Leadership Modalities Among Kachin Communities: Potential Impact Upon Peace & Conflict

Naushawng Education Network

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Acknowledgements

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Initial research was conducted in 6 communities (both rural and urban) in Myitkyina, Waimaw and Momauk townships of Kachin State by NSEN's Research and Development Department (RDD) during May and June of 2016. A consultant, Chris Young, was commissioned by NSEN in February 2016, primarily to help develop the study design, provide training to the RDD on the research methodology and tools, and later provide analysis of data together with the final report based on the findings and a review of relevant literature.

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Acronyms

10 HHL	**–**	**10 Household Leader**
100 HHL	**–**	**100 Household Leader**
CSO	**–**	**Civil Society Organization**
DRD	**–**	**Department of Rural Development**
EAG	**–**	**Ethnic Armed Group**
GAD	**–**	**General Administration Department**
GCA	**–**	**Government Controlled Area**
IDP	**–**	**Internally Displaced Person**
KAP	**–**	**Knowledge, Attitude and Practices**
KIA	**–**	**Kachin Independence Army**
KIC	**–**	**Kachin Independence Council**
KII	**–**	**Key Informant Interview**
KIO	**–**	**Kachin Independence Organization**
MATA	**–**	**Myanmar Alliance for Transparency and Accountability**
NCA	**–**	**Nationwide Ceasefire Agreement**
NGCA	**–**	**Non-government Controlled Area**
NSEN	**–**	**Naushawng Education Network**
NSEN RDD	**–**	**NSEN Research and Development Department**
TA	**–**	**Township Administrator**
UNDP	**–**	**United Nations Development Programme**
UXO	**–**	**Unexploded Ordinance**
W/VT	**–**	**Ward/Village Tract**
WA/VTA	**–**	**Ward/Village Tract Administrator**
WFD	**–**	**Weltfriedensdienst e.V. (World Peace Service)**

Table of Contents

1. Executive Summary 5

1.1 Context 7

1.1.1 Peace and Conflict in Kachin State 7

1.1.2 Local Governance Situation 8

2. Detailed Report 10

2.1 Background and Objectives 10

2.2 Methodology 10

2.2.1 Research Design 10

2.2.2 Study Instruments 11

2.2.3 Orientation and Pre-testing 11

2.2.4 Data Collection, Challenges and Limitations 11

Figure 2: Total No. of Respondents (Rural vs Urban) 12

Figure 3: Total No. of Respondents (Youth vs Older Persons) 13

Figure 4: Total number of Respondents (Male vs Female) 13

Figure 5: Gender Composition, Age Group and Population Type 14

2.3 Main Findings 15

2.4 Conclusion 30

2.5 Recommendations 32

2.6 References 37

3. Annexes 39

Annex 1: Terms of Reference

Annex 2: NSEN Community School Capstone Project "How Do People Choose their Leaders? By Seeing the Party or the Personality of the Leader"

Annex 3: Study Proposal

Annex 4: Household Surveys and Key Informant Interviews: Full data sets, charts and analyses (disaggregated by sample area, population type, age group and gender)

Annex 5: Key Findings

Annex 6: Lessons Learned

1. Executive Summary

The study seeks to examine leadership modalities amongst Kachin communities[1], taking into consideration the perspectives of youth and older persons, as well as potential impacts upon peace and conflict. Whilst conducted at a time of ongoing conflict between the Myanmar military and the Kachin Independence Army (KIA), almost 5 years after hostilities were reignited following the collapse of the 17 year old ceasefire agreement (1994-2011), the study comes at an important time in Myanmar's democratic transition. Indeed, field research was carried out 2 months after the first democratically elected government for more than 50 years had taken office, and just a few months after the original scheduling[2] of nationwide ward and village tract administrator (WA/VTA) elections.

A reconfiguration of local governance structures introduced by the previous government has resulted in Ward and Village Tract[3] Administrators (WA/VTAs) now functioning as the main interface between citizens and the State. As such, their election represents a crucial component of Myanmar's democratic transition. The elections are made all the more significant by the fact that, in recent years, the responsibilities of WA/VTAs have been increased, such that the position is now also concerned with security, law and order, land management and local development. Thus, while the research itself is framed around examining leadership modalities in general and did not explicitly set out to survey public opinion on the WA/VTA elections, understanding local people's experiences and views on the latter nonetheless constitutes a central theme of the study[4].

Primary data collection was conducted in Myitkyina, Waimaw and Momauk Townships during May/June 2016 by the Research and Development Department (RDD) of the Naushawng Education Network (NSEN), an independent and non-profit educational organization founded by Kachin scholars committed to working towards strengthening democratic transition and community resilience in northern Myanmar. An external consultant was commissioned by NSEN in February 2016, primarily to help develop the study design, provide training to the RDD on the research methodology and tools, and later provide analysis of data together with a final report based on the findings and a review of relevant literature.

The main objectives of the research are to:

i) Find out how people choose, select or elect their leader in Kachin society;

ii) Find out the different views of young and old on these leadership modalities;

iii) Find out if this has a current impact on peace and conflict in the region and in Kachin society.

It should however be noted that a broader objective of the NSEN Research and Development Department (RDD) during 2016 is to develop a complete 'social action research design to be used by local researchers for data analysis and writing.' With this in mind, a significant focus has been placed upon supporting the development of research capacities within the RDD in order for it to be able to

[1] Kachin Community includes all the communities in Kachin State

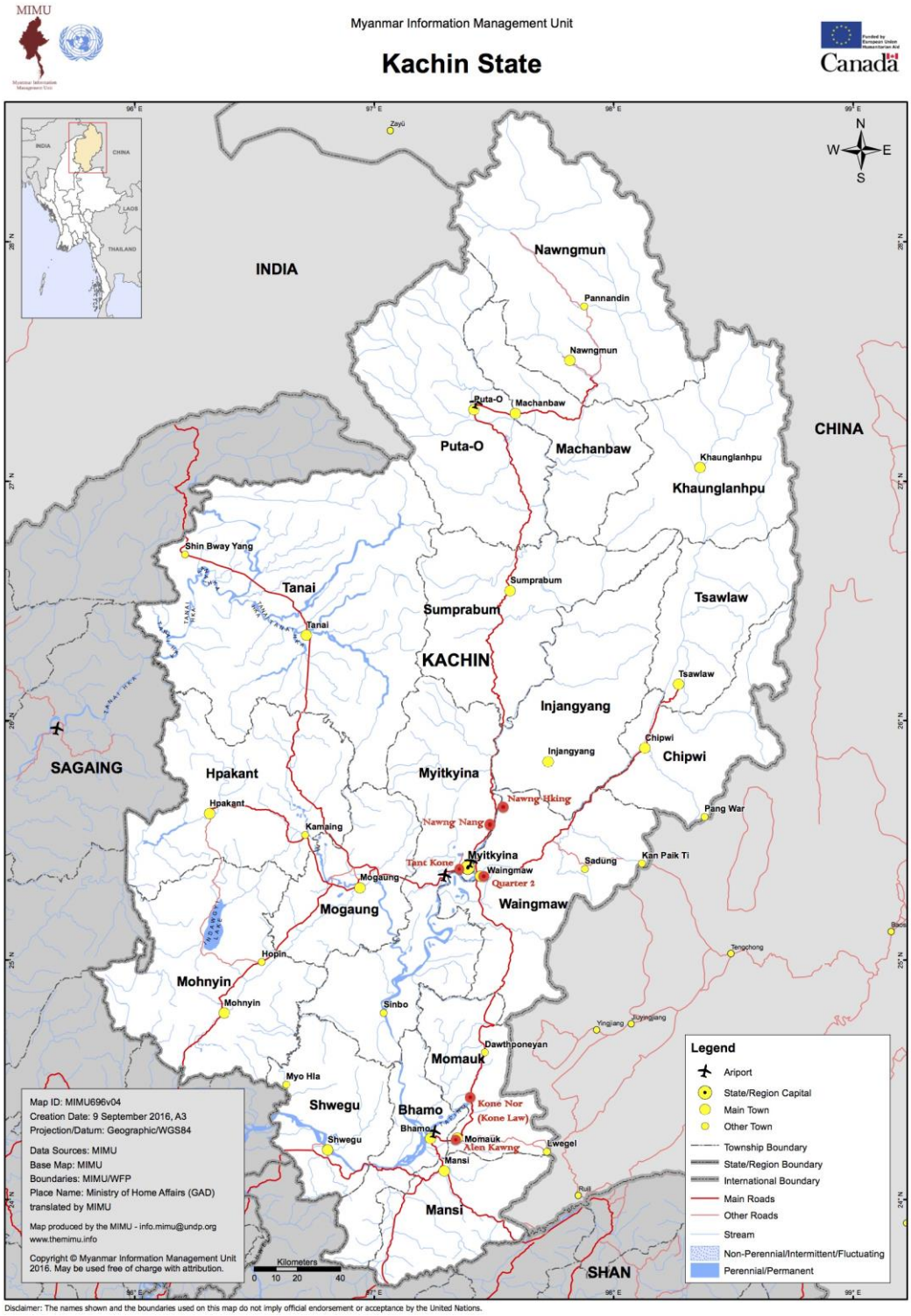
[2] The elections of WA/VTAs had originally been scheduled to take place in January 2016, prior to the expiration of the ward/ village tract administrator's term (previously the same as the end of parliament on 30 January, 2016). On 5 January, the Pyidaungsu Hluttaw announced that the term of ward/ village tract administrators had been changed to run concurrently to that of the President (end of March, 2016). However, the fact that the law does not specify exactly when elections should be held, together with the lack of an official public announcement as to the possibility of suspending or postponing the elections, led to significant confusion. As a result, the election process started and elections were completed in some parts of the country, but not in others.

[3] Wards and village tracts are equivalent in terms of administration, but wards simply exist in urban areas rather than rural ones. Moreover, note that village tracts do not simply correlate with 'a village', but rather a grouping of them' (*'Administering the State in Myanmar – Overview of GAD'* Asia Foundation 2014).

[4] The study framework was designed around both the specific objectives as well as a broader objective, which places emphasis on research methodology, process and learning. As such, the original study framework was not specifically designed to collect data on the WA/VTA elections. The modalities for the elections were, however, examined more closely through a review of relevant literature which became available later on in the study, as well as a stakeholder workshop held in August 2016 with respondents from the Key Informant Interviews.

undertake primary research projects more systematically in the future. In practice, this means greater emphasis being placed on the research methodology, process and learning, rather than actual research findings.

Fig. 1: Map of Kachin State (research locations indicated in red)



Disclaimer: The names shown and the boundaries used on this map do not imply official endorsement or acceptance by the United Nations or those involved in the development of this report. (Source: MIMU).

1.1 Context

1.1.1 Peace and Conflict in Kachin State

Given its extensive natural resources, favorable agricultural climate, potential for economic growth and geographical location, Kachin State should be among the better off states in Myanmar. However, rather than benefitting communities, natural resources have been a significant factor contributing to and fuelling the conflict that has plagued the state since Myanmar gained independence from Britain in 1948. For decades Kachin State has suffered from a lack of investment in social infrastructure and the provision of basic services such as health and education. There is also a lack of properly functioning legal systems for the protection of human rights and, over the years, the situation for the people has been further compounded by natural disaster and man-made conflict.

In June 2011, the collapse of the 17-year ceasefire agreement between the Myanmar military and the Kachin Independence Army (KIA) saw hostilities intensify once more. The re-escalation of the conflict not only resulted in significant damage to infrastructure, loss of lives and livelihoods, but also large-scale displacement. In fact, over 100,000 members of the civilian population have been displaced, the majority of whom reside in IDP camps located in both Government Controlled Areas (GCA) and Non-Government Controlled Areas (NGCA).

Over the years, the conflict has been characterized by a climate of impunity, with numerous issues affecting the civilian population, including:

- Continued marginalization of unregistered members of the displaced population;
- Ongoing fighting and presence of armed forces and local militia groups, resulting in contamination by landmines and UXOs, harassment, physical violence, forced labor, exploitation and recruitment of civilians including children;
- Land rights violations (e.g. land grabs for development projects, as well as expropriation of large tracts of land for monocropping and agribusiness by both the private sector and hybrid public-private investments);
- Arbitrary taxation (by various groups on both sides of the conflict);
- Lack of access to basic services (e.g. education and health);
- Human trafficking (e.g. of women and children);
- Extractive industry exploitation (e.g. jade mining and logging);
- Separation of families and other related social problems (e.g. drug addiction).

These concerns have been compounded by a breakdown in community structures, social protection mechanisms and a slow urbanization of the internally displaced population, which has found itself in an increasingly protracted situation.

Whereas the above provides a brief snapshot of the prevailing situation in Kachin State as a whole, it is also important to recognize that the underlying causes of conflict in the region cannot be reduced to a simplistic political narrative along ethnic lines. Indeed, rather than deriving from simplistic notions of

ethnic antipathy with the state, the Kachin model of social legitimacy and authority involves a more sophisticated social apparatus and the complexity of Kachin ideological systems and political culture demands a more in-depth cognizance of local realities, as well as historical drivers of conflict[5].

Although peace talks have been ongoing and, in October 2015, a Nationwide Ceasefire Agreement (NCA) was signed by eight of the fifteen Ethnic Armed Groups (EAGs) that had been involved in protracted negotiations with the Government, the Kachin Independence Organization (KIO), along with a number of other EAGs, were not signatory to the accord. Nonetheless, peace efforts have continued under the new, democratically elected government of President U Thin Kyaw which, having taken office in March 2016, declared that a 21st Century Panglong Conference would be convened in August/ September. Although criticized by some, in part due to the tight deadline and lack of consultation with EAGs, under the leadership of Daw Aung San Suu Kyi, the State Counselor, it is hoped that the conference could mark a step forward in the peace process, whilst helping lay the platform for discussions on what form a federal democracy could take in future.

1.1.2 Local Governance Situation

Significant changes to how states and regions of Myanmar are governed were made after the previous government came to power in 2011[6]. Under former President U Thein Sein's agenda for democratic reforms, a new Ward or Village Tract Administration Law (2012) was enacted, thus replacing the 1907 Towns Act and Village Act[7] of the colonial period. Along with the introduction of state and region governments, each with their own chief ministers and parliaments, this should, in theory, help bring governance closer to the public. Yet below states and regions, local governance continues to be provided through the Township Administrator's office: the General Administration Department (GAD) under the Union-level Ministry of Home Affairs.

Whilst CSOs have been advocating for amendments to be made to the Ward or Village Tract Administration Law and certain provisions[8] continue to be debated in parliament, the 2012 law is generally viewed as an improvement on the 1907 acts and could be said to represent a certain degree of bottom-up democratization. However, limitations persist through the absence of elections at township level and the fact that the new law contains certain provisions and omissions, which effectively dilute local representation. As a result, questions have been asked as to whether the current form of local governance can be considered genuinely democratic and represent the voices of local people effectively.

Ward and Village Tract Administrator Elections

[5] *'Being and Becoming Kachin: Histories Beyond the State in the Borderworlds of Burma'* (Mandy Sadan, 2013).

[6] With regards to the 2010 general election, it is important to note that a number of ethnic political parties had their applications to register to participate in the elections declined. Indeed, concerns over a restrictive election environment were compounded by the fact that 17% of village tracts in Kachin State were excluded from holding elections due lack of security, thereby leaving voters, particularly in rural areas, feeling disenfranchised.

[7] Under the 1907 Village Act, Village/ Village Tracts had been made into the primary units of local administration during the colonial period 'as a measure to make the country easier to rule' (J.S. Furnivall, *'An Introduction to the Political Economy of Burma, People's Literature Committee and House'* 1957). Under the Act, Village Headmen were essentially appointed by central government (given that (s)election by the villagers could be overruled by the central authorities) and their main duties included revenue (tax) collection, with less emphasis placed on a role in the social system of the village. However, following independence, the system had been modified to permit a greater degree of democracy in local government.

[8] The provision on qualifications of WA/VTAs has since been revised, such that candidates must now have resided in the ward or village where they run for election for at least 5 years (instead of the previous 10 year minimum). A separate revision relating to qualifications of WA/VTAs, which states candidates should have 'appropriate education' as opposed to having graduated from middle school, has been submitted to the Amyotha Hluttaw (Upper House) for consideration.

Considering their significance to the wider democratic transition, the WA/VTA elections have received relatively little attention from the international community, foreign and local media alike, with no official election monitoring having taken place and very limited voter education conducted[9].

Under the 2012 law, the process set out for 'appointing and assigning' the Ward or Village Tract Administrator can be summarized as follows:

i) The Township Administrator selects a Supervisory Board of 5 respected village elders for each ward or village tract to oversee the process;

ii) The Supervisory Board is responsible for the formation of 10 household units and overseeing the casting of votes via secret ballot by heads of household, to (s)elect 10 household leaders (10 HHL);

iii) Once the Supervisory Board has scrutinized the qualifications of those 10 HHLs willing to put themselves forth as candidates to ensure they meet the requirements for WA/VTAs set out in the law, the 10 HHLs cast votes for their preferred WA/VTA;

iv) The Supervisory Board subsequently counts and announces the ballot before submitting the list and personal information of the candidate with the highest number of votes to the Township Administrator;

v) The Township Administrator (TA) then scrutinizes the qualifications of the (s)elected candidate to ensure they fulfill the requirements set out in the law, before appointing the WA/VTA with approval from the District Administrator[10].

Two main criticisms of this process have been highlighted since the new law came into effect:

- The ***lack of universal suffrage***, in that not every person aged 18 or above is eligible to vote. In effect, only heads of household are eligible to vote on behalf of their families and only 10 HHLs can cast direct votes in the WA/VTA elections;

- The ***position of 100 household leader (100 HHL) is no longer officially recognized***. Commonly considered by local communities as the village leader, all reference to the position of 100 HHL has been removed from the 2012 law. This has been a significant point of contention as it has resulted in power being concentrated in the WA/VTA position, posing a number of problems both for WA/VTAs and citizens[11].

[9] Although, some CSOs did conduct voter education activities and unofficial election observation in certain parts of the country (http://en.newmyanmarfoundation.org/2016/05/myanmars-wards-or-village-tract-administrator-elections/, New Myanmar Foundation, May 2016), no such initiatives are known to have taken place in Kachin State. In fact, it has been reported that, in some areas of the country, many ordinary citizens, civil society groups and even political parties were unaware of the elections (Helene Maria Kyed, *'Local Democracy in Myanmar: Reflections on Ward and Village Tract Elections in 2016'* Danish Institute for International Studies).

[10] The District Administrator heads up the District level GAD office and is responsible for supervising the Township Administrators (TAs) of respective township level GAD offices, which function as the critical building blocks of administration in Myanmar. The TA manages each township and provides direction to village tract and ward administrators. However, whilst these administrators function as the main link between communities and the state, and receive an honorarium for their role, they are not considered government employees.

[11] Previously, the 100 HHL (commonly considered as the village leader, village head or chief) held a formally recognized administrative function and not only chaired the village committee, but also had authority to issue various documents required by citizens. In practice, since the introduction of the new law, 10 HHLs (as noted above, themselves indirectly elected as part of the WA/VTA election process) *'often select one representative amongst themselves per village who, in effect, functions as the 100 HHL, but without formal authority. The role of the remaining 10 HHLs is to assist the WA/VTA with implementation of the duties outlined in the law.'* Susanne Kempel and Aung Tun, *'Myanmar Ward and Village Tract Administrator Elections 2016: An Overview of the Role, the Laws and the Procedures'* (Norwegian People's Aid Workshop Report, 2016).

2. Detailed Report

2.1 Background and Objectives

The study seeks to examine leadership modalities amongst Kachin communities, taking into consideration the perspectives of youth and older persons and potential impacts upon peace and conflict. It comes at an important time in Myanmar's democratic transition, a few months after the original scheduling of nationwide ward and village tract administrator (WA/VTA) elections[12] and at a time of ongoing conflict, almost 5 years after hostilities were reignited following the collapse of the June 2011 ceasefire agreement between the Myanmar military and the Kachin Independence Army (KIA).

Primary data collection was conducted in Myitkyina, Waimaw and Momauk Townships during May/June 2016 by the Research and Development Department (RDD) of the Naushawng Education Network (NSEN), an independent and non-profit educational organization founded by Kachin scholars committed to working towards strengthening democratic transition and community resilience in northern Myanmar. An external consultant was commissioned by NSEN in February 2016, primarily to help develop the study design, provide training to the RDD on the research methodology and tools, and later provide analysis of data together with a final report based on the findings and a review of relevant literature.

The main objectives of the research are to:

a) Find out how people choose, select or elect their leader in Kachin society;

b) Find out the different views of young and old on these leadership modalities;

c) Find out if this has a current impact on peace and conflict in the region and in Kachin society.

However, in consideration of the NSEN Research and Documentation Department's (RDD) broader objective to develop a 'social action research design to be used by local researchers for data analysis and writing,' a significant focus has been placed upon supporting the development of research capacities within the RDD in order for it to be able to undertake primary research projects more systematically in future. In practice, this means greater emphasis being placed on research methodology and process, rather than actual research findings of the study.

2.2 Methodology

2.2.1 Research Design

The research focuses on collecting a combination of quantitative and qualitative data related to experiences and perceptions of citizens and leading community figures, that can help determine whether significant differences exist between different age groups, sexes, population types (i.e. rural vs

[12] WA/VTAs function as the main interface between the State and local communities and their election represents a crucial component of Myanmar's democratic transition. The elections of WA/VTAs had originally been scheduled to take place in January 2016, prior to the expiration of the ward/ village tract administrator's term (previously the same as the end of parliament on 30 January, 2016). On 5 January, the Pyidaungsu Hluttaw announced that the term of ward/ village tract administrators had been changed to run concurrently to that of the President (end of March, 2016). However, the fact that the law does not specify exactly when elections should be held, together with the lack of an official public announcement as to the possibility of suspending or postponing the elections, led to significant confusion. As a result, the election process started and elections were completed in some parts of the country, but not in others.

urban) and geographies. As part of a secondary data analysis, the study also references various sources of literature and information relevant to the study.

2.2.2 Study Instruments

In line with the objectives stated above as well as the emphasis placed on supporting the development of research capacities within NSEN's RDD, a range of different research tools were employed for the collection of both quantitative and qualitative data. 4 days of training was provided to NSEN RDD during February-March 2016 and this was accompanied by basic guidelines for preparing and planning surveys (including on facilitation techniques, on how to encourage active participation by community members and on the importance of ensuring the confidentiality of information provided by respondents), comprehensive step-by-step guides on the research methodology and tools, together with questionnaire formats developed by the consultant, including for:

- Key informant Interviews (KII)
- Household Surveys (individual)
- KAP Survey (group discussions)[13]

2.2.3 Orientation and Pre-testing

Significant emphasis was placed on the importance of conducting piloting and pre-testing of research tools as an essential aspect in helping to ensure the consistency of the approach to the study methodology, the use of the research tools and consequently the quality of data collected. As such, a 2 day workshop was subsequently conducted with members of the survey team by the NSEN RDD in Myitkyina during May 2016. Additionally, with questionnaires having originally been developed in English, separate translators were proposed to translate these first into Bama or Jinghpaw and then back into English in order to help identify any discrepancies or misinterpretations.

2.2.4 Data Collection, Challenges and Limitations

Primary data collection took place during May and June 2016 and involved a team of 18 enumerators, 3 alumni from the NSEN Community School, supported by the head of NSEN RDD[14]. The fieldwork placed emphasis on capturing data that reflected a diverse range of views and experiences of people from different socioeconomic backgrounds. Taking into consideration both the study objectives and the logistical challenges for conducting the research, selection of target populations was based on purposive sampling and took into account factors such as age, gender, population type (rural vs urban), accessibility and ethnic diversity (see figures 2-5 below).

However, given the changing political context (with the transition to the new government), as well as the prevailing security situation, access to some locations (namely in Myitkyina, Waimaw and Bhamo townships) originally targeted for the study proved limited. Whilst sample populations were partly selected in consultation both with local authority representatives and members of civil society, as a

[13] Due to logistical challenges, it was not possible to conduct the KAP Survey (involving separate youth and older person group discussions) as had been originally proposed.

[14] Although emphasis was placed on developing research capacities within the NSEN RDD, the original terms of reference did not provide for the consultant to be involved in primary data collection at field level. Whilst support was provided remotely by the consultant, this was limited to phone and email communication.

result of the access constraints, research had to be conducted in Momauk Township instead of Bhamo Township as had initially been intended.

Additionally, it had originally been proposed that a KAP Survey using a group discussion format be conducted in order to obtain general information on leadership modalities within Kachin communities through a combination of open, closed and partially categorized questions posed to separate groups of youth and older persons. However, this was unfortunately not possible in the end, mainly due to logistical challenges, including time constraints and the training of survey team enumerators. The participatory methods that had been proposed for the group discussions were intended to help understand *"who the most important leaders in the community are, who the main decision-makers (individuals or groups/ committees) are, how influential these individuals and groups are and how they interact with one another, as well as how people interpret the difference between 'selection and election' of their leaders."* However, the fact that it was not possible to conduct the group discussions in the end has implications as far as interpretation of other data collected is concerned. As such, the findings presented here should be read with these limitations in mind.

Although a separate stakeholder workshop was later held in Myitkyina town, bringing together participants from the Key Informant Interviews in order to present and discuss initial research findings, it should be noted that this was not intended as a substitute for the KAP Survey (group discussion format) and had not been included as part of the original study design. Nonetheless, the workshop provided an opportunity to further expand upon data collected during the Key Informant Interviews and was able to elicit some interesting observations on the WA/VTA election process, whilst highlighting certain key local governance issues via a participatory group format.

Total No. of Respondents by Township - Rural vs Urban								
	Myitkyina		**Waimaw**		**Momauk**		**Total**	
	Rural	***Urban***	***Rural***	***Urban***	***Rural***	***Urban***	***Rural***	***Urban***
Household Survey	74	112	143	88	160	145	377	345
Key Informant Interview	4	5	5	4	6	4	15	13
Stakeholder Workshop	1	1	1	-	1	1	3	2
Grand Total	78	117	148	92	166	149	392	358
***SAMPLE GRAND TOTAL*[15]**	***750***							

Figure 2: Total Number of Respondents - Rural vs Urban

[15] Note: Minor discrepancies between respondent totals (ie. Rural vs Urban, Youth vs Older Persons, Male vs Female) are a result of missing or omitted data for an individual respondent's population type, age or gender. These have been kept to a minimum and should not have a significant impact on the overall findings. Additionally, figures for Stakeholder Workshop participants have not been included in the Grand Total, as these have already been accounted for under figures for Key Informant Interviews.

Total No. of Respondents by Township - Youth vs Older Persons								
	Myitkyina		Waimaw		Momauk		Total	
	Youth	*Older*	*Youth*	*Older*	*Youth*	*Older*	*Youth*	*Older*
Household Survey	122	63	159	72	182	115	463	250
Key Informant Interview	2	7	3	6	6	4	11	17
Stakeholder Workshop	-	2	-	1	1	1	1	4
Grand Total	124	70	162	78	188	119	474	267
SAMPLE GRAND TOTAL[13] 741								

Figure 3: Total number of Respondents – Youth vs Older Persons

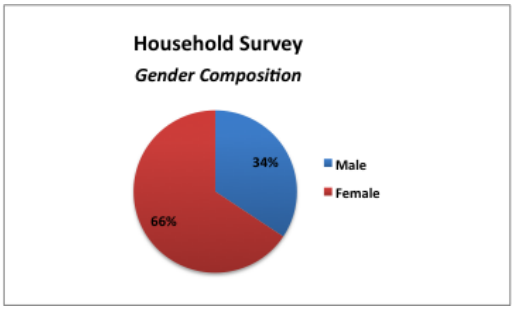
Total No. of Respondents by Township - Male vs Female								
	Myitkyina		Waimaw		Momauk		Total	
	Male	*Female*	*Male*	*Female*	*Male*	*Female*	*Male*	*Female*
Household Survey	73	113	78	153	97	208	248	474
Key Informant Interview	7	2	3	6	0	10	10	18
Stakeholder Workshop	2	-	1	-	-	2	3	2
Grand Total	80	115	81	159	97	218	258	492
SAMPLE GRAND TOTAL[13] 750								

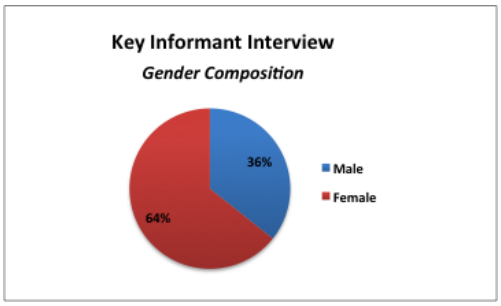
Figure 4: Total number of Respondents – Male vs Female

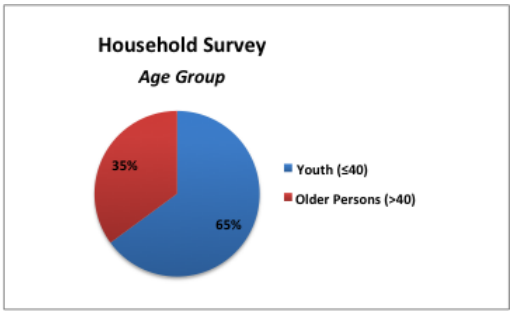
[13] Note: Minor discrepancies between respondent totals (ie. Rural vs Urban, Youth vs Older Persons, Male vs Female) are a result of missing or omitted data for an individual respondent's population type, age or gender. These have been kept to a minimum and should not have a significant impact on the overall findings. Additionally, figures for Stakeholder Workshop participants have not been included in the Grand Total, as these have already been accounted for under figures for Key Informant Interviews.

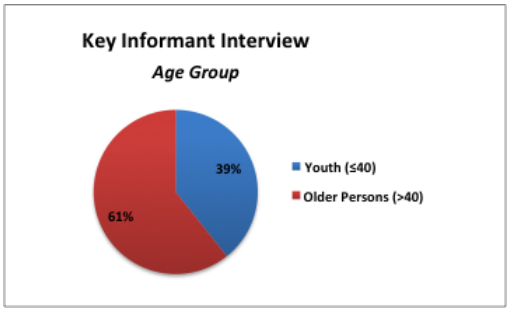
Fig. 5: Gender Composition, Age Group and Population Type

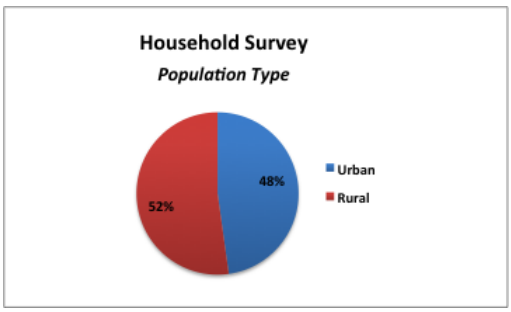
Household Survey and Key Informant Interviews

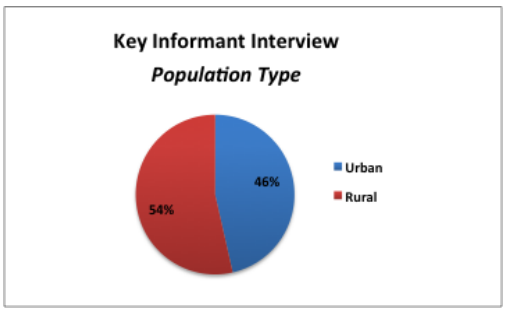












2.3 Main Findings

- **With the 100 HHL (de facto Village Leader) no longer officially recognized under the 2012 law, power is now concentrated in the WA/VTA position, contributing towards a degree of disjuncture and communications gap between grassroots communities and the local authorities.**

  In practice, during or following WA/VTA elections, 10 HHLs (indirectly elected as part of the WA/VTA election process), often nominate a 100 HHL amongst themselves[16]. However, whereas the 100 HHL (Village Leader) used to formally chair the Village Committee and have authority to issue various documents required by citizens, the position no longer has official status. This has not only created issues for the WA/VTA, but also for citizens, many of whom do not appear to be aware of the duties and responsibilities of the WA/VTA or indeed the implications of the law as it affects them.

  To further compound the situation, as noted during the workshop with key informants, following the WA/VTA election, the role of 10 HHLs in certain locations is to assist the WA/VTA with the implementation of his/her duties as laid out under the law. However, no one tends to want to carry out this function, mainly as the position lacks legitimacy and was neither chosen by the community nor the authorities, but rather the de facto Village Leader[17].

- **There is mixed opinion as to how a Village Leader is chosen, but strong consensus between youth and older persons that he/ she should be chosen by the villagers and that the process is largely seen as having potential to impact peace and conflict within the community.**

  When asked how their Village Leader was chosen during the Household Surveys, it was evident that the views youth and older persons did not vary greatly and respondents across all 6 sample areas were not clear on the process[18], with answers mainly split between "Elected", "Selected by Village Committee" or "Not Sure".

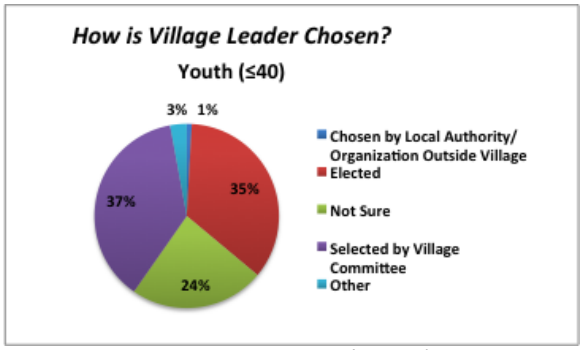
  Indeed, it is perhaps interesting to note that, whereas during the Household Surveys, 37% indicated that their Village Leader had been *"Selected by Village Committee"*, when asked the same question, not one of the Key Informants interviewed gave this as their answer, as illustrated below (see Figures 6 and 7):

[16] In fact, during the stakeholder workshop, participants also noted that in some areas, it is not the 10 HHLs who have cast votes in the WA/VTA elections, but rather the 100 HHL, who were nominated by the 10 HHLs.

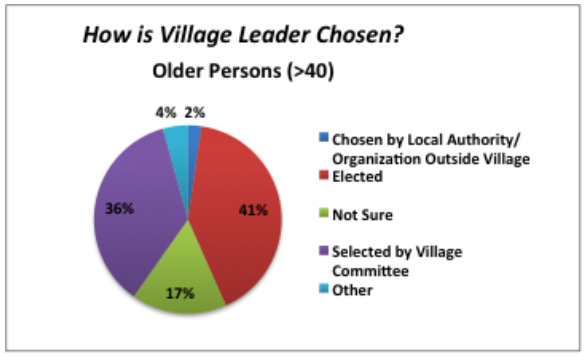
[17] Indeed, the workshop highlighted that the situation varies across different locations, with the designation of both 10 HHL "representatives" and 10 HHL "in charge". For example, after the election of the WA/VTA in the urban community sampled in Myitkyina Township (and reportedly, other urban quarters of Myitkyina), whilst the function of 10 HHL "representatives" are said to "expire", the function of "10 HHL "in charge" remains. Whereas in the urban community sampled in Momauk Township and the rural community sampled in Waimaw Township the function of 10 HHL "representatives" and 10 HHL "in charge" is combined for one individual and the arrangement is said to be *"permanent"* (lasting for 5 years).

[18] It is important not to try to infer too much from these particular findings, as the confusion could be more related to a misunderstanding of the difference between "Elected" vs "Selected" or indeed limitations as to how the question was formulated, whereby a list of answers to select from had been provided.

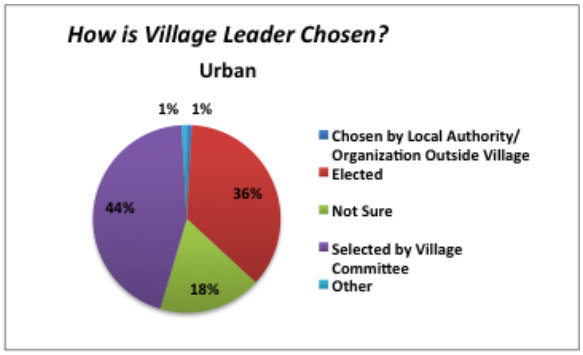
Fig. 6: Household Surveys (Question 11)



Source: Household Surveys - NSEN Leadership Study (May, 2016)



Source: Household Surveys - NSEN Leadership Study (May, 2016)



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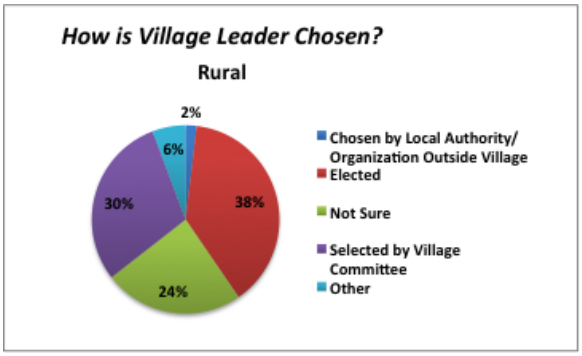
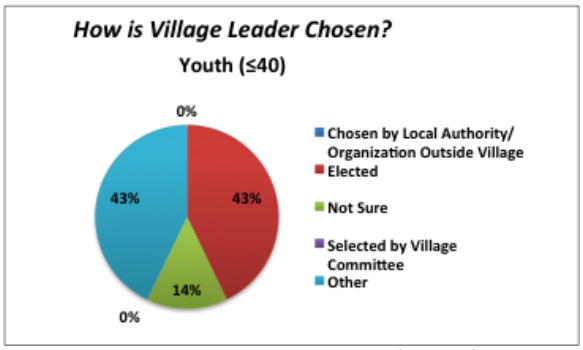
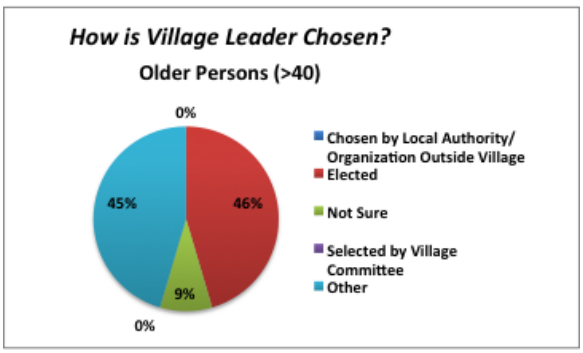


Source: Household Surveys - NSEN Leadership Study (May, 2016)

Fig. 7 Key Informant Interviews (Question 11)



Source: Key Informant Interviews - NSEN Leadership Study (May, 2016)



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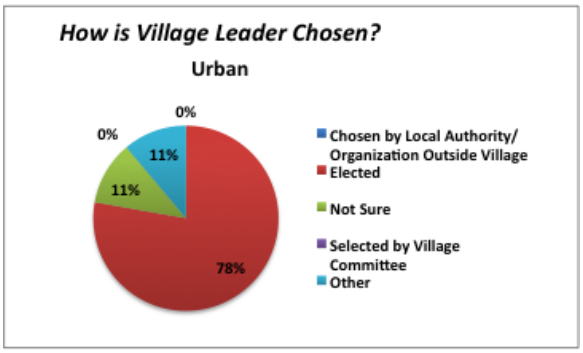
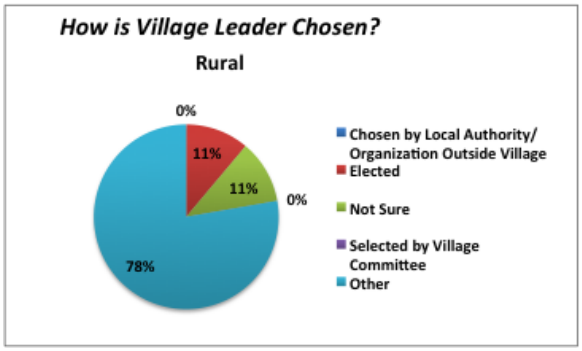


Source: Key Informant Interviews - NSEN Leadership Study (May, 2016)



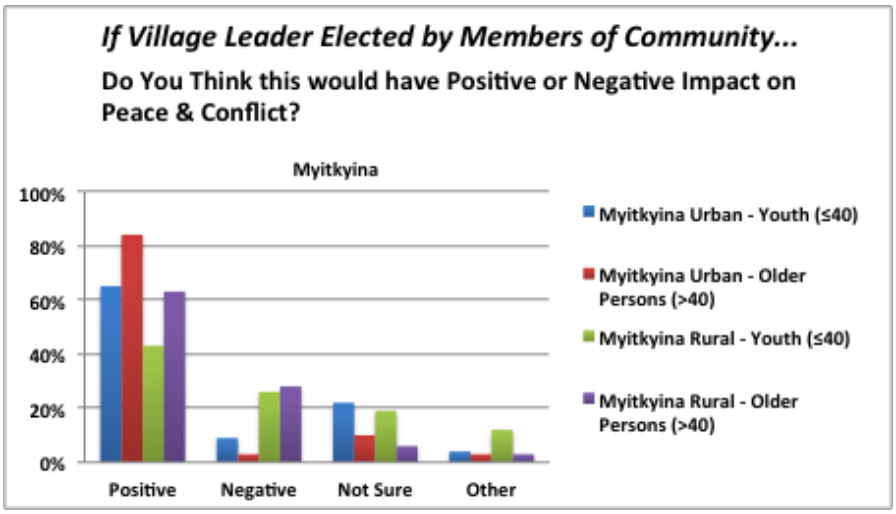
Source: Key Informant Interviews - NSEN Leadership Study (May, 2016)

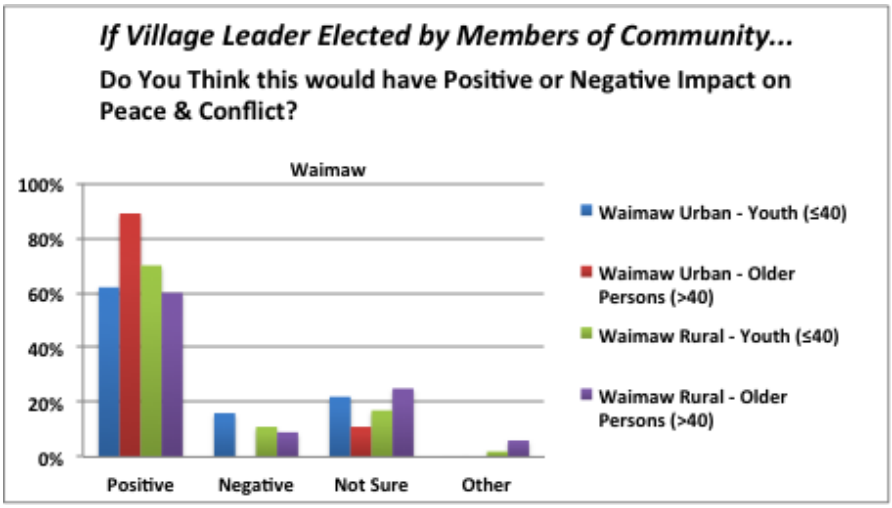
Also, as illustrated below (see Figure 8), based on the findings of the Household Survey, there is clearly a very strong consensus between youth and older persons surveyed across all six sample areas that if *"A*

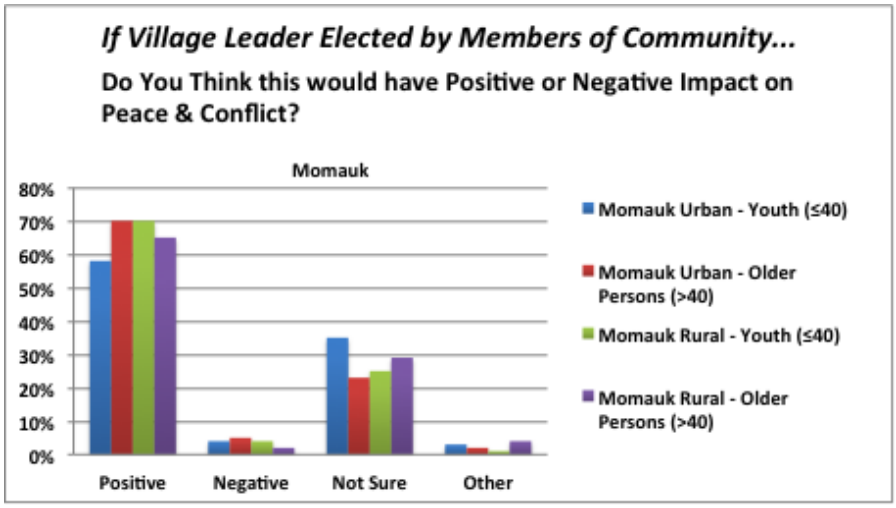
Village Leader should be Elected by the Members of the Community" then this would have a *"Positive"* impact on peace and conflict.

Whereby overall, 67% of respondents indicated they thought that if the *"Village Leader was Elected by Members of the Community"* then this would have a *"Positive"* impact, only 10% responded that they thought it would have a *"Negative"* impact, with 20% responding *"Not Sure".*

Fig. 8: If the Village Leader is Elected by the Members of the Community, do you think this is More Likely to have a Positive or Negative Impact on Peace and Conflict?







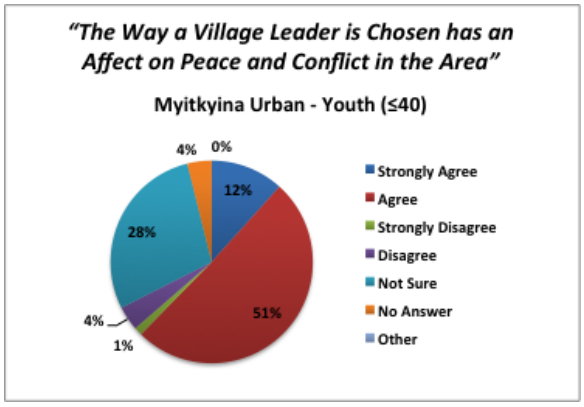
Additionally, based on the findings of the Household Survey, the way a village leader is chosen is largely viewed as having potential to impact peace and conflict within the community, as illustrated below (see Figure 9, below).

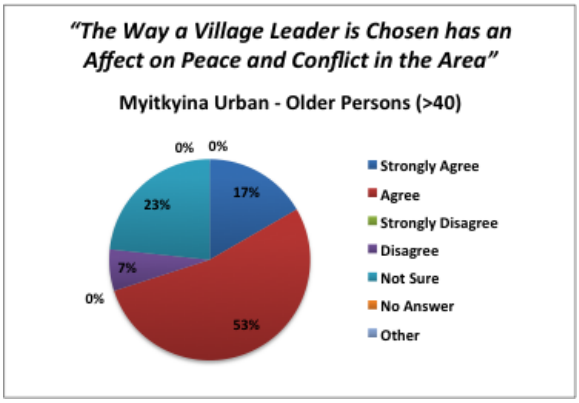
Across all six sample areas covered by the Household Survey there was found to be a strong consensus, with overall 69% of respondents agreeing that the *"Way a Village Leader is Chosen has an Affect on Peace and Conflict in the Area".* Indeed it is notable that there is relatively little difference in the responses provided by youth and older persons across the rural and urban areas sampled, wherein the intensity of those who agree and/ or strongly agree with the statement is high.

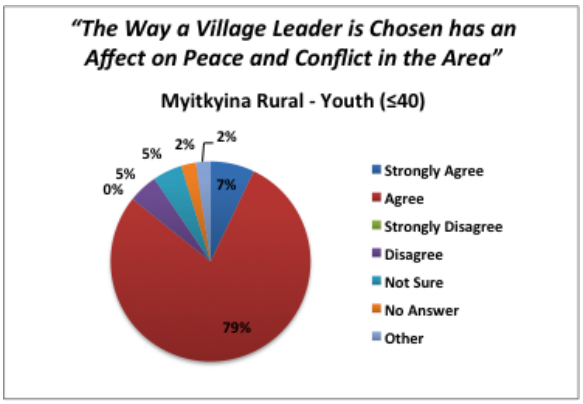
However, it is also worth noting the second largest response, whereby overall 20% of respondents answered that they were *"Not Sure"* whether or not the *"Way a Village Leader is Chosen has an Affect on Peace and Conflict in the Area".* Although no explanation to this response was recorded, it is possible that it could be related to a lack of awareness on the duties and responsibilities of WA/VTAs vis a vis the Village Leader (100 HHL), who is no longer formally recognized under the law. However, it might also be a reflection of the fact that, in some areas it is 10 HHLs[19] who may be more relevant (in terms of, directly or indirectly affecting peace and conflict) to the extent that they provide support the WA/VTA to conduct his/her duties.

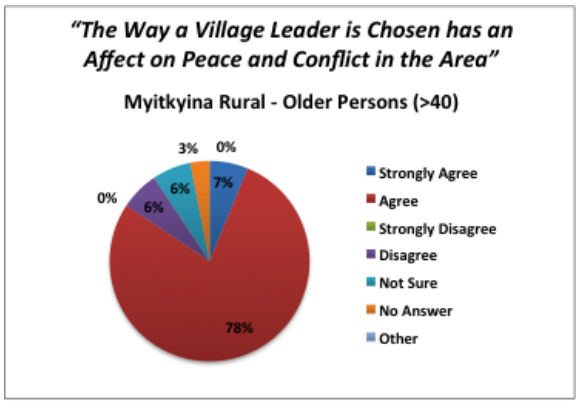
[19] During/ following the WA/VTA election, the role of 10 HHLs in certain locations is to assist the WA/VTA with the implementation of his/her duties as laid out under the law. However, no one tends to want to carry out this function, mainly as the position lacks legitimacy and was neither chosen by the community nor the authorities, but rather the de facto village leader.

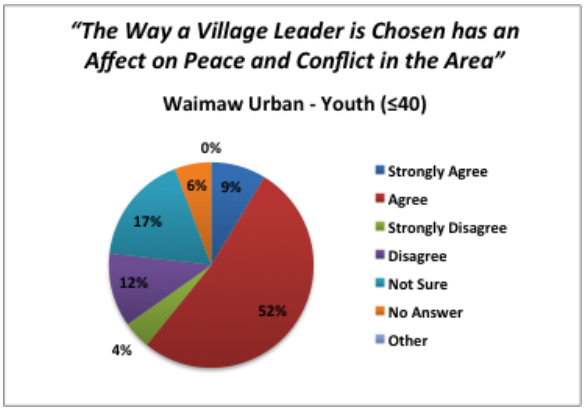
Fig. 9: ***"The Way a Village Leader is Chosen has an Affect on Peace and Conflict in the Area"***

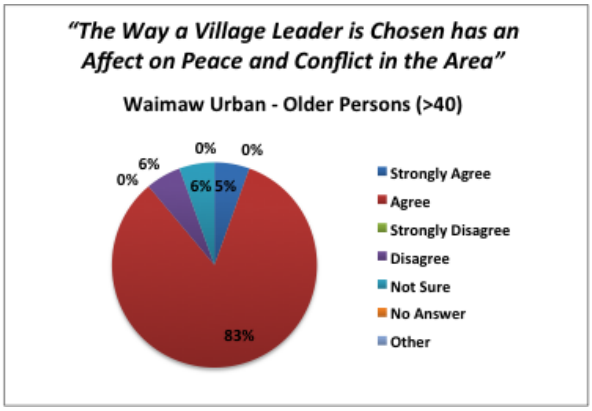


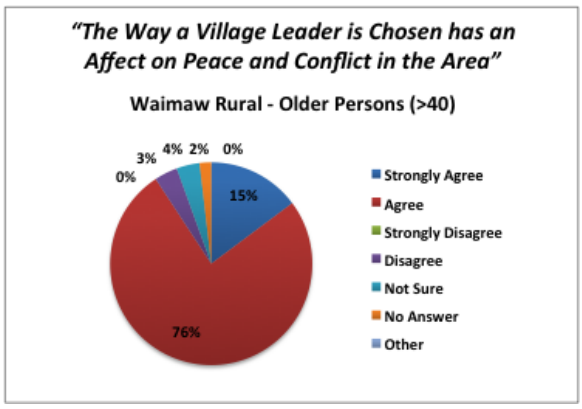


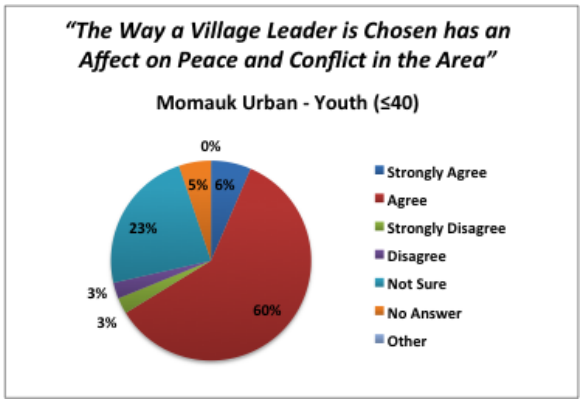


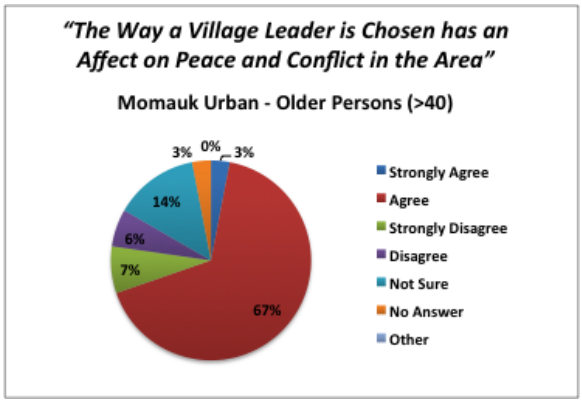


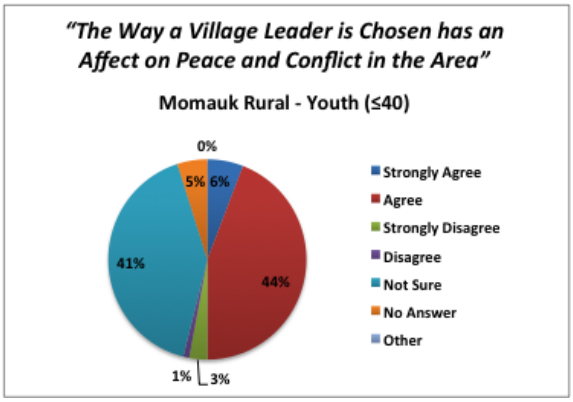


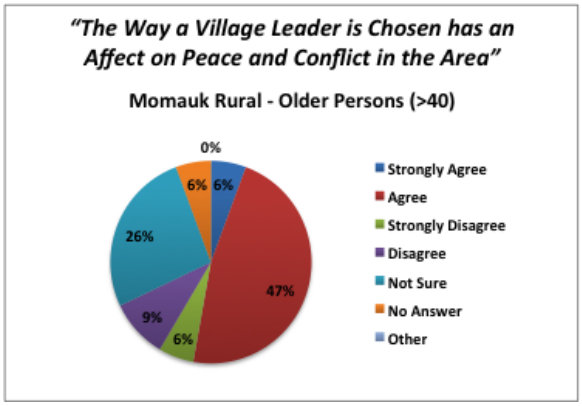










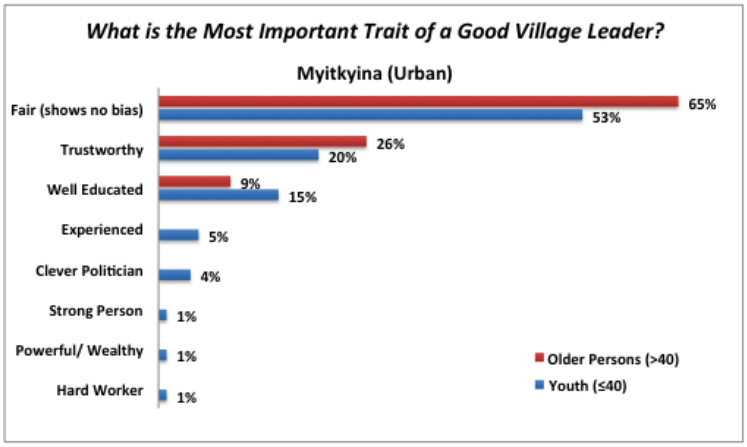


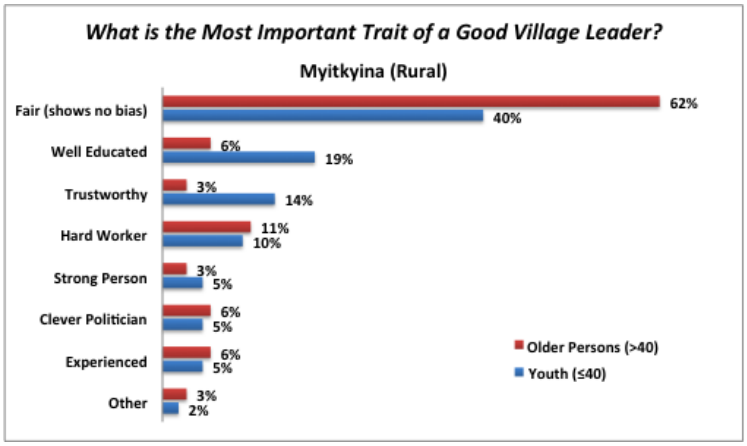
- **There is consensus between youth and older persons that the most important trait of a good Village Leader is that they are fair and do not show bias when making decisions.**

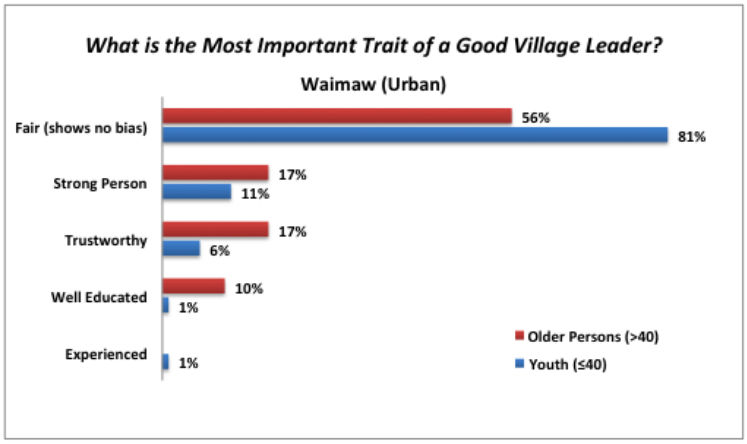
  As illustrated below (see Figure 10), the majority of respondents (overall, 55% of older persons and 50% of youth) across all six sample areas indicated that they think the most important trait of a Village Leader is that they are *Fair* and do not show bias in making decisions.

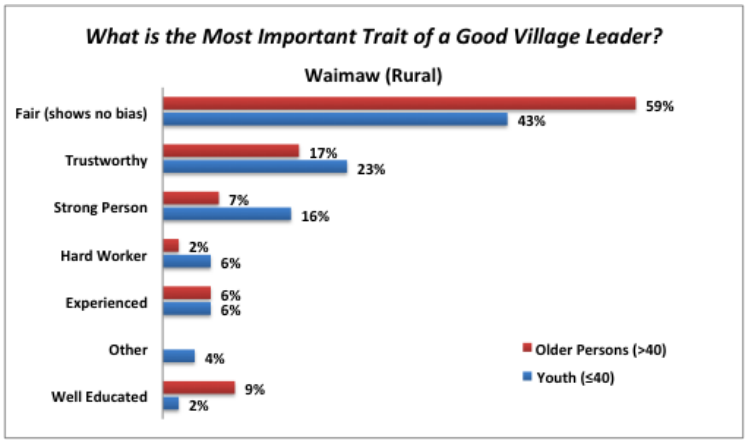
  Overall, the second and third most popular responses were that the Village Leader should be *Trustworthy* (19% of older persons and 17% of youth) and *Well Educated* (11% of older persons and 13% of youth). However, it is perhaps noteworthy that, in the Waimaw sample areas, respondents rated the Village Leader being *Well Educated* as less of an important trait (10% of older persons and 2% of youth), instead answering that he/ she should be a *Strong Person* (12% older persons and 14% of youth).

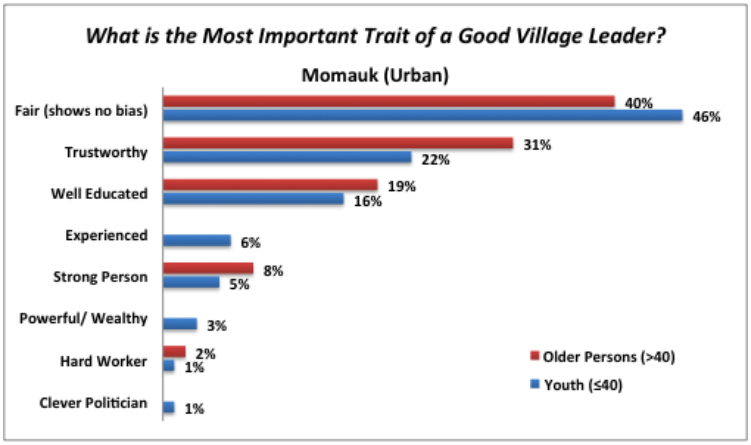
Fig. 10: What is the Most Important Trait of a Good Village Leader?

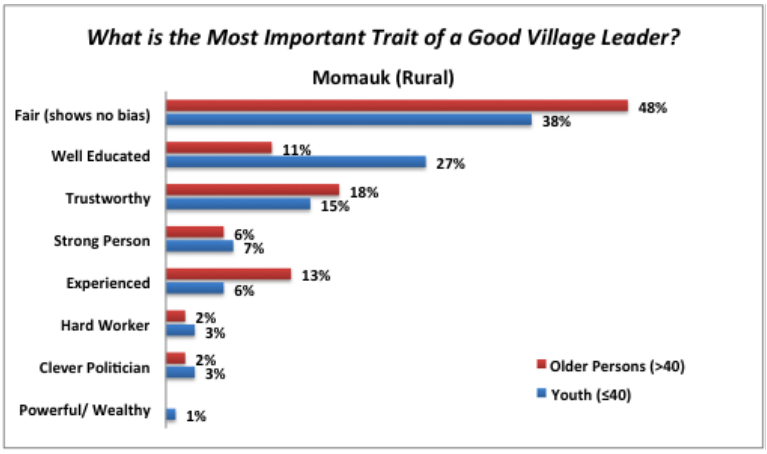



What is the Most Important Trait of a Good Village Leader?
Myitkyina (Rural)
Fair (shows no bias)
62%
40%
Well Educated
6%
19%
Trustworthy
3%
14%
Hard Worker
11%
10%
Strong Person
3%
5%
Clever Politician
6%
5%
Experienced
6%
5%
Other
3%
2%
Older Persons (>40)
Youth (≤40)


What is the Most Important Trait of a Good Village Leader?
Waimaw (Urban)
Fair (shows no bias)
56%
81%
Strong Person
17%
11%
Trustworthy
17%
6%
Well Educated
10%
1%
Experienced
1%
Older Persons (>40)
Youth (≤40)


What is the Most Important Trait of a Good Village Leader?
Waimaw (Rural)
Fair (shows no bias)
59%
43%
Trustworthy
17%
23%
Strong Person
7%
16%
Hard Worker
2%
6%
Experienced
6%
6%
Other
4%
Well Educated
9%
2%
Older Persons (>40)
Youth (≤40)


What is the Most Important Trait of a Good Village Leader?
Momauk (Urban)
Fair (shows no bias)
40%
46%
Trustworthy
31%
22%
Well Educated
19%
16%
Experienced
6%
Strong Person
8%
5%
Powerful/ Wealthy
3%
Hard Worker
2%
1%
Clever Politician
1%
Older Persons (>40)
Youth (≤40)



- **Lack of awareness of the 2012 Ward and Village Tract Administration Law (in particular, the WA/VTA election process), as well as of good governance, democratic principles and norms, and other subjects related to local governance.**

  Additionally, many people also lack knowledge as to their rights as citizens and have limited means to be able to organize and advocate for securing these rights.

  There appears to be limited awareness amongst the general population as to the 2012 Ward and Village Tract Administration Law, not only in terms of the Ward/ Village Tract Administrator (WA/VTA) election process and its potential impact, but also in terms of the duties of the WA/VTA and how these are regulated by the law.

  The situation is further compounded by a lack of voter education and poor communication, especially over the scheduling of WA/VTA elections (in many areas, there was confusion as to whether or not they had been suspended), making it difficult to ensure elections could be implemented in a consistent manner.

  However, one of the dominant narratives emerging during Key Informant Interviews and the subsequent stakeholder workshop was that people in general, are not only poorly informed as to their rights as citizens, but also lack understanding of democratic principles and norms.

  In addition, as a result of a lack civic space and skills necessary to exercise their rights, most people are not able to participate effectively in political processes and civic life. Indeed, from the study findings, it appears that many are not in a position to know how to choose good leaders, let alone monitor government performance and stand up for their rights, given that they lack appropriate knowledge and opportunity to organize amongst themselves and defend their position on an issue of concern.

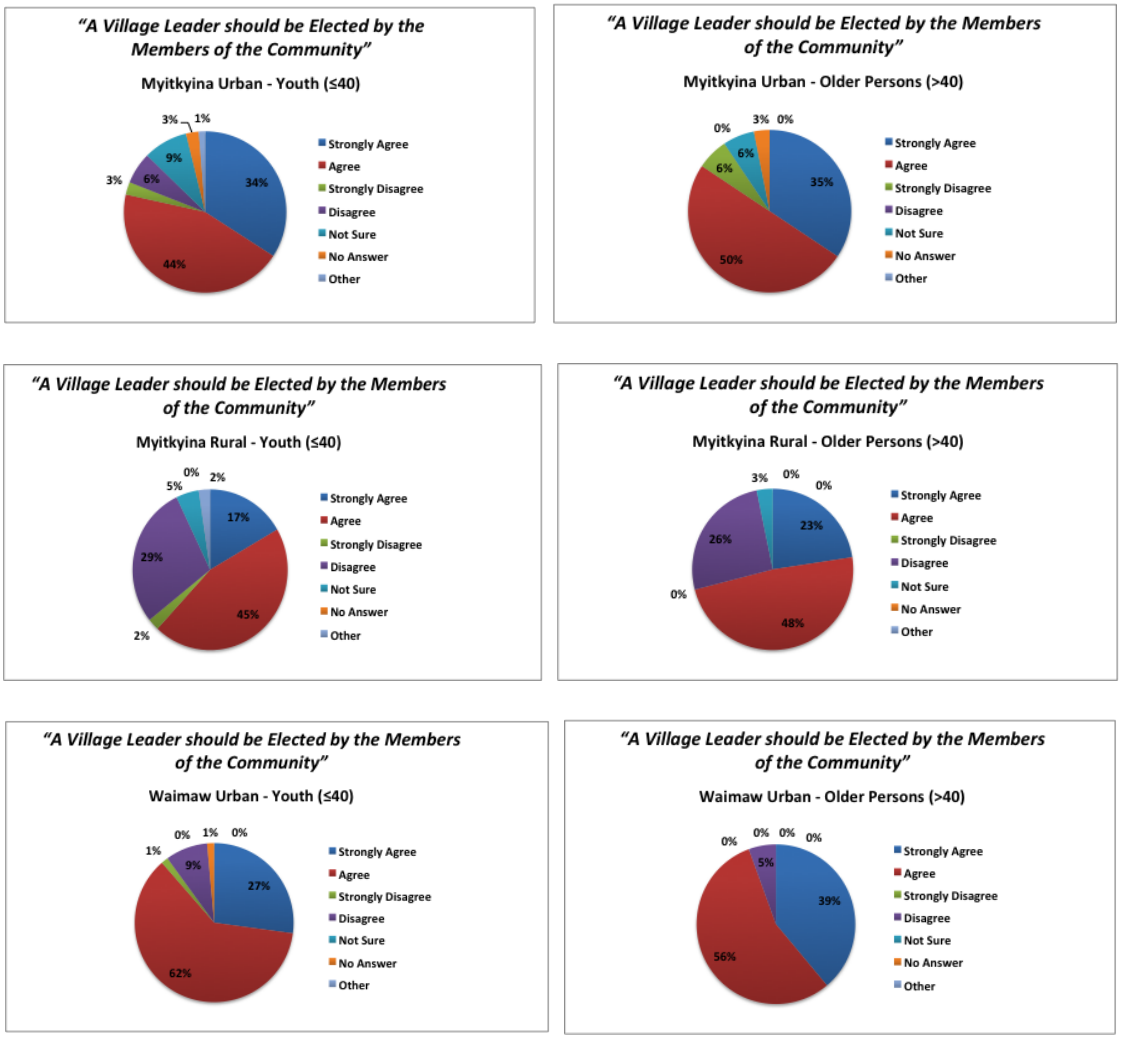
  The situation does not appear to be helped by the limited training provided to WA/VTAs for them to be able to carry out their duties and responsibilities effectively. WA/VTAs are not generally seen to be sufficiently well educated on topics relevant to their role, such as democratic principles and norms, good governance, including on concepts and tools for inclusive representation, participatory leadership and development, transparency, accountability, anti-corruption, etc. Proper understanding of these subjects has particular resonance given the reconfiguring of local governance structures and processes as part of the previous governments reform agenda and emphasis on a ‘citizen-centred’ approach.

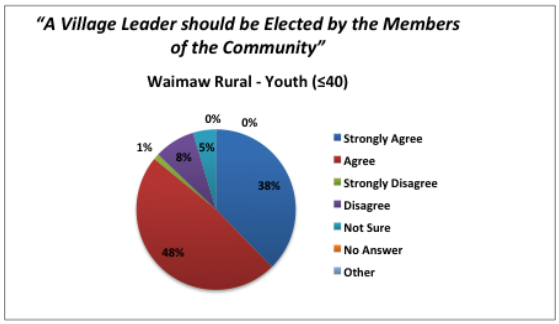
- **Village Leaders should be elected by members of the community and the election of WA/VTAs should allow for universal suffrage.**

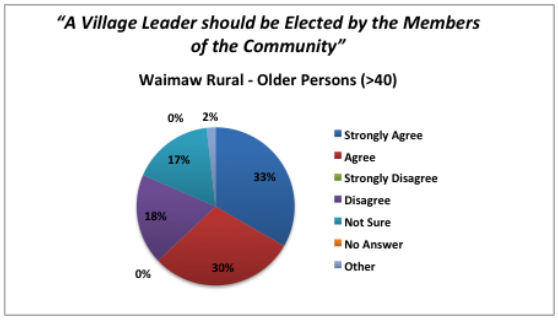
  Perhaps not surprisingly, as illustrated below (see Figure 11), based on the findings of the Household Survey, there is nonetheless clearly a very strong consensus between youth and older persons surveyed across all six sample areas that *"A Village Leader should be Elected by the Members of the Community".*

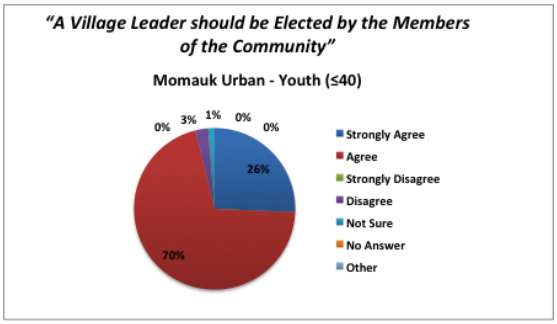
  Whereby overall, 83% of respondents either "Agreed" or "Strongly Agreed" that *"A Village Leader should be Elected by the Members of the Community", only 10% responded that they either "Disagreed" or "Strongly Disagreed", with 6% responding "Not Sure".*

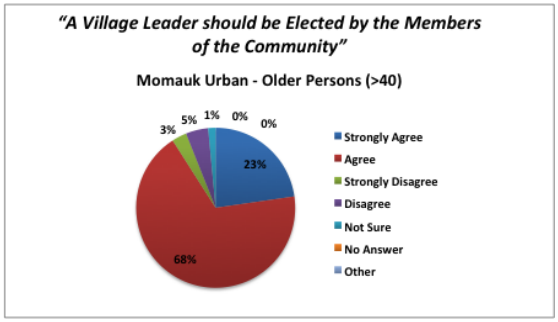
Fig. 11: "A Village Leader should be Elected by the Members of the Community"

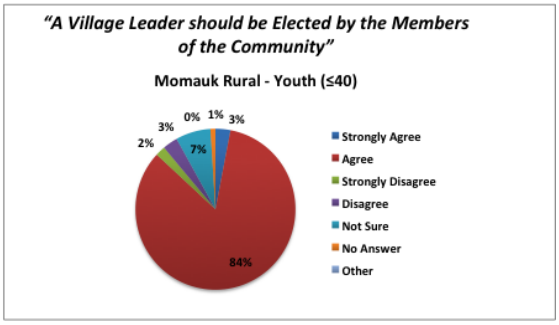


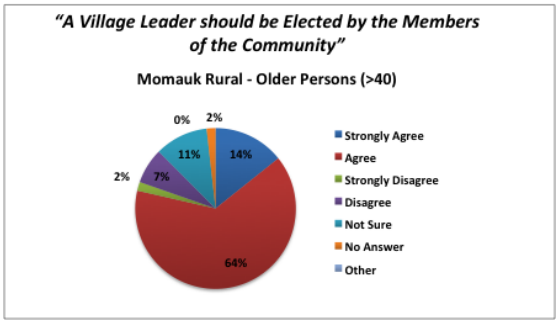












Additionally, with regards to the election of WA/VTAs, whilst the 2012 law does not allow for universal suffrage, with only household heads being eligible to cast votes on behalf of families (and only 10 HHLs able to vote in the WA/VTA elections), respondents from the Key Informant Interviews and stakeholder workshop came out broadly in favour of allowing every citizen over 18 years to vote.

However, having said this, participants in the workshop also acknowledged the financial and logistical challenges[20] of mobilizing every citizen over the age of 18 years to vote in WA/VTA elections.

- **Lack of women in leadership roles and limited participation of women in local governance.**

Being more focused on the views of youth vs older persons, the research did not explicitly set out to collect data relating to participation of women in elections, in leadership roles or in local governance more generally. Nonetheless, following a review of supplementary literature related to the study and also based on responses received during Key Informant Interviews as well as the stakeholder workshop, it is clear that women's roles in local governance are extremely limited. Indeed, according to data from

[20] Logistical challenges, including voting facilities and space, but also taking into consideration accessibility and distances for people to travel and well as time, particularly pertinent considering that the vast majority of the population of Kachin State depend on agriculture/ farming for their livelihoods.

August 2015, out 1,348 wards and village tracts in Kachin State, there were just 4 female WA/VTAs.

In fact a 2015 study[21] on women and local leadership, highlights several cultural, social and economic constraints limiting women's access to taking on the role of WA/VTA, including (real or perceived) limited skills and experiences, time constraints, stereotypes, socio-cultural and religious norms, and lack of confidence. For example, as was noted in the same report by a female VTA from Tanintharyi: "*For a single woman it is easier to take up this kind of job. For a married woman their husband is very important. They may criticize their wife for having a position higher than them. It is important that husband and wife have a good relationship".*

> ***"I was elected as 10 household representative but I denied because I feel I should not be in that position as my husband is still here."***
>
> - older female farmer and current member of local CSO (Key Informant Interview, 2016)

Constraints to women's participation would also seem to be reinforced under the 2012 Ward and Village Tract Administration Law, which only allows for the head of the family unit to vote to elect a 10 HHL. Additionally, since 2010, GAD rules currently state that only men can be hired as ward or village tract clerks (purportedly because the role is viewed as inappropriate for women), thus further restricting women's participation in local governance.

What is also evident is that marginalized groups, particularly women and poor had very significant lower levels of knowledge about the WA/VTA role and election process than others[22]. This is perhaps partly illustrated by the reply given by one of the female respondents during the Key Informant Interviews, when asked for her opinion on how community leaders should be chosen:

> ***"The current village leader was selected both by the people and the township authority. I heard that he got majority vote from the people, but I did not participate in the election because women are not allowed to."***
>
> - young female farmer from rural Momauk (Key Informant Interview, 2016)

- **Significant scope exists for corruption under the current system for (s)electing WA/VTAs.**

The complex bureaucracy of governance at the sub-national level, together with lack of transparency in terms of the election process, whereby votes for 10 HHLs as well as WA/VTAs are cast via secret ballot, calls into question the extent to which current local governance structures represent genuine, bottom-up democracy. However, these factors also significantly increase opportunities for corrupt practices, including bribery and vote buying. Indeed, it is apparent from responses given during key Informant Interviews and the stakeholder workshop, that the lack of transparency in voting has led to a sense of mistrust in some communities, wherein some local leaders (whether WA/VTAs or other community representatives) are perceived as not acting in the interests of the people they are supposed to represent.

[21] *'Women and Local Leadership: Leadership Journeys of Myanmar's Female Village Tract/Ward Administrators'* (UNDP, 2015).

[22] Susanne Kempel and Aung Tun, *'Myanmar Ward and Village Tract Administrator Elections 2016: An Overview of the Role, the Laws and the Procedures'* (Norwegian People's Aid Workshop Report, 2016).

The 10 HHL system appears to be particularly unpopular in certain areas, especially those with higher populations. Respondents to the Key informant interviews noted that there is always a greater chance that candidates from more populated areas would win WA/VTA elections. Participants in the stakeholder workshop emphasized this fact, also noting that the problem was more acute in areas with higher levels of ethnic heterogeneity, where the situation can be compounded by the competing interests of different actors.

> ***"There are many weak points in using the 1 representative for 10 households system. Even though we elected our 10 household representative, it is only his/her opinion in the real election (for WA/VTA) which counts, so does not really represent the 10 households anymore. Most of them do not even have any political knowledge to be able to choose a good leader.***
>
> ***Next time we have the election, everyone over 18 years should be able to vote, not only the head of family or bread winner and 1 representative from every household should participate in the public meeting to vote for the WA/VTA. If everyone over 18 years in the community voted in the public meeting, it would cost a lot of money and time. However, the important thing is if the WA/VTA is not elected by the public, there will be bias and many problems will happen in the community.***
>
> ***The current administrative structure in our quarter is also a problem. The administrator has too much power and all the local administrative decisions are controlled by him. The problem is that in our quarter, there are 13 areas and each area has 1 administrator. However, the current constitution only recognizes 1 quarter administrator. Therefore, all 13 area administrators can easily be controlled and the quarter administrator can be biased and fire them if he doesn't like them.***
>
> ***We should have a system of checks and balances to hold the leader accountable. In order to do this, there should be 3 posts: 1. Administration, 2. General Secretary and 3. Judiciary, but all have to be recognized by the constitution and the law."***
>
> - village elder, former member of a supervisory board for the quarter administrator election as well as the Union Election Sub-Commission for the 2015 general election (Key Informant Interview, May 2016)

> ***"The 10 household representative system allows for a lot of bias and corruption. We have heard that, in some areas, local administrators can buy votes from 10 household representatives easily. Part of the problem of the system is that there is always more chance to win (the WA/VTA election) in the most populated areas.***
>
> ***For the next WA/VTA election, there could be 3 options: 1. have a 5 household representative system instead of 10 households, 2. have a 1 household representative system (not anyone from the household, but should be the head of the family) and 3. everyone over 18 years can participate and vote in the election."***
>
> - male village elder, urban Myitkyina (Key Informant Interview, May 2016)

Confiscation of land[23] was also highlighted as a main concern during the Key Informant Interviews. Indeed, when asked to relate their experiences and considerations when choosing community leaders, of the 21% of respondents who highlighted corruption as one of the main concerns, 17% specifically referred to land issues.

[23] Land tenure security is a fundamentally important concern of communities. Problems of land grabbing are compounded by the negative impacts of the 2012 Farmland Act, and 2012 Vacant, Fallow and Wasteland Act. This legislation does not recognize customary, upland land tenure practices, but rather acts to facilitate the transfer of land from communities to powerful business interests.

The fact that, in addition to numerous other responsibilities, the WA/VTA is now required to chair the W/VT Land Management Committee, whilst also serving a key role in identifying and overseeing implementation of projects in conjunction with the W/VT Development Support Committee[24], does not necessarily help to mitigate against these concerns. At the same time, existing complaints mechanisms relating to the 2012 Farmland Act and Vacant, Fallow and Wasteland Act are not seen as providing an adequate substitute for a court of law and, as a result, "failure to properly notify individuals of proposed land projects often results in a nearly uncontestable legal transfer of land without input from those utilizing the land[25]."

> ***"The leader should be a role model for everyone in the society. However, the previous quarter admin leader tortured anyone who did not listen to him (some were even beaten to death), so everyone was afraid of him. He used his power to confiscate land from the people by saying there should not be any plain land and that it was needed for building.***
>
> ***We selected him through the 10 household system. In the beginning we thought he was good and able to lead the community, but he became evil after he got power. He held the power for almost six years."***
>
> - anonymous (Key Informant Interview, May 2016)

> ***"Currently our quarter administrator was elected by the people through the 10 household representative system. There were many difficulties when we elected our leader and we were very careful at this time because we used to have bad leaders who were very corrupt. The leader should look after the people and love the nation. But some previous leaders only looked after themselves, taking all the development aid and confiscating land from its own people."***
>
> - anonymous (Key Informant Interview, May 2016)

> ***"At the movement our quarter administrator of is very powerful and every single decision can made by him. There were some problems with previous decisions over a land issue and road construction, which were not considered from the perspective of all stakeholders.***
>
> ***If he makes decisions alone, then it becomes a dictatorship, it is better to get advice from the local leader, elders and community support group over such issues. If not, there will be no unity, no active participation by the people and less trust from the community. The leader should always organize and encourage the people to actively participate in community affairs but also empower the psychological/mental growth of the people."***
>
> - anonymous (Key Informant Interview, May 2016)

[24] W/VT Development Support Committees, together with the WA/VTA are responsible for helping to identify and oversee implementation of local development projects, whose funding is largely channeled through the Department of Rural Development (DRD). The committees have a majority of civilian representatives, less oversight by the GAD (relative to other committees) and engage directly with the public. However, their legitimacy is contested as often no detailed regulations exist guiding the process for selecting/ electing members (i.e. civilian representatives, such as respected elders, farmers, civil society, the business sector, workers, social sector and academia). Hence, members of the W/VT Development Support Committee are frequently appointed by the Township Administrator in consultation with influential local elites, rather than genuine elected representatives of these interest groups.

[25] *'The Farmer Becomes the Criminal: Human Rights and Land Confiscation in Karen State'* (Human Rights Watch, 2016).

"It was very difficult when we selected the current village leader because of his corruption background. Some people said he had used some of the development funds for his family wealth in the past, while he was still a member of the quarter administration.

We should not choose the village leader based on the party or wealth, but on someone who leads with love. Even if they are poor, if they have love it will bring happiness to the family, then to the community, the state and the country. If not, no one will want to live in there and will run away."

- anonymous (Key Informant Interview, May 2016)

- **Lack of an effective system of checks and balances or other means to hold duty bearers accountable for decisions that affect the community**.

  With a view to improving coordination and public participation, whilst also providing some means to keep the power of township authorities in check, various committees[26] were established at township level by the previous government. However, as highlighted in a report[27] from 2014, *"Citizen-state relationships are still characterized by top down relations, little dialogue and the general absence of an effective check and balance system"*.

  While existing systems of checks and balances are often focused upon use of local development funds (in terms of sign off on fund dispersal, joint decision making on fund allocation, monitoring, etc), those responsible for identifying projects and overseeing their implementation generally lack basic understanding of participatory processes and of what constitutes inclusive, bottom up planning. As a result, the views and concerns of local people are not properly represented.

  In some locations, large-scale development programmes supported by the international community as well as private sector investments, particularly where consultation processes have not been conducted in a proper and transparent manner, are likely to add to communities' concerns and highlight the need for effective systems of checks and balances at local level. Indeed, as noted in another report[28] from 2014, focusing on ethnic conflict and social services *"Large aid commitments aimed at strengthening service delivery systems have an unavoidable, transformative impact on institutions nationally. Safeguards and specific considerations must be made early on to ensure that aid is not helping institutions to evolve in ways that are detrimental to the achievement of peace and stability".*

[26] Four committees were established at township level (and two at W/VT level) under the Thein Sein government: The Township Development Affairs Committee, Development Support Committee, Land Management Committee and Management Committee.

[27] Kempel, Susanne and Aung Thu Nyien, *"Local Governance Dynamics in South East Myanmar"* (Swiss Agency for Development and Cooperation, 2014).

[28] Joliffe, Kim, *'Ethnic Conflict and Social Services in Myanmar's Contested Regions'* (Asia Foundation, 2014).

Whilst some safeguards have been put in place, including in the form of complaints mechanisms, these generally seem to be have limited impact in dealing with people's grievances effectively. As such, and in light of existing local governance structures, the value of having an effective system for conducting checks and balances at community level becomes all the more important. Indeed, as was noted during the Key Informant Interviews and stakeholder workshop:

> ***"The current administration structure itself has many problems. Even though the administrator was elected by the people, he eventually became authoritarian because all the decision-making power was controlled by him. Therefore, we need a kind of opposition to this power for those who are or may be victims of power abuse. There should be a committee from the community side to conduct checks and balances. For example, every village and community has a supporting group, which the government should recognize and give more power, so that the group is able to guide and have control over the local leader if he/she misuses their power"***
>
> - male village elder, urban Myitkyina (Key Informant Interview, May 2016)

2.4 Conclusion

It is important to remember that the study has, from the outset, sought to focus more on process and methodology as opposed to results. Thus attempting to rationalize this broader objective with both the specific objectives of the initial research (focused on leadership modalities mainly in relation to Village Leaders), as well as with the later findings of the stakeholder workshop and review of supplementary literature (mainly relating to WA/VTAs) is not straightforward. As such, whilst this report does need to be read and considered with these limitations in mind, the research itself nonetheless provides for some interesting overall findings.

Not least, it is apparent that the bureaucracies that exist within the current system of local governance have important implications in terms of the democratic reform process and its potential to impact upon the lives of ordinary citizens across the whole country. At the same time, it is also essential to recognize that, in practice within Kachin State, local governance and leadership modalities can and do vary not only between townships, but also from one community to another.

In terms of the initial research findings, it is apparent that, seemingly regardless of age, gender, ethnicity or socio-economic status, at least regards to the position of Village Leader (or 100 HHL), the emphasis that local people place on fairness (and an absence of bias) and popularity (in terms of being respected and trusted by the community) is clearly of paramount importance. The extent to which this could be a reflection of the reconfiguring of local governance structures under the previous government via the 2012 W/VT Law (which appears to have contributed towards a level of disjuncture between communities at the grass-roots level and the local authorities) is not entirely clear. However, what is apparent is the fact that the current local governance structures and process for (s)electing WA/VTAs has limitations in terms of ensuring the views and concerns of local people are properly represented, whilst also allowing significant scope for corruption in the form of vote buying, etc.

A review of the WA/VTA elections as well as a more comprehensive consultation with civil society on the strengths and weaknesses of the 2012 law as it relates to local governance, should hopefully shed more light, not only on how credible and inclusive the elections were, but also on what amendments need to be made to existing legislation if it is to support a more genuinely democratic system.

Similarly, when considering measures that may be taken as part of the broader decentralization process and agenda for reform, it is vital not only that the introduction of any such measures is carefully sequenced, but also that local realities are properly taken into account. This should involve a systemic process that seeks to gain a more in-depth understanding of the views, concerns and aspirations of all citizens, including various underrepresented groups, those living in contested regions and areas with higher levels of heterogeneity, as well as those living on the periphery and/or in more remote upland areas. Without properly engaging with local people in all parts of society, new measures that may be introduced, could not only risk undermining existing systems and practices that help to maintain social cohesion, but contribute towards an environment of misunderstanding and mistrust.

Indeed, whilst a more detailed study[29] of local realities in other parts of the state is beyond the scope of

[29] It is recommended that further research be conducted to better understand local realities of people living in other parts of Kachin State, including various underrepresented groups, those living in contested regions and areas with higher levels of heterogeneity, as well as those living on the periphery and/or in more remote upland areas. Going forward, it would also be instructive to conduct research into local governance in contested areas and indeed seek to develop a more in-depth understanding of leadership modalities, local administrative structures (e.g. the Kachin Independence Council) and processes from the point of view of local populations living in NGCA. Additionally, in specific relation to the ongoing conflict, another interesting area of research that would be valuable for understanding the nature of the continuous insurgency could be to look at the difference between how politicians perceive conflicts in contrast to the motivations of those who fight them (*'Refighting Old Battles, Compounding misconceptions: The Politics of Ethnicity in Myanmar Today'* Robert Taylor, 2015).

this report, given the fact that the Kachin model of social legitimacy and authority involves a sophisticated social apparatus, it is also strongly recommended that initiatives involving systemic action research methodologies be supported. The importance of empowering communities to take ownership of research processes themselves, to organize and use empirically accurate data to help influence decision-making and the formulation of more progressive policies, should not be underestimated. Strengthening the capacities of local people to lead this process, articulate drivers of conflict and encourage emergence to identify solutions for themselves is a key part of this process, but also needs to be complimented by the introduction of more formal structures (e.g. effective grievance mechanisms, as well as checks and balances at community level) that enable them to hold duty bearers more accountable.

At the same time, the need to create more space for social capital to develop is also of fundamental importance and, this becomes all the more relevant as civil society organizations seek to legitimize their authority on a different path to that of the government or EAGs, in terms of representing the interests of local communities. As civil society gradually takes a more prominent role in this respect and develops strategies that are more distanced from political debates over ethnicity, it is vital that policy makers, development actors, the private sector and various other stakeholders, actively seek to take into proper consideration the views, priorities and concerns of local people. In this sense, it is important to emphasize how important it is that consultation processes are conducted in a properly transparent and inclusive manner, are fundamentally based on a well-informed public and such that communities are not treated as one homogenous group.

2.5 Recommendations

The following is a set of recommendations emerging from the study[30]. These are based upon both the key findings (Annex 5) of the initial research, the subsequent stakeholder workshop, as well as an analysis of various reports and studies relevant to the study. However, it is important to note that, with the research process having faced a number of administrative delays, the recommendations should also be considered in light of ongoing discussions, particularly as they relate to local governance, decentralization and the wider democratic reform process.

Recommendation 1: Conduct additional research to assess how credible, inclusive and transparent the recent WA/VTA elections were

In consultation with the public and civil society, the government should conduct a review to look at various aspects of the elections (e.g. including to what extent procedures were followed; whether different groups were equally represented; how complaints and conflicts were dealt with; what role political parties or other interest groups played; what preferences citizens have for the election system).

Recommendation 2: Raise public awareness about the Ward and Village Tract Administration Law

Recommendation 3: Provide civic education training to the public

Trainings and workshops on the Ward and Village Tract Administration Law should be held to raise awareness of community members, including: how the law is relevant for them (particularly in terms of the potential impact elections may have); the election process itself (including on the qualifications necessary to be a candidate, who is eligible to vote, etc); duties and responsibilities of WA/VTAs (and how this is regulated under legislation); as well as people's responsibilities as citizens.
Trainings and workshops should be conducted in order to strengthen the public's knowledge on fundamental democratic principles and practices, whilst raising awareness of fundamental freedoms, the roles and responsibilities of government and people's rights as citizens. The trainings should also seek to enhance the ability of ordinary citizens to exercise their rights, contribute to the democratic process and engage more actively in political and civic life.

With a view to laying the foundations for greater participation in political and civic life, one of the main aims should be to promote the demand for good governance (i.e. by means of a more informed and engaged public), as a necessary complement to efforts to improve the practice of good governance.

Whilst the training methodology and tools should be tailored to the local context and employ participatory methods that help enhance learning and engender a sense of trust among participants, as

[30] Recommendations relating to the study's broader objective and focus on supporting the development of research capacities within the RDD in order for it to be able to undertake primary research projects more systematically in the future, have been included in Annex 6 *'Lessons Learned'*.

outlined below, the basic programme should comprise of three main elements: i) civic knowledge; ii) civic skills and iii) civic disposition:

i) ***Civic Knowledge*** – to promote a basic understanding of the fundamental principles and practice of democracy, including the roles and responsibilities of the government, as well as the political and civic rights and responsibilities of citizens (e.g. the right to freedom of expression and to vote and run for public office, as well as the responsibility to respect the rule of law and the rights and interests of others).

ii) ***Civic Skills*** – to strengthen peoples' ability to analyze, evaluate, take and defend positions on public issues, and to use their knowledge to participate in civic and political processes (e.g. to *monitor government performance, or mobilize other citizens around particular issues*);

iii) ***Civic Disposition*** – to instil the traits necessary for democracy to function more effectively, including support for human rights, equal rights (e.g. for minorities, disadvantaged groups or other underrepresented peoples), emphasizing the importance of active political participation, and working together to promote the common good.

Recommendation 4: Provide support to civil society to facilitate community-based systemic action research

As highlighted in the study's findings, local governance and leadership modalities appear to vary from one area to another and are partly determined by differing local realities. Indeed, as earlier highlighted, the Kachin model of social legitimacy and authority involves a sophisticated social apparatus, such that the complexity of ideological systems and political culture demands a deeper level of cognizance of these realities[31], as well as of historical drivers of conflict.

A civic education programme should help lay the foundations for democracy at community level and, to an extent, help to build capacities of citizens to be able to participate more in political and civic life. Yet whilst it may also seek to build cognitive skills that enable people to analyze, evaluate and synthesize information on political/ civic life and issues of concern to the public, the extent to which it allows scope for continuous learning and can effectively empower people to seek and secure change in a complex and fluid environment is limited.

Systemic action research methodologies, on the other hand, are specifically designed to empower communities themselves to take ownership of a research process, focusing on developing the mental skills necessary for people to conceptualize and articulate causal chains, encourage emergence, identify solutions and take action, through a highly adaptive and iterative learning process. The overall approach should seek to encourage systemic change by combining action research processes between different communities and at different 'levels' of society (i.e. political, grassroots and community) and is therefore particularly relevant to the situation of people in Kachin State.

The approach can be both time and labor intensive, requiring strong facilitation skills to mobilize and build trust with participants. Sufficient support should therefore be provided to civil society in order to facilitate the process effectively, providing training and guidance so that community participants can lead (and remain owners of) the research and action processes.

Additionally, in order for the process to evolve in a manner more meaningful for communities, civil

[31] The importance of having an in-depth cognizance of local realities is perhaps particularly relevant when considering the concerns and aspirations of people living, not only in contested "grey" areas or areas emerging from conflict, but also for those living on the periphery in more remote, upland areas, as well as areas where there is a high level of heterogeneity.

society should be supported to develop evidence-based advocacy tools that can help to hold duty bearers to account, whilst also influencing decision-making and more progressive policies, based on empirically accurate data.

Recommendation 5: Provide support for initiatives that help create space to strengthen social capital

Initiatives that help to strenthen and create space for social capital to develop should be supported. Social capital serves as an intermediary between the state and citizens and is therefore a vital component of the democratization process. Indeed, whilst civil society has an important role in supporting this process and in helping to build social capital, historically, the civil and political space necessary for civil society to be able to function freely has been significantly constrained.

In saying this, it is worth noting that the 1994-2011 ceasefire period saw the opening up of a range of new possibilities for cultural space internally within Kachin State[32] and also allowed for a degree of space for civil society to be able operate more freely and social capital to develop. Whilst this was largely lost following the collapse of the ceasefire, it is to be hoped that the democratic reform process might allow for civil and political space to to open up more.

Furthermore, whilst the siginificance of a free and vibrant civil society to the democratization process should not be underestimated, it is also important to consider the broader sociopolitical dynamics of both vertical and horizontal associations. Indeed, as part of a broader statebuilding agenda[33], if policy makers, development actors and other stakeholders primarily focus on building the social contract via vertical associations (as opposed to also taking into proper consideration the horizontal dynamics within Kachin society), then this can have the unintended effect of detracting attention away from historical and traditional strengths and practices that underpin social cohesion and more broad-based social cooperation. Indeed, it is important that all stakeholders seek to strike the right balance, not only placing greater emphasis on horizontal associations and on building social capital, but also on initiatives that strengthen community self-reliance as well as the actual process of associating together[34].

This is perhaps particularly relevant in a context where the ongoing reform process is likely to see local governance structures evolve, adapt and/or be reconfigured. In this sense, it is important to recognize the relative power and potential of social capital to help make government structures more effective. As such, those same stakeholders should consider investing more resources on initiatives that strengthen social capital and that create space for this to take place in a meaningful manner (i.e. rather than primarily focusing on institutional reform).

At the same time, it is also important to strengthen engagement with and between various civil society groups, especially as they seek to position their legitimacy in terms of supporting the interests of local

[32] "We have some sense of this in the cultural politics of the Miao manau of 2008. The long-term desire to redress the wrongs of early tea settlements is clearly still embedded in local interpretations of the present condition of Singpho society in North East India. Discourses such as this create a community back-chat that can persist across generations. They produce an overarching discursive framework against which local interpretations of the state's objectives in relation to a particular community or group are constantly reinterpreted." Mandy Sadan *'Being and Becoming Kachin: Histories Beyond the State in the Borderworlds of Burma'* (2013).

[33] If a broader statebuilding agenda leads to policy-makers and other stakeholders choosing to or being pressurized to adapt and adopt policies that further perpetuate the politicization of ethnicity that has been a feature since colonial times, then this may risk further fragmenting communities, deepening mistrust and potentially widening the gap between affluent elites and already impoverished communities.

[34] As Robert Putnam argues in his 1993 discourse on making social capital work, 'it is the act of associating together, rather than the explicitly community-building purpose of the association, that facilitates the social cooperation that makes democracy work.' Putnam, Robert, '*Making Democracy Work: Civic Traditions in Modern Italy*' (1993).

communities[35]. For this to be done, civil society should continue efforts to engage more closely with one another, working through networks and coalitions (e.g. such as those that exist for local resource governance and accountability[36]), whilst building effective information sharing platforms and mechanisms for collecting empirically accurate data generated by local people. By doing so would help civil society to formulate common structured positions towards draft legislation which affects the interests of local communities, thereby enabling themselves to advocate for change and influence policy-making processes more effectively.

Recommendation 6: Develop an effective system of checks and balances at community level

Various committees exist at township level that should, in theory, help to keep the power of township authorities in check. However, the top-down nature of citizen-state relations, combined with the lack of knowledge of participatory processes on the part of local leaders/ administrators and lack of effective grievance mechanisms means communities' views and concerns are not well represented.

A system allowing for checks and balances to be carried out at community level should be introduced to help to ensure impartiality within local administrative bodies and provide for more transparent decision-making practices (e.g. in terms of service delivery, local development plans, etc), thus helping to make local leaders/ administrators more responsive to the needs of local people.

Recommendation 7: Strengthen women's participation in local governance and leadership roles

The paucity of female WA/VTAs, general lack of women in leadership roles and limited participation in local governance is linked to a number of factors. These include several cultural, social and economic constraints limiting women's access to taking on the role of WA/VTA, including (real or perceived) limited skills and experiences, time constraints, stereotypes, socio-cultural and religious norms, and lack of confidence.

It has been suggested that, as a result of these barriers, women in general have largely internalized not being suitable for leadership, and do not aspire to such a role[37]. However, another key likelihood is that most women are not aware that there is a chance for them to participate.

Thus, initiatives aimed at raising awareness of the opportunities for women to participate in local governance should be supported, together with those that promote behavioral change. The latter should look to educate and sensitize both women and men to raise awareness of the fact that gender balance in local governance is important for inclusive, responsive governance and development that benefits all in society.

In order to support this process and in respect to strengthening women's representation in local governance more generally, the government and other relevant actors should look to adopt affirmative

[35] A number of civil society organizations in Myanmar are seeking to position their legitimacy (in terms of supporting the interests of local communities) on a different path to that of the government and ethnic armed groups. In doing so, various members of civil society need to continue to engage more in order to articulate strategies that are more distanced from politicized debates over ethnicity and federalism.

[36] For example, the Myanmar Alliance for Transparency and Accountability (MATA), a civil society alliance that supports civil society actors to collaboratively advocate for transparency and accountability in all sectors across Myanmar. MATA's core focus areas are in natural resource governance and open government partnership.

[37] *'Women and Local Leadership – Leadership Journeys of Myanmar's Female Village Tract/ Ward Administrators'* (UNDP, 2015).

action policies for the inclusion of women in their structures. Indeed, whilst opportunities for participation of women in elections and in leadership positions do need to be improved, sensitization to gender equality and empowerment of women should also be priorities for state and local level officials.

Recommendation 8: WA/VTAs should be provided with education on good governance, democratic principles and norms, inclusive representation, participatory leadership and development, as well as other topics relevant to their responsibilities

Limited training is provided for WA/VTAs to be able to carry out their duties and responsibilities effectively. This has particular resonance given the reconfiguring of local governance structures and processes as part of the previous governments reform agenda and emphasis on a 'citizen-centred' approach.

A programme of trainings should be conducted and cover various relevant topics, including on democratic principles and norms, good governance, concepts and tools for inclusive representation, participatory leadership and development, transparency, accountability, anti-corruption, etc. Where appropriate, trainings should be conducted jointly with other community representatives (e.g. committee members, 100 HHLs and 10 HHLs), as well as other relevant actors who have a role in local governance.

Recommendation 9: A consultation process should be undertaken to review and identify strengths and weaknesses within the 2012 W/VTA Law from the perspective of local communities

A series of consultations and workshops should be conducted involving, government, civil society and other relevant community representatives to discuss potential amendments to the W/VTA Law, including as it relates to the election process (e.g. considering options to allow for universal suffrage). Emphasis should also be placed on reviewing various aspects of the law as it relates to local governance, including a particular focus on measures to mitigate against corrupt practices, measures that can help to promote participation of women both in the election process and in leadership roles more generally, as well as giving consideration to reinstating more formal recognition of the position of 100 Household Leader (village leader).

The consultations should follow a clear and transparent process and information should be communicated well in advance to help ensure that communities and all relevant stakeholders have been properly informed as to the W/VTA Law and the purpose of the consultations, including through a series of pre-consultations.

It is important that the consultations should have meaning and relevance to all members of society, including underrepresented groups. As such, whilst age, gender and diversity should be a key feature of the consultation process, significant emphasis should also be placed upon ensuring the views and concerns of various ethnic groups, as well as people living on the periphery and/or in more remote upland areas are represented.

Additionally, the government should develop a communication strategy to help ensure that any changes to the law, as well as plans for holding elections in future are communicated in a clear and timely manner. Particular emphasis should be placed on making sure that rules and procedures are clearly articulated and made properly accessible to all members of the public. Also, to help ensure that future elections are credible, transparent and inclusive as well as implemented in a consistent manner, a

widespread programme of voter education should be carried out, whilst independent election observers should also be brought in to monitor the process.

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