of ordinary class who have nothing to mortgage. So many cottage and small-scale industries have to get money from lenders and mortgage entrepreneurs at the monthly interest rate of twenty percent. Farmers and workers also have to borrow money from capitalists at the same interest rate. (*The Global New Light of Myanmar*, 11 July, 2011, p.6)

To improve access to finance for SMEs and to support business and technology incubations, the Small and Medium Industrial Development Bank (SMIDB) has been operating eleven branches throughout Myanmar since 1996. SMIDB plans to offer low interest three-year loans at 8.5 per cent. With an aim to improving the investment climate for SMEs, the Government has also considered allowing commercial banks to extend long-term loans for more than one year and to use a wider range of collateral instruments, such as moveable assets. It is also considering the establishment of public credit guarantee schemes and a credit bureau. The expansion of microfinance schemes for entrepreneurs—including for women and youth—to improve access to capital, in order to reduce reliance on informal money lenders, is underway by encouraging the establishment of private microfinance providers. Plans to expand trade finance schemes, particularly for exports of manufactured goods, are also being appraised. Small businesses also depend on loans from SMIDB, which offers an interest rate of 8.5 percent, markedly lower than the 13 percent offered by the banks. However, not everybody has access to loans as the SMIDB only offers loans to those in the manufacturing sector, leaving the majority of SMEs without access to funding. SMEs also suffer from banking restrictions on collateral, which must be immovable, while industrialists can only borrow up to 40 percent of its value. Low savings rates prevent SMIDB from offering more loans, while it borrows capital from

state-owned banks at slim profit margin of about 8 percent, according to a source in the bank industry who asked to not be quoted as he is not authorized to speak to the press. But help is on the way. In addition to the K20 billion loan, several domestic banks, including Cooperative Bank, SMIDB, Myanmar Agricultural Development Bank, are slated to begin offering loans to SMEs for as little as 7.5 percent interest. In an effort to consolidate efforts to develop SMEs, the Central Department of Small and Medium Enterprises Development opened offices in all states and regions throughout the country and Myanmar savings ratio was about 17percent of GDP, or about K54 trillion, while only K6 billion was available for loans, far less than the three quarters of the savings rate customarily allowed. ([https:// microfinance+for+smes+in+myanmar](https://microfinance+for+smes+in+myanmar))

### **Participation with NGOs, INGOs and social Organizations on Microfinance in Myanmar**

Myanmar needs to draw and promulgate necessary laws and rules to run microfinance institutions and to form an organization to supervise and expedite the tasks of the institutions in line with the laws and rules. Therefore, experts, scholars, departmental officials and representatives from microfinance institutions, formulated Microfinance Law. The government implements the tasks for rural development and poverty alleviation in all seriousness. (Myint Aung, U: *Myanmar SMEs/SMIs Development*, 2004, p.9)

As part of HDI, micro loans were provided through non-governmental organizations in Ayeyawady Region (Delta), arid zones and Shan State. Therefore, banks, cooperative societies, entrepreneurs, NGOs, INGOs, and social organizations are running microfinance enterprises in their targeted regions. So, not all the regions have access to that opportunity. According to data, the organizations that run microfinance industry are the Central Cooperative Syndicate Ltd, Region and State Cooperative Syndicates, rice and peas trading companies, Chancellor Agricultural Merchandising, the Republic of the Union of Myanmar Economic Holdings Ltd, the Myanmar Women's Affairs Federation, the Myanmar Maternal and Child Welfare Association, Microfinance Scrutiny Board, the Myanmar Economic Bank, the Myanmar Agricultural Development Bank, Private Agency Collaborating Together (PACT Myanmar), Save the Children (Dawn Microfinance Project), Group

derechercheetd' Charge Technologies (GRET), Association of Medical Doctors of Asia (AMDA), Agency for Technical Cooperation and Development (ACTED), CARE Myanmar (Care International in Myanmar), World Vision, and Pyoe Pin Program. They operate their functions with their own plans, rules and regulations and procedures.(*The Global New Light of Myanmar*, July 11, 2011, p.7)

The Microfinance project provides financial and non-financial services to the poor at both the village and town or ward levels. The system targets the poor who are “unbanked”- the women, the landless, and other vulnerable and marginalized groups. The approach is a three pronged strategy that consists of facilitating access to microfinance services, using the group lending methodology and stimulating small business ventures through small enterprise and business development support financial services. Loans are given to individuals in the group and it is the individual’s responsibility to repay the MFP on time. There are no restrictions on loan utilization. Each member invests the money in her own chosen business. The average loan size is rather small, with an average of US \$60; however, this is enough to make a significant difference to people struggling to make ends meet. Moreover after repaying earlier loans and their businesses grow, they are eligible to access to bigger loan sizes. Social loans such as educational and healthcare loans are also made available to clients. Voluntary savings is also included as an important service of microfinance. With appropriate methodology and services provided by the project, the people have been able to utilize the loans to improve their livelihood. The interest rate is not subsidized but very modest compared to that of moneylenders, and usually set at a level that can cover the administrative costs, for financial and institutional sustainability and to a certain extent to cover inflation. There are several flexible options in the repayment schedules based on the type of loan for which an individual applies. As a rule, repayments are made by regular installments according to the agreed-upon schedules. The major exception is Agricultural loans, which are collected as a lump sum during harvest time as a balloon repayment. Default risk is minimised through "social collateral" if one person defaults, their fellow group members must repay. Loan repayment rates for the UNDP project always stand at an impressive ninety-eight per cent.

Some International NGOs have also been providing microfinance type services as part of their broader activities and poverty alleviation intervention, implemented under MOU agreement with the government Ministries. Semi government agencies and government sponsored NGOs are also piloting some kind of group based micro credit in peri- urban areas. In terms of geographical coverage, institutional microfinance including the UNDP project exists in forty-six of Myanmar's 330 townships, which represent around 6,000 villages. Countrywide, more than 100,000 new members joined the MFP in 2009 and a similar trend of growth and progress is expected in 2010. (<http://www.mm.undp.org/ihlca/index.html>) For decades, the supply of microfinance in Myanmar was the domain of international non-governmental organizations (NGOs) and Myanmar Agricultural Development Bank (MADB). These institutions offered mainly small loans of up to K500,000 (US\$400). With this narrow and limited supply, the majority of the population was relegated to using informal, unregulated sources of credit, often at excessively high rates. Informal pricing is often described as "five-to-six", where for example, K50,000 borrowed at the beginning of the month is repaid as K60,000 at the end of the month—effectively a 20 percent per month interest rate. Compounded on an annual basis, this informal rate is significantly higher than the regulated interest rate of 30 percent per year.

Regional integration provides new opportunities for the expansion and growth of SMEs by taking advantage of international market potential. Such movements can unlock SMEs' growth-potential arising from increased trade and cross-border investment. In Myanmar, SMEs can, and should, particularly strengthen its ties with their counterparts in ASEAN and utilize their unique geographic position as a bridge between South and South-East Asia, which offers a range of new opportunities with the formation of the ASEAN Economic Community (AEC) in 2015. Regional integration, however, poses new challenges to SMEs, in addition to these new opportunities. (Dr. Vijit Supinit, *The Study of SME's Contribution to Myanmar's Economic Development*, October 2015 - March 2016, p.6). The formation of the AEC 2015 further calls for an agenda for Myanmar SMEs to enhance their competitiveness and innovation to ensure seamless integration with a newly established common market. (Masato Abe, Madhurjya Kumar Dutta: *A new policy framework for Myanmar's SME development*, February 2014, p.16.

## **Research and Finding**

Regarding the Microfinance of Small and Medium Enterprises (SMEs) development in Myanmar, this research asks the following questions: (1) how SMEs dominate most of the Myanmar economic sector? (2) How INGOs, NGOs contributed microfinance in Myanmar?

In doing so, the development of SMEs is important as SMEs contribute national economy. As the policies of the government support for SMEs development, SMEs are important in Myanmar. Cooperation with regional and sub-regional organizations for SMEs contributes the importance of SMEs in Myanmar.

## **Conclusion**

For an improved SME access to finance, financial statement is crucial. Myanmar is trying out to promote SMEs in early stage. Microfinance is to contribute to rural poverty alleviation. The 2011 Microfinance Law and related supervision structure are strongly linked to rural development. The equity threshold for creating an MFI is low, there are interest rate caps on lending and floors on saving, and the microfinance law explicitly expresses the link with rural development. Though the Microfinance Law has provided a framework for operation and MFIs operate in Myanmar. Although the current regulatory and market situation, MFIs are unlikely to rapidly expand credit provision in general let alone to more challenging for SMEs.

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## **MIGRATION ISSUES BETWEEN MYANMAR AND THAILAND SINCE 1988**

Soe Mya Thi\*

### **Abstract**

Cross border migration issue between Myanmar and Thailand has occurred for centuries. Myanmar migrants have crossed the border to work in Thailand and it consists of irregular unskilled workers in various labour intensive industries, agriculture, trading and services. The outflow of Myanmar migrant has rapidly increased after 1988 when the political unrest incident broke in Myanmar. Although Thailand did not set up any policy to manage migrant from its neighbor, in 2012 Thailand had launched a long-term policy in the case of migrants and legalize migrant workers. On the other hand, political and economic reform in Myanmar since 2011 has brought changes to the development of the country. In order to invite experienced, semi- skilled and skilled Myanmar migrants working in Thailand for development in Myanmar, an appealing policy in Myanmar is needed. Under such background, this research will find out how has Myanmar cooperated with Thailand in migration concern and what are the pushing and pulling factors of migration between Myanmar and Thailand.

**Keywords:** Migration, Migrant workers, Push and pull factors, Cooperation

### **Introduction**

Migration has been one of the globalization issues which has shaped the interdependence among nations. Illegal migration is one of the most complex, sensitive, and intractable issues affecting global and national governance of labor migration. It is a management problem for sending and receiving countries because journeys are often made outside the regulatory framework of both countries, making them difficult to record and monitor. Rapid economic growth in some countries has led to a surge in labour migration, both skilled and unskilled, from neighboring countries. The issue of illegal immigration is of growing importance worldwide. Cross- border migration of people from Myanmar to Thailand has a long history spanning many decades. In the past, ethnic groups who lived along the Thai-Myanmar borders especially the Karen, the Mon and the Shan,

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spontaneously crossed the borders to visit friends, buy goods or seek healthcare services in the area regularly. During the military regime administration in the 1980s, the borders were quiet with no official crossings although the ethnic people commuted unofficially. On the other hand, a significant number of asylum-seekers who were ethnic minorities fighting against the Myanmar government started to enter Thailand to take refuge in that decade. Another wave of migrants arrived in the 1990s for economic reasons. Since 1992, Thailand has started to officially recognize the arrival and the entrance of migrants from Myanmar into Thailand's labor market. Major labour market sectors for Myanmar migrants in Thailand include agriculture, construction, manufacturing and service which absorb large numbers of workers. Recent political and economic reform in Myanmar has brought changes to the development of the country. In order to invite experienced, semi-skilled and skilled Myanmar migrants working in Thailand for development in Myanmar, an appealing policy in Myanmar is needed.

### **Causes of Migration between Myanmar and Thailand**

There are various factors shaping migration flows. It compose of economic disparity, poverty, demographic inequality, labor market fragmentation, political and security issues, national and regional policies, and institutions. Myanmar constitute the largest proportion (about 80%) of migrants in Thailand.([www.wvi.org/myanmar](http://www.wvi.org/myanmar),2) High cross-border migration flows of Myanmar into Thailand are explained by a combination of political, social and economic push-and-pull factors. The main cause of Myanmar migration to Thailand is economic – unemployment is rife in Myanmar and unemployed workers look to neighboring Thailand for better jobs and higher wages. Moreover, political and social conflict in Myanmar and the large number of internally displaced persons (IDPs) and refugees, especially from the ethnic minorities, have also played a significant role in initiating and shaping migration flows into Thailand. (<https://www.migrationpolicy.org>, 3)Thailand's economic growth and labour shortages have been the pull factors and opportunity for workers from neighboring countries. Another prominent pull factor on the Thai side is the steady demand for low skilled labour in the fishing, agriculture,

construction and domestic sectors. All four sectors rely on migrant workers to perform jobs that are difficult to be filled by the Thai workforce. ([http://www.rockmekong.org/pubs/year2003/amc\\_GMS%20p%20021-050](http://www.rockmekong.org/pubs/year2003/amc_GMS%20p%20021-050) Burma migration, p.5) In Thailand, migrants from Myanmar who are apprehended for illegal entry are generally not prosecuted by the Thai authorities and are usually released from the Thai Immigration Centre if they volunteer to be deported. (Huguet, J.W. 2005, 7) These returns are informal and not government-to-government; the deportees are taken to unofficial border crossings and permitted to walk across the border back to Myanmar.

The outflow of Myanmar migrant rapidly increased after 1988 when the political unrest incident broke in Myanmar, admit the limited economic growth of the country. These cross-border migrants have a variety of motives for moving. Some are Myanmar students and political activists who have fled persecution and imprisonment by SLORC, some are members of ethnic minorities who have escaped the Myanmar military's counterinsurgency operations, many are migrants workers seeking higher-paid jobs than are available in Myanmar and a growing number are women and girls who are the victims of trafficking operations. At the beginning, Thailand did not set any policy to manage migrant from its Thailand. The graduates of Myanmar have to do labour work in Thailand. If not so, their families cannot survive and send the children to school. ([www.humanrights.or.jp/.../human-trafficking-in-the-mekong-region-one-res....](http://www.humanrights.or.jp/.../human-trafficking-in-the-mekong-region-one-res....),2) In some villages, only old people and children remain at home; people from ten years old to sixty work in Thailand as migrant workers.

In June 2016, in official addresses, the NLD leadership has made clear that three key migrant groups require urgent management: the significant population of internally displaced persons (IDPs) stemming from longstanding ethnic conflicts and military prosecution, the vast numbers of workers in Thailand, and the growing population of Myanmar workers in other overseas destinations. (<https://journals.sub.uni-hamburg.de>,.1) It is reforms implemented by the preceding government- the USDP- that established the precursors to an increasingly liberal and internationalized Myanmar labor market.

## **The Situation of Migration between Myanmar and Thailand**

Cross border migration between Myanmar and Thailand has occurred for centuries. Thailand itself hosts up to 1.7 million illegal workers, mainly from Myanmar, according to the International Organization for Migration. (<https://journals.sub.uni-hamburg.de,.1>) *Managing labor migration in ASEAN : Concerns for Women Migrant Workers*.(2013).UN Women Asia Pacific)located in the heart of mainland Southeast Asia, Thailand shares several thousand kilometers of land border with its neighboring countries, notably Myanmar, Laos and Cambodia. Thailand's geographical location as regional transportation hub and relatively advanced economy makes the country a desired destination for migrants from countries in the region.

Each day migrant workers willingly cross the border, both legally and illegally, with the hope of pursuing better lives or even to settle in Thailand. Legal migrant workers are fully protected by Thai laws while illegal ones are vulnerable to becoming victims of human trafficking. In Thailand, the migration situation has become more complex as the country shifted from being a labour supplying country into the position of a both labour sending and receiving country. The largest immigrant groups in Thailand at present stem from Myanmar, Cambodia and Laos PDR respectively. According to the IOM around 80% of Thailand's migrant workers are from Myanmar. (<http://asiapacific.unwomen.org>, 2013, 6) In the context of international labor migration, Thailand has transformed from a net labor emigration to net labor immigration country during the past decade when taking into account undocumented workers from neighboring countries. The positive impacts include the provision of much needed supply of unskilled workers and the contribution of such labor to the country economic growth. On the other hand, the negative impacts include the pressure on wages of Thai workers, and the slowdown of technological intensity as well as labor productivity. (Huguet, 7)Migrant workers are often linked with social problems, human trafficking, and national security.

Thailand is the main destination for Myanmar migrants, whose number has been steadily increasing during the past two decades. The economic disparities between the two countries and their geographical

proximity have been the most influential pull factors for Myanmar migrants to enter Thailand. Myanmar and Thailand share a long, porous border that is difficult for both Governments to control. (Huguet, 7) Myanmar migrants are particularly concentrated in industries located along border areas such as Tak and Ranong provinces of Thailand.

IOM estimates there could be as many as 3 million Myanmar migrants, in 2017, according to the latest census, came from Mon State (427,000), Kayin State (323,000) and Shan State (236,000). The US State Department insisted that migrant workers, particularly from Myanmar, faced significant hardships and physical danger. Myanmar factory workers, both legal and illegal, faced poor wage, safety, and health conditions. Community groups and NGOs alleged instances of physical intimidation and abuse by criminals employed by factory owners, and harassment and robbery by gangs of young men. There were several instances of sexual abuse of the primarily young and female Myanmar migrants employed in textile production. (Amarijit, 1) A further obstacle to regular migration for many Myanmar nationals is limited access to government-issued travel documents. A lack of passports or other travel documents often force prospective migrants to choose irregular channels.

### **Bilateral Cooperation on Migration between Myanmar and Thailand**

The Thai Government's policies changed frequently over the last three decades according to the state of the Thai economy and the relationship of the Thai Government with its Myanmar counterpart. By the early 1990s, undocumented migrant workers become a significant feature of the Thai economy and society. In 1996 the Thai Government made the first attempt to regulate undocumented migrant workers by announcing that they were allowed to work in specified occupations and in certain provinces only. (<https://www.migrationpolicy.org>,2) This policy allowed migrant workers to work in Thailand for up to two years. Since 1998, the policy has been reformulated annually in various forms. Initially, Myanmar emigration was regulated by the colonial era Emigration Act (enacted in 1922), which was superseded by new legislation in 1992. Subsequently, in 1999 the Myanmar Government promulgated a *Law of Overseas Employment to Safeguard Employment Opportunities and Rights*

and Privileges of Myanmar Workers in Foreign Countries. (<https://www.researchgate.net/publication/232882758>, 3) Since Myanmar migrants were vulnerable to trafficking, an *Anti-Trafficking in Persons Law* was also promulgated in August 2005.

Over the past decade, the Thai government has adopted new legislation that directly affects labor migrants. Formal recognition of this labor migration flow occurred in 2003 when Myanmar and Thailand signed a memorandum of understanding (MOU), which is still in effect. The purpose of the MOU is two-fold: to promote formal procedures for employment and protection of Myanmar workers in Thailand, and to prevent irregular migration. But there is significant evidence suggesting that most Myanmar migrants are still entering illegally, calling into question the effectiveness of the MOU. (<https://www.migrationpolicy.org>, 4) However, as a first step in implementing the MoU, the Thai Government required the sending countries formally to verify the nationalities of workers who had registered under the Thai Government's registration scheme. Although the Lao PDR and Cambodia commenced this process, the Myanmar regime did not take any concrete steps to verify the citizenship of Myanmar migrants. In June 2004, the Thai Government and the Myanmar regime signed another MOU concerning Myanmar migrant workers in Thailand. Registration in 2004 took place in two stages: first, registration of migrants for temporary identification cards and registration of employers who declared a potential need for migrant workers; and second, registration of migrant workers and employers for worker permits. (<http://www.irrawaddy.org/article.php?art-id-14713>, 5) Under this MoU, registered migrant workers were legally entitled to the same labour rights as the Thai nationals.

The two countries agreed in June 2006 to work more closely on the verification of the nationality of those Myanmar workers registered in Thailand who do not have identification cards and passports issued by Myanmar. To date, approximately 10,000 forms have been sent by the Government of Thailand to the Government of Myanmar, and 9,000 people have been recognized as Myanmar nationals entitled to Myanmar passports. The MoU also sets out the legal framework for procedures between the two countries for labour recruitment and employment. Under Thai immigration

law the maximum penalty for hiring illegal foreign labour is 10 year, imprisonment and a fine of Bt100,000. In August 2006 the governments of Thailand and Myanmar agreed to speed up the establishment of temporary visa centres to process applications of Myanmar migrant workers on the Thai-Myanmar border. (<http://www.irrawaddy.org.article.php?art.id =6104,7>) These temporary visas were intended to be processed within a day. However, the two countries could not reach an agreement on where the registration centres were to be situated. In November 2008, Myanmar prepared to offer new nationality identification papers to Myanmar migrant workers. The three passport registration offices where migrants could apply for the documents are due to be opened along the Thai-Myanmar border.

The Thai government subsequently adopted two additional methods for legalizing migrant workers. The first was a government program to recruit workers directly from Myanmar. But the details of this process remain unclear, and while the program still exists, it has not been used significantly. The second method for legalizing migrant workers is the nationality verification (NV) process, requiring workers to present identity documents that the Myanmar government issues at eight registration centers throughout the country. Once verified, the worker receives a temporary passport, a certificate of identity, a visa to remain in Thailand for two years, and a change of work status to legal. Migrant workers also obtain other benefits, including social security and work accident compensation. Only adult workers are eligible for regularization, even though the number of dependents of migrants has increased. By December 2012, some 744,000 migrant workers had gone through the NV process. Many activists report that the NV process is flawed and that many unregistered Myanmar workers are actually not eligible for verification. The reasons for not registering are two-fold: first, registering is expensive. Beyond the official associated costs, there have been numerous allegations of corruption, with brokers along the border reportedly charging several times the price for visas. (<https://www.migrationpolicy.org>, 5) A second reason for not registering is that the Myanmar government does not recognize all ethnic groups.

Myanmar State Counselor and Foreign Minister Aung San Su Kyi signed an agreement with Thai Prime Minister General Prayuth Chan-o-cha

in June 2016 during an official three-day visit to make it easier for Myanmar migrants to work legally in Thailand. The MOU that they signed includes provisions to provide proper identity documents for migrant workers and assurances they will be protected from labour abuses. Many migrant workers in Thailand especially those in the country illegally-are at risk of being trafficked as sex workers or for slave-like labour on fishing boats. ([www.rfa.org/english> news](http://www.rfa.org/english/news),.2) Granting the largely undocumented Myanmar workforce in Thailand permanent status has been the subject of negotiations between the two countries.

In July 5, 2017, according to Myanmar government, more than 34,000 migrant workers have returned to Myanmar since the Thai government launched a crackdown on illegal foreign workers. At the ministry's press conference on the issue of Myanmar migrant workers in Thailand in Naypyitaw on Wednesday, the two governments negotiated the issue work permits to undocumented Myanmar workers in Thailand. The Thai government promised not to arrest more illegal Myanmar migrant workers in 2017. (Huguet,2005,25)

And not to detain Myanmar citizens, but hand them over to the Myanmar government. The Myanmar government estimates there are nearly 5 million Myanmar migrants in Thailand with around 2.2 million working legally with the correct documents. The Thai government declared a 180- day delay in enforcing parts of the new labor law aimed at regulating the foreign workforce after criticism that the crackdown had caused economic chaos. State Counselor Daw Aung San Suu Kyi made a special request to the Thai Ambassador to Myanmar and requested him to ask higher-level authorities to consider. Thai authorities relaxed the policy the same day. Since the Thai government's move to arrest foreign workers, Myanmar migrants have been flocking through various border checkpoints along the Thai-Myanmar border. In Karen State, they were welcomed back by government representatives and private businessmen, with the Myanmar Army assisting in transport back to their hometowns. The policy of the president and the State Councilor regarding migrant workers is that the Myanmar government must protect its citizens whether they are working legally or illegally in foreign countries.

(<https://www.migrationpolicy.org>, 9) They have informed the concerned embassies of this policy.

### **Difficulties and Challenges to tackle Illegal Migration**

Migration brings many issues and challenges. Labor importing countries want to maintain their freedom to regulate migration according to policies that are in their national interest, unencumbered by limitations imposed by international agreements. Labor exporting countries, on the other hand, desire more protective measures and benefits for their nationals, which would diminish the benefits that foreign labour brings to destination countries in terms of flexibility in the labour market. Political, social, and cultural differences among member countries present obstacles to consensus on this issue. ([http://www.pop.avc.holding.com/ASA/ppt/migration and humantrafficking in ASEAN.pdf](http://www.pop.avc.holding.com/ASA/ppt/migration_and_humantrafficking_in_ASEAN.pdf),11) Migration also has security implications, which need to be addressed from a national perspective. On the migration continuum, it also generates the issues of human trafficking, smuggling, forced labor migration, and other social and health issues. According to the International Organization for Migration (IOM), in East and Southeast Asia, irregular migration and human trafficking remain significant challenges, particularly trafficking for sexual exploitation and irregular labor migration movements. (*Migration in an Interconnected World*, 2005, 25) In addition, migration-related public health concerns such as tuberculosis, HIV/AIDS, and malaria need more collaborative efforts and coordination.

Thus, state governments face great challenges as they seek an agreement on concrete measures; they must overcome differences posed by the diverse interests that exist in the region. Various levels of economic and social development, combined with different political systems and ideologies, add further complexity. Irregular migration has been considered a particularly sensitive issue in this region where noninterference is the norm and state governments are careful not to step into each other's domestic issues. Alternatively, numerous bilateral arrangements exist in the region, providing more concrete means to manage migration. One of weaknesses of bilateral agreements, in fact, is their tendency to tilt in favor of the receiving country, which is less interested in protecting migrants.

(<http://www.gcim.org/mm/File/Regional%20study%202.pdf>,12) Bilateral arrangements also face limitations as migration grows more complex and extends to countries further a field. Once large-scale migration flows are established, it can be difficult for governments to alter them, due both to their commercial institutionalization and to informal networks. In countries where significant migration occurs, large numbers of recruitment and placement agencies normally begin to operate. (*Human Development Report, 2006*, 7) Labour sending countries may have several hundred agencies licensed to recruit migrant workers.

Even when regulations are put in place to control those agencies, governments often lack the capacity to effectively monitor or inspect their practices. Established migration streams create informal networks of relatives, friends or acquaintances in both origin and destination countries. These networks can often recruit and find overseas employment for migrants without going through formal channels. Thus, fees and other costs are eliminated or greatly reduced. Because such movements are not recorded as labour migration, they are particularly difficult for governments to regulate. Migration and its management are currently high on the agenda of many governments in the region; in their policy formulation, they must balance business and economic priorities with social and cultural aspects. This presents a challenge because migration flows tend to respond quickly to labour market demand and supply rather than to government policies, which take time to formulate and implement. The policies are often not comprehensive or coherent, and may only partially meet the needs and or development objectives of the country in question. (<http://www.gcim.org/mm/File/Regional%20study%202.pdf> , 22) Moreover, the countries that could benefit the most from migration often do not have the necessary information or capacity to formulate effective policies. The tendency towards restrictive policies has led to an increase in irregular migration. Irregular migration is of concern, both from the perspective of the receiving country and from the individual migrant.

## **Finding and Conclusion**

The vast majority of migrant workers in Thailand are Myanmar who have emigrated on account of economic hardship, political instability. Regarding migration problem, Myanmar and Thailand has not clearly laid down the policies for exchange of skilled labours across the borders, each country has national policy to protect the rights of migrant workers and to prevent the irregular migration. Although the Myanmar regime has signed Memoranda of Understanding (MoUs) with the Thai Government, a lack of will on the part of the Myanmar Government to implement the MoUs has left undocumented Myanmar migrants worse off. In addition, the Thai Government's corrupt and discriminatory law enforcement record and its failure to protect labour rights have led to ongoing violence against migrant workers, as well as to their exploitation and trafficking by unscrupulous recruiters. The Thai Government, and Thai society at large, should acknowledge the positive contribution of migrant workers to the Thai economy and improve their working and living conditions. The Myanmar Government needs to reform its labour migration policies and institute special programmes to assist Myanmar migrants. The biggest challenge to policy makers has been the growth of irregular migration, trafficking and the consequent large populations of irregular migrants. Widening income differentials between Myanmar and Thailand, especially where they are joined by porous common borders, easily lead to large irregular movements. Thailand has long faced the issue of having many hundreds of thousands of foreigners without legal status within the border. They have experimented with various measures to address the problem such as heightened border controls, amnesties and registrations, deportations, allowing temporary admissions under industry quotas, imposing mobility restrictions on certain areas and, recently, through joint management with source country governments. It is clear that migration controls alone are not adequate for dealing with these problems. The reform of labour market policies, the development of strong labour institutions, the involvement of employers' and workers' organizations, and cooperation with source countries are also important elements of an effective approach to the complex issues that arise with migration.

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# **A STUDY ON UNESCO MEMORY OF THE WORLD IN MYANMAR\***

Nwe Nwe Yee<sup>1</sup>

## **Abstract**

Myanmar is a country in Southeast Asia which has very long cultural history starting from prehistoric to the historic period. The abundance of cultural properties, historic sites and ancient monuments of different periods from prehistoric to 18<sup>th</sup> century AD are the sources of cultural heritage. The United Nations Educational, Scientific and Cultural Organization (UNESCO) has been exploring the world's heritage in world-wide sites and has started the program "Memory of the World" to carry out assessment of the heritage of the countries and select the heritages of the countries and select the heritages. The four heritages registered in "Memory of the World" are Kuthodaw (Mahalawka Marazein) Pagoda Stone Inscriptions (2013), Myazedi Quadrilingual Stone Inscription (Rajakumar Stone Inscription) (2015), The Gold leaf Letter (Shwe Pe Hlwa) (2015), and King Bayinnaung Bell Inscription (2017). The heritages may be said to provide evidence that the civilization of Pyu, Mon and Myanmar was well established from the Bagan period (11<sup>th</sup> to 13<sup>th</sup> century AD) to the Konbaung period (18<sup>th</sup> to 19<sup>th</sup> century AD) The purpose of this paper is to provide only the facts from such inscriptions for observers.

**Keywords:** Information Source, Ancient Myanmar Manuscripts, Stone Inscription, Rare Sources.

## **Introduction**

The Southeast Asian country of Myanmar is one where significant findings of cultural heritage and historical ancient cities have been made throughout the country. The abundance of cultural properties, historic sites and ancient monuments of different periods from prehistoric to 18<sup>th</sup> century A.D are the sources of cultural heritage.<sup>2</sup>

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<sup>2</sup> Ministry of Culture, *Cultural Heritage Preservation and Cultural Sustainability in Myanmar* (Yangon: Ministry of Culture, 2006), 3.

\* Best Paper Award Winning Paper in Library and Information Studies, (2018)

The United Nations Educational, Scientific and Cultural Organization has been exploring the world's heritage in world-wide sites and started the program "Memory of the World" in 1992 to do assessment on the heritage of the world's countries. The "Memory of the World" UNESCO has issued a list of heritage that goes as far back as 1700 AD registered in the "Memory of the World." Those heritages registered in "Memory of the World" included stone inscription, handwriting, valuable collection, newspaper, photograph and paintings, films, sound recording and video recording, CDs, and paper documents.<sup>3</sup> The Memory of the World Register lists documentary heritage which has been recommended by the International Advisory Committee, and enclosed by the Director-General of UNESCO, as corresponding to the selection criteria regarding world significance and outstanding universal value.<sup>4</sup> Out of 416 heritages which won the registration in "Memory of the World" 4 heritages submitted and issues the list of winner biennially. The four winners from Myanmar are Kuthodaw (Mahalawka Marazein) pagoda stone inscription, Myazedi Quadrilingual stone inscription (Rajakuma stone inscription), Shwe Pe Hlwa (Gold Leaf Letter), and King Bayinnaung Bell Inscription. This paper presents the physical description and content of these inscriptions from the library science point of view.

### **1.1 Aims and Objective**

The main aim of this study is to provide information on Ancient Myanmar inscriptions. The objectives of this research are as follows:

- Propagation of ancient inscriptions of UNESCO Memory of the World in Myanmar.
- There inscriptions provide sound historical evidence.
- Such inscriptions are primary sources for scholars and researchers to use as reference.

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<sup>3</sup> Maung Thar (Archaeology), "*Myanmar Heritage in Memory of the World*", [Global Newlight of Myanmar-online]; [Access: 15 May 2017], available from <https://www.Globalnewlightofmyanmar.com>

<sup>4</sup> UNESCO Publishing, "Memory of the World Register List-Unesco", [database-online]; [Access: 13 October 2017], available from <https://en.unesco.org/progr>

## **1.2 Scope of the Research**

The research covers the facts of four objects registered in "Memory of the World" UNESCO: Kuthodaw (Mahalawka Marazein) Pagoda Stone Inscriptions (2013), Myazedi Quadrilingual Stone Inscription (Rajakumar Stone Inscription) (2015), Gold Leaf Letter (Shwe Pe Hlwa) (2015), and King Bayinnaung Bell inscription (2017) which are itemized on inscriptions concerning three main focused areas.

## **1.3 Methods of the Study**

For required data, necessary documents are searched by literature survey method and documentary analysis which relies on both primary and secondary sources.



**Figure 1:** United Nations Educational, Scientific and Cultural Organization

## UNESCO Memory of the World in Myanmar

### 2.1. Kuthodaw (Mahalawka Marazein) Pagoda Stone Inscription (2013)

The person responsible for creating the Kuthodaw Pagoda Stone Inscriptions was King Mindon – the founder of Mandalay and convener of the fifth Buddhist Synod. The inscriptions were done from 1860 to 1869 taking 7 years 6 months and 14 days to finish the whole project. It is popularly called the Kuthodaw stone slabs inscriptions as metaphorically as the World's Biggest Book. It is located in the precincts of the Maharlawka Marazein Pagoda at the foot of Mandalay Hill.<sup>5</sup> Mahalawka Marizein or Kuthodaw Inscription Shrines documentary heritage submitted by Myanmar and recommended for inclusion in the Memory of the World Register in 2013.<sup>6</sup>



Figure 2: Memory of the World Register

### Physical Description

The stone tablets with inscriptions of the Tripitakas text in Pali are made of marble (crystalline limestone). The inscriptions are inscribed on marble (729) and it has 729 leaves or 1460 pages with each page measuring

<sup>5</sup> Ludu Daw Ahmar, *The World's Biggest Book*, 2<sup>nd</sup>. ed. (Mandalay: Ludu Press, 1980), 9.

<sup>6</sup> UNESCO Publishing, "Memory of the World", [database-online]; [Access: 15 Oct 2018], available from <https://unesco.org/new/progr> [hereafter cited as Memory of the World]

three and a half feet width, five feet length and about five inches thickness. Certainly the pages could not be bound together. Each page is put upright on a stand of its own and all these stands occupy a square site of thirteen acres. There are 80 to 100 lines on each side. Each stone, by having one foot and a half underground, is securely held up to stand separately.

Small cave-like structures of the Sinhalese relic casket type is build to shelter each stone and the stone are arranged in neat rows within the three enclosures. There are 42 of item in the first enclosure ,the second or middle enclosure has 168 and the third or outer enclosure has 519, all adding up to 729 which are Pitika text of Buddhism. At the Southeast corner of the first enclosure stands one more memorial stone with records of events so there are 730 stone inscriptions within the Kuthodaw Pagoda compound. Originally the letters on the stonesurface were chiseled out and gold ink was spread along the chiseled marks.



**Figure 3:** Kuthodaw (Maharlawka Marazein) Pagoda Stone Inscription

### **Contents of Inscription**

The inscription contains not only the complete Pitika but also some Pali commentaries like Niti (နိတိ), Milindapanna (မိလိန္ဒပဉ္စာ), and Petakopadesa (ပေဋကောပဒေသ). The script used is the Burmese script, i.e. letters of Indian origin in rounded characters. There are 5 parts of Vinaya (ဝိနည်း) on 111 stones, 7 parts of Buddha Abhidhama (ဗုဒ္ဓအဘိဓမ္မာ) on 208 stones and 3 parts of Suttam (သုတ္တန်) and 5 parts of Nikaya (နိကာယ်) on

410 stones. In fact, there are three more inscriptions at the northeast corner of the first enclosure on which are inscribed all the meritorious deeds of King Mindon. The total cost of this work was kyats 22 crores and 6 millions.

### **Evaluation**

The writings of the Buddha's teachings on leaves of gold, silver, copper and palm-leaves or on stone surface in Myanmar, dated back to the time when Buddhism first arrived Thayekhittaya (သရေခေတ္တရာ). But, King Mindon's Pitikas stone slabs are complete with full record of Buddha's teaching. A hundred and fifty years have passed since the Kuthodow stone inscriptions came into existence. Those inscriptions are the memory objects of Myanmar. The stones used were of first class quality. Among all the religious buildings left by Myanmar Kings of Konbaung dynasty, the Kuthodaw pagoda and inscriptions are the best because due to their structural designs they are both awe-inspiring and magnificent. It seems that motive of merit by King Mindon was not entirely religious. There probably were some political considerations in it. So, Myanmar people have to take pride in the vision and farsightedness of King Mindon.

### **2.2 Myazedi Quadrilingual Stone Inscription (Rajakuma Stone Inscription) (2015)**

Myazedi Quadrilingual Stone Inscription was submitted by Myanmar and recommended for inclusion in the Memory of the World Register in 2015 according the meeting of International Advisory Committee of UNESCO's from 4-6 October 2015.<sup>7</sup> Out of many stone inscriptions of Bagan Period, Rajakuma Stone Inscription, a prominent documentary evidence of cultural heritage of Bagan was found in two places. One was found near Myazedi Pagoda of Myingabar Village and now had been placed in the Archaeological Museum in Bagan. Another one found near Gubyaukyi Pagoda and now placed in the precinct of Myazedi Pagoda. The inscriptions on both stones are incomplete statement the same.

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<sup>7</sup> *Memory of the World.*

### Myazedi Quadrilingual Stone Inscription

Documentary heritage submitted by Myanmar and recommended for inclusion in the Memory of the World Register in 2015.

Located in Bagan Historic city, Myazedi quadrilingual stone inscription is the oldest Myanmar Language inscription documenting the Myanmar history, religion and culture in 12th century A.D. The document is an inscription in four languages, Pyu, Mon, Myanmar and Pali, on each of the four sides.

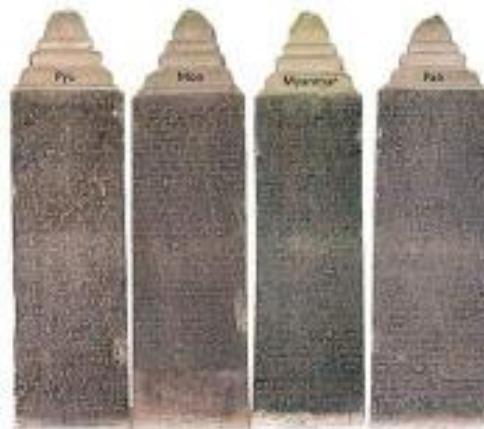


- Year of submission: 2014
- Year of inscription: [2015](#)
- Country: [Myanmar](#)

**Figure 4:** Memory of the World Register

### Physical Description

The letters on Rajakuma Stone Inscription were inscribed in four languages: Pyu, Mon, Pali and Myanmar. The stone was rectangular pillar in shape, hence having four faces that accommodate one language on each of the stone. One of two stone inscriptions was found near Myazedi Pagoda and it was in good condition. Another one was broken into three parts, but fixed them intact again and placed in the precinct of Myazedi Pagoda.



**Figure 5:** Myazedi Quadrilingual Stone Inscription (Rajakuma Stone Inscription) (2015)

## Contents of Inscription

One thousand six hundred and twenty-eight years after Lord Buddha had attained Nibbana, The King was named Sri Tribhuwanadityadhammaraj (သီရိတြိဘုဝနဒိတျဓမ္မရာဇ်) reigned in the city was named Arimaddanapur (အရိမဒ္ဒနပူရ်). The King's consort was called Trilokavatansakadevi (တြိလောကဝဋ်သကာဒေဝီ) and her son was named Rajakumar. The king gave her three villages of slaves. When the queen died, the king gave these villages to the noble queen's son Rajakumar. After the king had reigned for twenty-eight years, he was sick nigh unto death. Rajakumar being mindful of the king's beneficence in bringing him up, caused a golden statue to be made in the likeness of noble Buddha and giving the golden Buddha to the king. Then, in the presence of the noble disciples, the noble king poured water. Thereafter, Rajakumar had the golden Buddha enshrined in a cave for which a golden spire was made. In consecrating the cave-pagoda, three villages namely, Sakmunalun (သက်မုနလွန်), Rabai - **&AJ** (also Rapay - ရပါယ်), and Hinbo (ဟိဗ္ဗိ) (also Henbuiw - ဟန်ဗွယ်) were assembled and assigned to the pagoda and prayed thus: If any harm be done to any of these slaves, or if any violence done against them be not deterred, be it my own son, be it my grandson, be it my own kinsman, be it any stranger, let him never see the noble Arimettaya Buddha.

## Evaluation

Rajakuma prince, son of King Kyansittha had his men engrave the letters on the stone in four languages; Pyu, Mon, Pali and Myanmar. There are some differences between them, especially concerning the names of King, Queen, and villages of slave; for example, Although the King's name according to Pyu, Mon and Myanmar was named to Sri Tribhuwanadityadhammaraj, (သီရိတြိဘုဝနဒိတျဓမ္မရာဇ်), The Pali Language name is Tibhuvandicca (တိဘုဝနာဒိစ္စ). The queen was called Trilokavatamsakadexi (တြိလောကဝဋ်သကာဒေဝီ) in the Pyu, Mon and Myanmar versions but it was "Usaukpan" (ဦးဆောက်ပန်း) in the Pali inscription. There were differences in the name of the village also; the villages

named "Rabai" (ရဗဲ) and "Hinbo" (ဟိဗို) in Pyu, became "Rapay" (ရပါယ်) and "Henbuiw" (ဟန့်ဗိုယ်) in Mon and Myanmar.

The Rajakuma Stone Inscription is a quadrilingual document that renders a historical, religious and cultural account of the Bagan period. Moreover, it records the administration, social and economic affairs, literary works, construction of pagodas, the enslavement of villages by royal princes and princesses. In addition it includes exhortations for paying respect to parents and doing meritorious deeds which therefore provides some information concerning social behavior and customs of the time.

### **2.3 Gold Leaf Letter (Shwe Pe Hlwa) (2015)**

The Gold leaf Letter of the Burmese King Alaungphaya to King George II of Great Britain documentary heritage submitted by Germany, and the United Kingdom of Great Britain and Myanmar constitutes another documentary heritage and recommended for inclusion in the Memory of the World Register in 2015.<sup>8</sup> The gold leaf letter had been kept in the underground chamber of Gottfried Wilhelm Leibniz Library of Hanover, Germany for over 250 years. King Alaung Mintaya U Aung Zeya, who found Konbaung Dynasty sent the gold leaf letter to King of Great Britain, George II on 8 May 1756. King Alaung Mintaya sent the letter (gold leaf letter) to the British King, George II through the East India Co., with the intention to foster friendly relations between the two countries. The digital copy of the Gold Leaf Letter is now on display in the National Museum in Yangon.

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<sup>8</sup> *Memory of the World.*

### The Golden Letter of the Burmese King Alaungphaya to King George II of Great Britain

Documentary heritage submitted by Germany, the United Kingdom of Great Britain and Myanmar and recommended for inclusion in the Memory of the World Register in 2015.

The Golden Letter of the Burmese King Alaungphaya to King George II of Great Britain from the year 1756 is a unique attestation in world history as well as in the history of Burma and Europe in the eighteenth century and is of outstanding aesthetic value. The content of the letter is a trade proposal from Alaungphaya to the English. Year of submission: 2014

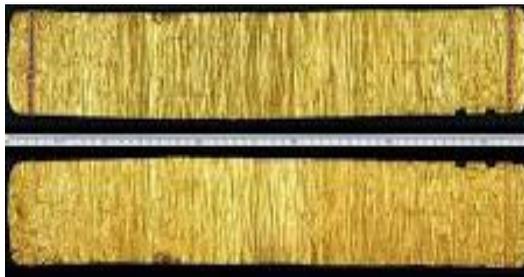
- Year of inscription: [2015](#)
- Country: [Germany](#), [United Kingdom](#) & [Myanmar](#)



**Figure 6:** Memory of the World Register

### Physical Description

The Gold Leaf Letter is rectangular in shape having a length of 55 cm. and a breadth of 12 cm. The manuscript itself is pure gold leaf on which the letter has been written in the Myanmar Language. 12 pieces of ruby has been studded on each end of the gold leaf. The Gold Leaf Letter was put in an ivory case together with the translated version in English.



**Figure 7:** Gold Leaf Letter (Shwe Pe Hlaw)



([r\[m&mZOifBuD](#)); The King Bayinnaung Bell Inscription was accorded registration in the "Memory of the World" on September 2017.

**King Bayinnaung Bell Inscription**

**Documentary heritage submitted by Myanmar and recommended for inclusion in the Memory of the World Register in 2017.**

The King Bayinnaung Bell Inscriptions document the donations made for Buddhist religious merit and are inscribed in 3 languages; 43 lines in Myanmar language, 35 lines in Mon language and five lines in Pali language. Recorded on the bell, are the name of the donor, their endeavor for the country, their meritorious deeds, prayers, and occupied regions with the dates; the date of throne ascendance and the donated date of this bell. Also the inscriptions include the accurate regal titles for the king and his chief Queen. The Bell inscriptions are now located at the Shwezigon Pagoda in Bagan and were donated by King Bayinnaung in 1557 AD.

- Year of submission: 2016
- Year of inscription: [2017](#)
- Country: [Myanmar](#)



**Figure 8:** Memory of the World Register

### Physical Description

The bronze bell measures 3 feet and 8 inches in height, girth of 3 feet and 6 inches, foot girth of 10 feet and 3 inches, 6 inches in thickness, a foot in diameter and 4 foot one inch in the neck of girth. It was cast in 2100 of bronze bowls. The King Bayinnaung's donation was made for Buddhist religious merit and are inscribed in 3 languages; 43 lines in Myanmar Language, 35 lines in Mon language and five lines in Pali Language.



**Figure 9:** King Bayinnaung Bell Inscription

### **Content of the Bell Inscription**

In the year 1550 AD after King Tabinshweti (တပင်ရွှေထီး) had passed away, King Bayinnaury occupied Taungoo (တောင်ငူ) and Pyay (ပြည်) in 1551 AD, Pago (Hanthawaddy) in 1552 AD, Inwa (Ah-wa) in 1555 AD, and lastly, Momeik, Mohnyin (မိုးညှင်း) Hsipaw (သီပေါ) and Mokaung (မိုးကောင်း) in 1557 AD. Afterthat, the King Bayinnaung founded the second Myanmar Kingdom. The inscriptions also includes the accurate regal titles for the King namely. Sri Parama Mahadhamarajadirit (သီရိပရမမဟာဓမ္မရာဇာဓိရာဇ်) and his Chief Queen, by the name of Sri Akgamaha Dhamarajadevai (သီရိအက္ကမဟာဓမ္မရာဇာဒေဝီ).

The texts on the bell inscription gives an account of how King Bayinnaung carried out much for merit at every region he visited and how he prayed for becoming a future Buddha. It also contains a statement that wages future succession of monarchs to do merit by promoting the Buddha Sasana. King Bayinnaung's endeavours for the country described with the date in full.

## **Evaluation**

The bell inscription describes especially the political, economic, social and cultural conditions of the time and also includes the merit of the donors. Moreover, the inscriptions mention wishes made for merit, weight of the bell, donors, its cost, and the skilled artisans who cast it in bronze and brass. In studying the texts, the bell inscriptions are important as a comprehensive survey of the socio-economic development of the time.

Records on the King Bayinnaung Bell Inscription minimally provided information of the date on which are inscribed the name of the donor, the endeavor for the country, meritorious deeds, prayers, and regions occupied together with the date of the King's ascension to the throne and donation date of the bell.

## **Conclusion**

The richness of the archaeological heritages indicate the cultural standards of a nation. Ancient monuments and evidences which were built through Myanmar and Myanmar people which have thrived for so long suffered deterioration and less due to natural disasters and human factors. Myanmar cherishes her ancient cultural heritage and yearn to protect them. These records as goodwill which are seriously regarded in accord with Myanmar traditions of gratitude. In the spirit of carrying out conservation and protecting the national treasures, the Department of Archaeology focuses not only on zone protection, inventory survey, artifacts collection, restriction of tangible culture heritage but also have coordination with international organization like; UNESCO and ASEAN. Therefore all people have the obligation to passionately love, take value and conserve the nation's cultural heritages that have already been discovered across the country. Hoping that this paper will certainly support scholars, and researchers in doing research concerning with the history, culture and civilization of different periods from Bagan Period to Konbaung Period.

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