



FEDERAL UNIT GOVERNANCE IN MYANMAR

A Practical Workbook

Building Participatory, Accountable, and
Inclusive Governance from the Ground Up

2025





PROMOTING LEADERSHIP AND
STRENGTHENING CIVIC PARTICIPATION

Institute for Strategy and Policy – Myanmar

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About the Workbook

Background and Rationale

Myanmar's complex ethnic diversity, colonial legacy, and history of authoritarian rule have profoundly shaped its political landscape and ongoing struggles. Since its independence in 1948, the country has wrestled with persistent demands for autonomy and self-determination from its many ethnic nationalities. The 1947 Panglong Agreement embodied early federalist aspirations, envisioning a union that respected ethnic diversity and guaranteed meaningful self-governance. Yet decades of military dictatorship, rigid centralization, protracted civil conflict, and entrenched authoritarianism eroded these federal ideals. Today, as Myanmar seeks a path toward democratic transformation and shared sovereignty, federalism remains the cornerstone for resolving ethnic conflicts and building a nation that is both unified and diverse.

Need for Capacity-Building in Federal Governance at the Local Level

Establishing a sustainable federal system requires strong governance capacity not only at the national level but also within subnational units. Local leaders, administrators, and institutions must be equipped with the skills, knowledge, and resources necessary to deliver public services, manage resources, and engage communities effectively. Capacity-building empowers local actors to exercise autonomy responsibly, supports meaningful decentralization, and ensures that governance structures can respond to local needs and aspirations.

Challenges in Conflict-Affected and Self-Administered Areas

Federal units in conflict-affected and self-administered regions of Myanmar face a distinct set of challenges, including:

- Fragmented authority and overlapping jurisdictions among Ethnic Resistance Organizations (EROs), local administrations, and the central military government
- Weak or underdeveloped institutions' inability to provide consistent public services
- Population displacement and breakdowns in social cohesion
- Limited access to infrastructure, financial resources, and basic services
- Ongoing security concerns, particularly the potential aerial strikes by the central military government, inhibit open participation and administrative stability

These challenges require adaptive, context-sensitive approaches that prioritize local realities and conflict sensitivity in any governance design and implementation of potential federal units.

Importance of Inclusive and Participatory Governance for Long-Term Peacebuilding

Long-term peace and development in Myanmar depend on governance systems that are inclusive, transparent, and participatory. Federal governance must ensure the active involvement of ethnic minorities, women, youth, and other marginalized groups in decision-making processes. Such inclusivity strengthens legitimacy, addresses historical grievances, and fosters trust between communities and state institutions. Participatory governance also helps prevent conflict by offering peaceful mechanisms to address disputes and reflect diverse interests—laying a strong foundation for enduring peace and shared prosperity.

State-Building and Nation-Building in the Myanmar Context

State-building and nation-building are two interrelated but distinct processes that have shaped Myanmar's political struggles since independence in 1948. State-building refers to the creation and strengthening of political institutions, the rule of law, administrative systems, and state authority, while nation-building involves fostering a shared identity, unity, and legitimacy among diverse groups within a political boundary.

Theoretically, the core feature of state-building is defined by its monopoly on the legitimate use of violence within a defined territory (per Max Weber's definition). The core elements then include: centralized administration and bureaucracy, taxation, and resource extraction, military capacity for internal control and external defense, and legal and institutional frameworks for governance. Moreover, a state building requires important aspects for the economy, focusing on trade, property rights, and regulating the economy. Additionally, a state is established as an efficient organization for resolving conflicts.

Modern-day thinkers such as Francis Fukuyama discussed three points on "Modern Stateness."

1. State

A centralized government that maintains a monopoly by use of force within a certain geographical territory.

2. Rule of law

The rule of law requires not only ordinary citizens to follow the law, but also elites to follow the law.

3. Accountability

It is required that democratic accountability and accountability linking with other systems.

The first requirement is offering power to the state (government), and the other two are to make checks and balances on state power. Fukuyama's discourse stated that the first point is vesting power in the ruler, and the remaining two points are empowering citizens and applying checks and balances of the state. In Myanmar, the failure to meaningfully integrate these two processes has been a central cause of chronic instability and conflict.

ISP-Myanmar observes that the country continues to grapple with the unfinished business of state and nation-building. Successive governments—whether civilian, military, or semi-democratic—have tended to prioritize a centralized state structure over inclusive nation-building, relying more on force and coercion than on dialogue, participation, and accommodation to manage ethnic diversity. In doing so, they have often ignored both individual and collective rights to the extent that some past approaches were almost anti-nation-building. Under the post-colonial Union of Burma, the formation of the state has been plagued by unresolved issues of ethnic autonomy, the unfulfilled promises of the Panglong Agreement, and the enduring legacy of divide-and-rule tactics that began during British rule and continue to this day. Ethnic armed struggle emerged as a form of resistance against a state that many non-Bamar nationalities saw as illegitimate or colonial in form. Rather than building a federal union based on equality and shared sovereignty, the military-led state enforced a unitary and authoritarian model, suppressing ethnic identities and centralizing power. This approach not only failed to create national unity but also deepened the mistrust between the state and ethnic nationalities.

Apart from these unfinished businesses of State-and-Nation-Building, Myanmar's citizenship governance lacks inclusiveness, as a broader challenge. The Myanmar citizenship law was enacted by authoritarian rule, which has been criticized for

violating international standards on non-discrimination and statelessness prevention. Exclusion of the Rohingya, a Muslim minority in Rakhine State, is an important piece of evidence that led to mass displacement: almost a million refugees to camps in Bangladesh.

In the contemporary period, especially after the 2011 quasi-civilian government and the 2021 military coup, Myanmar has entered a new phase of contested statebuilding. The 2008 Constitution reinforced military dominance and centralized control, undermining democratic reforms and federal aspirations. The 2021 coup triggered widespread resistance, not only in major cities but also through renewed alliances between the pro-democracy movement and EROs. This convergence has fostered a more inclusive, albeit imperfect, discourse on nation-building—one that envisions a federal democratic union constructed from the ground up, acknowledging the rights and identities of all ethnic communities.

After the coup, the Ethnic Armed Organizations (EAOs) and emerging armed resistance groups, such as People Defence Forces (PDF), can extend their territorial control, especially after a major military offensive of “Operation 1027” by the Three Brotherhoods Alliance (3BHAs), the EAOs even taken control of several townships. Then, some academics proclaim their new fashion of administration as ‘local governance’. But ISP-Myanmar observes that the nature of the new administration in ethnic-controlled regions is “Mini-state building” or “Rebel governance” rather than local governance. The EAOs have adopted policies and mechanisms to increase civilian support, to consolidate territorial control, to transform society and politics according to their goals, and to stabilize economic production. In addition, the groups are also trying to achieve international recognition for their rule. However, the result of their territorial self-governance depends on better state-society relations, quality services, and the quality of local institutions. Moreover, the groups should consider international humanitarian norms and the role of women and youth in their governance activities.

Today, challenges and opportunities lie in rethinking both state-building and nation-building in more participatory, decentralized, and equitable ways. EROs and the emerging democratic forces are attempting to co-create governance systems that reflect local realities and shared political values, rather than imposing a singular national identity. For Myanmar to continue to exist as a country of peace and stability, state-building must serve the broader purpose of nation-building, rooted in justice, mutual recognition, and a federalism that reflects and accommodates the country's true diversity.

Objectives of the Workbook

- To explore and analyze the structures, functions, and interactions of Territorial Self-Governance (TSG)—in other words, emerging resistance governance in Myanmar—through selected case studies.
- To design and develop a practical, context-specific governance curriculum that enhances understanding, critical analysis, and application of democratic governance principles.
- To equip participants with the knowledge, skills, and tools needed to foster inclusive and accountable governance systems that effectively respond to the needs of the people of Myanmar.

This workbook is intended to serve as a foundational resource for women, youth, emerging community leaders, civil society activists, students, and civil servants participating in the Civil Disobedience Movement (CDM), as well as prospective administrators from EROs, emerging non-state actors, and political parties in Myanmar.

Workbook Structure

Each Module Includes:

- Overview
- Learning Objectives
- Background Reading with Case Examples
- Practice Activities (in separate documents for facilitators or convenors)
- Discussion and Reflection Questions
- Summary and Key Takeaways
- Tools

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Module

1

Foundations of Federalism

*Federal Unit Governance in the Myanmar
Context*

Overview

This opening module provides a conceptual and historical foundation for understanding federalism. It explores what federalism is, why it matters in divided or diverse societies, and how it can support peacebuilding and local self-rule in Myanmar.

Learning Objectives

By the end of this module, participants will be able to:

- Define federalism and its core principles
- Understand why federalism is relevant to Myanmar's transition
- Identify the differences between unitary, federal, and confederal systems
- Analyze the federal aspirations of Myanmar's ethnic nationalities

Topic 1.1: Principles of Federalism: Autonomy, Shared Rule, Self-Rule

Learning Objective: By the end of this topic, participants will be able to define the three foundational principles of federalism (Autonomy, Self-Rule, Shared Rule) and explain how their constitutional entrenchment is essential for managing diversity and resolving conflict.

Background Reading: The Constitutional Pillars of Power-Sharing

Federalism is a system of government where power is legally divided between different levels of government: at least two main levels: a central/national or federal government and a state or regional government. The division of power is constitutionally guaranteed so that each federated unit (or each state) can enjoy autonomy over some specific policy areas while sharing power in accordance with agreed rules in other policy areas.

There are two other closely related systems: **unitary system** and **confederal system**. In the unitary system, power is centralized in one national government. Local authorities only exercise powers delegated by the center. The confederal system is structured in a loose association of independent states that delegate limited powers to a central body (e.g., European Union, African Union).

There are two approaches to federalism: (1) 'coming together' federalism, in which formerly independent countries unite into a federal state; and (2) 'holding together' federalism, in which a formerly unitary state seeks a federal solution to the problems of scale and diversity.

Thus, federalism is often regarded as the institutional solution to the dilemma of achieving **unity** while preserving **diversity**. It is fundamentally a relationship built on trust and defined by three interconnected principles: **Autonomy**, **Self-Rule**, and **Shared Rule**.

A. The Core of Federalism: Autonomy

Autonomy is the general capacity of a sub-national unit (a state, region, or federal unit) to govern itself free from undue control by the central government. It is the legal and practical freedom to make and implement decisions within a constitutionally guaranteed sphere.

Source: Autonomy in a federal system is derived from the constitution (or foundational legal agreement), making it a secure and permanent power that cannot be unilaterally withdrawn by the central legislature.

Purpose: In conflict-affected areas, autonomy is essential because it guarantees that a cultural or ethnic minority, even if they are a minority nationally, can be a majority in their own region, allowing them to protect their language, culture, and specific interests.

B. Self-Rule: Governing Local Affairs

Self-Rule refers to the powers and responsibilities exercised exclusively by the local federal unit. This represents the local unit's ability to govern itself without interference on matters of local concern.

Examples of Self-Rule Powers: Local policing, primary education curriculum, public health administration, local taxation (property tax, sales tax), and zoning/land use regulation.

Constitutional Mechanism: These powers are typically listed in an **Exclusive State List** (or Regional List) within the constitutional division of powers.

Impact on Legitimacy: For self-administered areas, effective self-rule is the primary mechanism for building legitimacy. When a local administration successfully provides services and justice (including Sexual and Gender-Based Violence responses) using its own authority, the people grant it implied consent through their participation.

C. Shared Rule: Participating in National Affairs

Shared Rule refers to the mechanism by which the local units participate in and influence the decisions of the central/union or federal government. Without shared rule, the regional units would be autonomous but not truly part of a federation; they would resemble a confederation.

Key Institutions: Shared rule typically occurs through:

Bicameral Legislatures: The federal unit's representatives sit in an upper house (like the US Senate or German Bundesrat) where they can vote on national laws, ensuring their regional interests are considered.

Constitutional Tribunal/Court: This judicial body is critical as it acts as the neutral referee between the two levels of government (center and regional). It rules on disputes over the division of powers, protecting the constitutional integrity of the federation and ensuring that neither the central government nor the constituent units unilaterally infringe upon the other's legal jurisdiction.

Constitutional Amendment: Requiring the consent of a majority of the federal units (not just the national population) to change the constitution.

Intergovernmental Forums: Regular meetings between the central executive (Prime Minister, President) and the heads of the federal units (Chief Ministers, Governors) to coordinate policy.

Purpose: Shared rule ensures that the federal government does not become a distant, unitary authority and that national policies reflect the diversity of the federation.

D. Essential Design and Operating Principles

Beyond the core structural division of powers (Self-Rule and Shared Rule), the following principles must be integrated into the constitutional design and operation of a federal system to ensure accountability, fairness, and efficient governance.

Subsidiarity: The principle that decisions should be made and implemented at the most local competent level of government. The central government should only intervene when an issue is beyond the capacity or jurisdiction of the regional or local level. This promotes local ownership and responsiveness.

Inclusivity: The constitutional design must ensure diverse representation, especially of minorities, both at the national level (Shared Rule mechanisms) and within the sub-national federal units (Self-Rule mechanisms). This prevents internal oppression within autonomous regions.

Clarity: It is essential to clearly define responsibilities (exclusive, concurrent, and residual powers) to avoid jurisdictional overlap, policy neglect, or "blame-shifting" between the different levels of government. Clarity minimizes conflict.

Checks and Balances: The structure must include horizontal separation of powers within each level of government (executive, legislative, and judicial) to avoid the concentration of power in one body. This safeguards against the misuse of autonomy or centralization of national authority.

Autonomy with Unity: The overarching objective is to maintain a constitutional balance that provides sufficient Self-Rule to manage diversity (Autonomy) while ensuring robust mechanisms for Shared Rule to maintain the stability and functional unity of the entire federation.

E. Federalism vs. Decentralization and Devolution

It is a common misconception to equate federalism with decentralization. However, a decentralized state is not automatically a federal state. The core distinction lies in the source and permanence of authority. While both involve distributing power, their foundations are fundamentally different. Federalism is a system of constitutional power-sharing. The autonomy of states or provinces is enshrined in the constitution, making it a permanent feature of the political structure. Both central and state governments have sovereign authority in their own domains. Decentralization is a system of administrative delegation. The central government voluntarily transfers certain administrative or fiscal responsibilities to local bodies through ordinary legislation. Because this power is granted by law, it can also be taken back by the central government. In essence, federalism is a system of constitutional power-sharing, while decentralization is a tool for administrative delegation.

F. Constitutional Entrenchment as Trust Building (Constitutionalism)

In peace processes, the technical design of a federal system also serves a political function: trust-building. The principal way historically marginalized or conflict-engaged groups will sign an agreement is if they trust that the powers granted to them (Self-Rule) cannot be taken away easily. This requires constitutional entrenchment—the powers are locked into the highest law of the land, requiring consensus to change, thus offering a permanent guarantee against the return of centralized control.

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Discussion Questions

1. What does "federalism" mean to you and your community? And, from your perspective, are there any major disagreements or controversies about this idea between different communities in Myanmar?
2. In your view, how can a federal system promote equality and peaceful coexistence among Myanmar's diverse groups? Furthermore, what specific role would you like to see your community play in building that federal system?
3. Imagine your federal unit proposes a new, locally specific policy on SGBV prevention and survivor support. Which principle—Self-Rule or Shared Rule—gives you the power to create this policy without central interference?
4. If the central government proposes a national law that negatively impacts your region's local economy, how would the principle of Shared Rule allow your region to challenge or influence that national decision?
5. Autonomy is about the freedom to govern. If a federal unit misuses its autonomy to oppress an internal ethnic minority, does the central government have the right to intervene? If so, where must the line be drawn between intervention and respecting self-rule?
6. How should a federal constitution determine when a concurrent power is Obligatory (meaning both levels must legislate, often with central standards prevailing) versus Elective (allowing regions to choose whether or not to adopt a central policy)? What political issues might arise from making this distinction?

Topic 1.2: Federal Models and Lessons from Comparative Contexts

Learning Objective: By the end of this topic, participants will be able to compare the core features and challenges of different federal models (ethnic, quasi-federal, consociational) and apply their knowledge to the ongoing federal negotiations in Myanmar.

Background Reading: Global Models and Their Warnings

Federalism is a tool that adapts to history, culture, and conflict. By examining three distinct global models—Ethiopia, India, and Switzerland—we can identify both the benefits of power-sharing and the inherent risks associated with specific design choices.

Case 1: Ethiopia

Ethnic Federalism and the Right to Self-Determination

Ethiopia adopted an ethnic-based federal structure under its 1995 Constitution. Its regional boundaries (kililoch) are explicitly drawn to align with major ethnic and linguistic groups, granting them extensive Self-Rule.

Feature	Key Lesson	Risk for Myanmar
Ethnic Demarcation	Guarantees territorial Self-Rule for ethnic groups and ensures linguistic autonomy in administration and education.	The system can politicize ethnicity, making it the primary axis of political competition and conflict (as seen in the Tigray conflict).
Right to Secede	Article 39 grants an unconditional right to self-determination, including secession. This reflects that the union must be voluntary.	While a powerful trust-building mechanism, a constitutional right to secession can create high political instability during periods of national crisis.

Case 2: India**Quasi-Federalism and Central Strength**

India's system is often described as quasi-federal—a unitary state with strong federal features. The central government retains significant reserve powers, reflecting a strong emphasis on National Unity over complete regional autonomy.

Feature	Key Lesson	Risk for Myanmar
Triple Division of Powers	Power is meticulously divided into Union, State, and Concurrent Lists, providing clarity on who makes the rules for what (e.g., police and local governance on the State List).	If the Concurrent List (shared powers) is too large, the central government may dominate policy, undermining local administrations' ability to act independently.
Central Override (President's Rule)	The central government can assume control of a state during a constitutional breakdown (Article 356). This guarantees national security and stability.	Risk of Abuse: Critics argue this provision can be used to politically destabilize states led by opposition parties, undermining the principle of Autonomy.

Case 3: Switzerland

Consociational and Decentralized Federalism

Switzerland is one of the world's oldest and most successful federations which has managed deep linguistic (German, French, Italian) and religious diversity through a highly decentralized system built on consensus.

Feature	Key Lesson	Risk for Myanmar
High Cantonal Autonomy	Cantons (regional units) possess vast powers over taxation, education, and healthcare (strong Self-Rule).	Demonstrates that significant power can be held at the local level without threatening national unity, if the mechanisms for Shared Rule are strong.
Consensus Executive (Konkordanz)	The Federal Council (Executive) deliberately includes representatives from the major language groups and political parties (strong Shared Rule).	Myanmar needs structures that ensure all ethnic groups are represented at the highest levels of national power to maintain trust and prevent political exclusion.
Fiscal Equalization	Funds are transferred from richer cantons to poorer ones, ensuring a degree of financial parity across the federation.	Essential for post-conflict recovery: guarantees that the central government has a mechanism to support less developed federal units and reduce regional economic disparities.

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Discussion Questions

1. Based on the challenges faced in Myanmar, which of the three models (Ethiopia, India, or Switzerland) offers the most useful features for a lasting federal agreement, and why?
2. The Ethiopian model risks politicizing ethnicity. How could a federal design in Myanmar adopt the benefit of Ethnic Demarcation (protecting culture) while mitigating the risk of perpetual conflict?
3. India's model allows for central intervention during a crisis. Should Myanmar's federal constitution include a similar "emergency override" and, if so, what strict constitutional checks would need to be in place to prevent its abuse?

Topic 1.3: Myanmar's Aspirations: Why Federalism for Myanmar?

Learning Objective: By the end of this topic, participants will be able to articulate the core demands of Myanmar's ethnic nationalities regarding federalism and analyze the key opportunities and challenges in translating these aspirations into a functional governance framework.

Background Reading: From Centralization to Partnership

Myanmar's history since independence in 1948 has been defined by the failure to realize the federal promise of the 1947 Panglong Agreement, resulting in decades of centralized, exclusionary governance and prolonged conflict. Today, a federal union centered on guaranteed **Self-Rule** over local affairs and meaningful **Shared Rule** at the national level is widely accepted as the only viable path toward national reconciliation and equal representation. This profound shift from centralization to partnership requires navigating fundamental challenges, including establishing political **Asymmetry**, defining inclusive boundaries that protect internal minorities, ensuring a new **Security and Justice Nexus**, and implementing equitable **Fiscal Equalization** to build a stable and accountable federal democracy.

A. The Core Demand: A Federal Union

Myanmar is a multi-ethnic country with a long history of centralized control, exclusionary governance, and armed conflict. The 1947 Panglong Agreement offered a federal spirit, but it was never realized. Since independence in 1948, repeated calls from ethnic nationalities for genuine self-determination have been met with broken promises and military repression.

Today, federalism is widely accepted among democratic and ethnic resistance movements as the only viable path toward peaceful coexistence and equal representation. Current federal aspirations are a direct response to historical centralization, political marginalization, and the denial of cultural and linguistic rights. Understanding federalism is the first step toward shaping a system that reflects the diversity and aspirations of all people in Myanmar.

The primary goal is to achieve guaranteed Self-Rule over resources, security, and culture, coupled with meaningful Shared Rule at the national level.

Myanmar's Federal Journey

- 1947 Panglong Agreement – Promise of autonomy and equality
- 1962 Military Coup – Federalism rejected; centralization imposed
- Ethnic Armed Resistance – De facto self-administration emerges
- 21st Century Peace Processes – Nationwide calls for federal democracy
- Post-2021 Revolution – Common struggle for a new federal union, grounded in equality, dignity, and justice

B. Key Challenges in the Transition

Translating aspirations into a stable federal framework presents several fundamental challenges:

The Problem of Asymmetry: Different ethnic groups and self-administered areas have varying levels of political organization, administrative capacity, and existing control over territory. Designing a system that grants the necessary autonomy to all groups—without creating resentment among those who receive less—requires an Asymmetric approach, which is politically difficult to manage.

Defining Boundaries and Internal Minorities: Drawing the boundaries of the federal units (states and regions) along ethnic lines, while granting Self-Rule to the majority group, inevitably creates the problem of internal minorities. The governance framework must ensure that the rights of these internal minorities, women, and youth are explicitly protected and that the local majority cannot use its Self-Rule to discriminate.

The Security and Justice Nexus: The most complex challenge is the transfer of control over security and justice institutions (police, military, courts). A successful federal system requires the establishment of federal units with their own police and local courts, while defining a new, civilian-controlled role for the national military (shared rule). This must include protocols for joint action and a guaranteed right to access survivor-centered Sexual and Gender-Based Violence (SGBV) justice across all jurisdictions.

Fiscal Federalism: Agreement is needed on who controls resources (e.g., minerals, hydropower) and how local and national revenues will be shared. Without a clear and equitable system of Fiscal Equalization (like in Switzerland), the federal union will collapse into a collection of unequal regions, fueling instability.

C. Opportunities for Inclusive Governance

The federal transition offers significant opportunities to improve local governance, especially for marginalized groups:

- **Proximity and Accountability:** Decentralizing power brings decision-making closer to the people, making local administrators (including those in self-administered areas) more directly accountable to community members, including women and youth councils.
- **Tailored Policies:** Self-Rule allows federal units to design and implement locally tailored policies on crucial issues like education, health, and SGBV response, which are often more effective and culturally sensitive than distant central policies.
- **Inclusion in Leadership:** The demand for Shared Rule and Consociational principles can mandate the inclusion of women and youth representatives in both local and national governance structures, ensuring the transition is democratic in practice, not just in principle.

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Discussion Questions

1. What is the single greatest obstacle to achieving a stable federal union in Myanmar today (e.g., military role, boundary disputes, resource sharing)? How can the principle of Constitutional Entrenchment help overcome this?
2. If your federal unit is granted Self-Rule over its local police, what specific constitutional clauses should be added to ensure the new local police are accountable for protecting women and addressing SGBV, and not just focusing on conventional security?
3. How can the demands of different ethnic groups for Asymmetry be balanced with the need for fairness and equality across all federal units?

Summary and Key Takeaways

- Federalism is a system of blended self-rule and shared rule, which requires constitutionally guaranteed autonomy to build the trust necessary for a lasting peace, particularly with marginalized groups.
- There is no single perfect federal model, but a successful one for a diverse, post-conflict country must be built on constitutional safeguards that guarantee permanent self-rule to build trust, while mandating inclusive shared-rule and fiscal mechanisms to prevent domination or neglect. Federalism is about sharing power, not dividing the country.
- Myanmar's ethnic nationalities have long demanded a federal arrangement since before independence. The fundamental demand is for a federal system that constitutionally guarantees self-rule and shared rule to respect ethnic identities, but its success depends on internal inclusion within new units and the institutionalization of trust through permanent, equitable guarantees of security, justice, and resources.

Three Things to Do Before the Next Module

1. Interview someone in your community: What do they think federalism means?
2. Reflect on the role your ethnic group or region has played in federal movements.
3. Read the 1947 Panglong Agreement and note 3 key principles.
4. Suggested reading: "Process, Sequence, and Equilibrium in Myanmar's Federal Democratic State Formation: Tentative Proposals (MMRQ Vol 1, No 2)".



Module

2

Structures and Functions of Federal Units

*Federal Unit Governance in the Myanmar
Context*

Overview

This module introduces the institutional design of federal units—such as state, regional, or ethnic autonomous units—and explores the basic structures, core functions, and division of powers in a federal system. It also reflects on how these structures can be designed in a way that is inclusive, accountable, and contextually relevant in Myanmar.

Learning Objectives

By the end of this module, participants will be able to:

- Understand how power is divided between central and local unit levels in a federal system
- Identify key institutions and their functions within federal units
- Analyze how federal unit structures can support self-determination and local needs
- Design an outline for functional and responsive unit-level governance

Topic 2.1: The Federal Unit and Intergovernmental Relations

Learning Objective: By the end of this topic, participants will be able to define a "federal unit," differentiate its constitutional status from a mere province, and explain the mechanisms required for effective cooperation and conflict resolution between a federal unit and a central government.

Background Reading: Co-Existence and Cooperation

A **Federal Unit** is defined as a constitutionally established sub-national government that is sovereign within its own sphere, guaranteed by the constitution with non-delegated powers and **Autonomy** that cannot be unilaterally revoked. The relationship between this unit and the central government is one of cooperation, not hierarchy, managed through structured **Intergovernmental Relations (IGR)** like Heads of Government Forums, which ensure regional voices are included in national decisions (**Shared Rule**). This relationship is governed by the principles of **Loyalty** (upholding the constitution), **Subsidiarity** (locating decisions at the lowest efficient level), and the Union's ultimate responsibility to ensure the **Protection of Rights** against any local abuse of power.

A. Defining the Federal Unit

A **Federal Unit** (often called a state, region, or canton) is a constitutionally established sub-national government that is sovereign within its own sphere of competence (Self-Rule). Unlike a province in a unitary state, which is created and can be dissolved by the central legislature, a federal unit is a **partner** within the union and is structurally and legally guaranteed by the constitution.

Source of Power: The unit's powers are derived directly from the constitution, not delegated by the central government.

Autonomy: Its existence, boundaries, and core powers cannot be altered without its own consent, or the consent of a majority of other units, guaranteeing its **Autonomy**.

In transitions from conflict, the status of the federal unit is critical: it must be a political entity that can genuinely represent the aspirations and interests of its people, especially ethnic and cultural groups.

B. The Nature of Intergovernmental Relations (IGR)

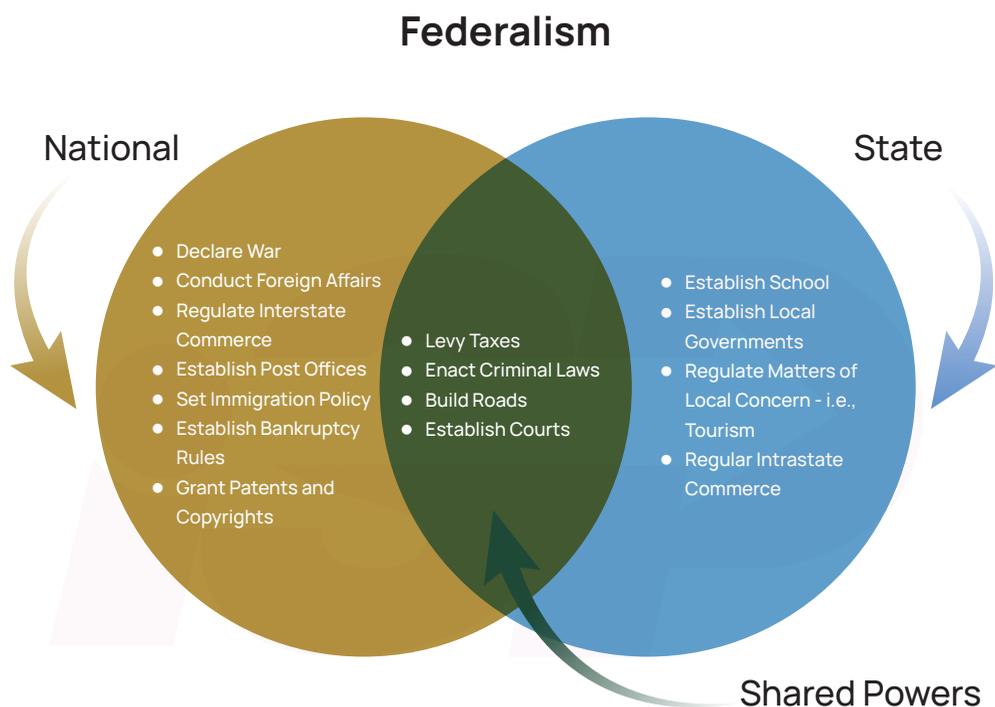
The **Relationship between the Federal Unit and Central-Level Governments** is not one of hierarchy, but of cooperation, known as **Intergovernmental Relations (IGR)**. In reality, powers rarely operate in isolation; local and national governments must constantly coordinate.

The Supremacy Clause: All federal constitutions include a clause stating that if a local law contradicts a legitimate national law where the central government has clear jurisdiction (e.g., defense), the national law prevails. However, this clause only applies if the central government is legitimately acting within its defined powers.

Conflict Resolution: Due to inevitable disagreements (e.g., over resource sharing or security mandates), successful federal systems must establish formal IGR mechanisms beyond the courts:

- **Heads of Government Forums:** Regular meetings between the Chief Ministers/Heads of the federal units and the central executive (President/Prime Minister). These forums ensure that regional voices are heard before major national decisions are made (**Shared Rule** in action).

- **Intergovernmental Ministerial Councils:** Bringing together ministers from both levels (e.g., the Union Minister of Health meeting with all Federal Unit Health Ministers) to coordinate national standards and allocate resources.



C. Principles Governing the Relationship

The relationship between the federal unit and the central government must be based on clear, constitutional principles to prevent abuse of power:

Principle of Loyalty: Both levels of government must act in good faith to uphold the constitution and not undermine the other's capacity or authority.

Principle of Subsidiarity: Decisions should be made at the **lowest possible level of government** capable of making them efficiently. This means local services (like primary education and local health) belong firmly to the federal unit's **Self-Rule**, unless a compelling national interest is proven.

Protection of Rights: The Union has the residual responsibility to ensure that no federal unit uses its **Autonomy** to violate the fundamental human rights of citizens, particularly the protection of women, youth, and internal minorities from SGBV and discrimination. This is the central government's final check on local power.

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Discussion Questions

1. If the Union government appoints a Governor to a federal unit, does this arrangement reflect true Autonomy or merely administrative Delegation? What constitutional changes would make the Governor's role compatible with genuine federalism?
2. Imagine an IGR meeting where all federal units agree that the national budget unfairly allocates funds to their regions. As a Chief Minister, how do you use the principle of Shared Rule to challenge the Union executive effectively?
3. The Union government cites the Supremacy Clause to stop a federal unit from implementing a local law allowing customary courts to handle SGBV cases. Where does the line need to be drawn between protecting local culture (Self-Rule) and enforcing national human rights standards?

Topic 2.2: Division of Powers and Responsibilities (Executive, Legislative, Judicial)

Learning Objective: By the end of this topic, participants will be able to describe the functions of the three branches of governance (Executive, Legislative, Judicial) within a federal unit, and explain the system of Checks and Balances necessary to prevent the concentration and abuse of local power.

Background Reading: Checks and Balances at the Local Level

The foundation of democratic governance is the Separation of Powers—dividing governmental functions among distinct branches. This principle is not only required at the central government level but is essential within the federal unit itself. In conflict-affected areas, establishing three separate, functional, and accountable branches within the federal unit is crucial for transitioning from military or de facto control to democratic, legitimate governance.

A. The Federal Unit Legislature (Law-Making)

- **Function:** The Legislature (e.g., State Parliament, Regional Assembly) is the representative body elected by the people. Its primary function is to create and pass laws relating to the unit's Self-Rule powers (e.g., local taxation laws, public health regulations, and land-use policies).
- **Accountability:** It holds the Executive accountable by questioning Ministers, approving the unit's budget, and, in some cases, passing a no-confidence vote to remove the Chief Minister.
- **Inclusivity:** For legitimacy, the Legislature must reflect the full diversity of the unit's population, often requiring mechanisms (like reserved seats or proportional representation) to ensure the representation of women, youth, and internal minorities.

B. The Federal Unit Executive (Implementation)

- **Function:** The Executive (e.g., Chief Minister, State Cabinet) is responsible for the day-to-day implementation of the laws passed by the Legislature and the delivery of essential public services (e.g., running schools, maintaining local police, collecting local taxes).

- **Capacity:** In self-administered areas, the Executive must rapidly build up its administrative and financial capacity to manage these services effectively and transparently. Poor service delivery, mismanagement, or corruption immediately erodes the unit's legitimacy.

C. The Federal Unit Judiciary (Justice and the Rule of Law)

- **Function:** The Judiciary unit (local courts, regional appeal courts, constitutional court) interprets the federal unit's laws and resolves disputes between citizens and between the citizens and the government. Its independence is paramount.
- **Security and SGBV Justice:** The Judiciary is the guardian of the **Rule of Law** and the final guarantor of human rights at the local level. It is responsible for ensuring transparent, timely, and non-discriminatory justice, particularly in sensitive areas like SGBV. It must establish specialized courts, protocols, and referral systems that are survivor-centered and respect national human rights standards, even when interpreting local laws or customary practice.

D. The Principle of Checks and Balances

No single branch within the federal unit should be able to exercise power unchecked. The principle of Checks and Balances ensures that each branch limits the power of the others:

- The Legislature can impeach or vote no-confidence against the Executive.
- The Executive can veto laws passed by the Legislature (though often the Legislature can override the veto).
- The Judiciary can strike down laws passed by the Legislature or actions taken by the Executive if they violate the unit's local constitution or the central government's federal constitution.

Case Example:**The Challenge of Operationalizing Checks and Balances in Myanmar's Conflict-Affected Areas**

In Myanmar's conflict-affected self-administered regions, the classical model of checks and balances faces profound operational challenges due to the dominant role of ethnic armed organizations (EAOs) as de facto public administrators.

In states like Mon and Kachin, liberation movements necessarily prioritize unified command structures over institutional separation, resulting in **hybrid systems** in which exist:

1. **Blurred Lines:** Military personnel often participate in justice delivery.
2. **Imbalances:** Legislative bodies appoint executive and judicial officials without facing reciprocal accountability.
3. **Security Overrides:** Security imperatives consistently override governance ideals.

This reality stems from the fundamental tension between **liberation logic**—which demands integrated, hierarchical organization for operational effectiveness—and **democratic governance principles** that require distributed power and independent institutions.

The Role of Political Agreements:

The critical determinant of whether checks and balances become operational lies in the existence of formal political agreements among conflict actors.

- **Positive Example (Karenni State):** Karenni State's relative success demonstrates that a negotiated pact like the **Karenni State Interim Arrangement (KSIA)** can establish enforceable rules, mandate inclusion quotas, create oversight mechanisms, and delineate separate institutional roles—even amid ongoing conflict.
- **General Resistance:** However, such agreements remain exceptional, as most EAOs resist institutional separation during active struggle, fearing fragmentation of authority and operational effectiveness.

Conclusion for Federal Transition:

In Myanmar's federal transition, checks and balances cannot be mechanically imported from stable democracies but must be incrementally built through **context-sensitive political settlements**. The path forward requires designing "good enough" governance systems that balance security needs with minimal safeguards against power abuse, recognizing that imperfect checks implemented through locally-owned agreements are more sustainable than ideal models imposed against the grain of conflict realities.

Comparing Myanmar Federal Unit Experiences: Ideal vs. Reality

Aspect	Ideal Model (Theory)	Mon/Kachin State Reality (Hybrid)	Karenni State Pathway (KSIA)
Judicial Independence	Separate, independent from other branches.	Military-civilian hybrid courts or judges appointed by KIC.	A separate branch was established under the KSIA.
Legislative Accountability	Elected, faces public scrutiny, and can remove the Executive.	KIC appoints members but often faces no reciprocal checks; unified command prioritized.	KSIP (Legislature) provides oversight; KSCC (Executive) is monitored.
Executive Constraints	Checked by Judiciary (judicial review) & Legislature (veto override, no-confidence).	Integrated with security forces, constraints are limited by organizational habits.	Monitored by KSCC (Executive) and KSIP (Legislature) per agreement terms.
Enabling Mechanism	Constitutional design and rule of law traditions.	Organizational habits and the priority of war/security.	Formal, context-sensitive political pact (KSIA) establishing institutional roles.

E. Common Structures of Federal Units

Institution	Function
Federal Unit Parliament	Law-making at the state/region level represents local constituencies.
Federal Unit Executive (Cabinet or Government)	Implements policies; coordinates departments; led by the Chief Minister or Governor.
Federal Judicial Institutions	Local courts (if applicable) handle civil and administrative cases; interpret local laws.
Public Service Departments	Deliver education, health, agriculture, infrastructure, etc.
Local/Municipal Bodies	Provide services and governance at the township or village levels.

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Discussion Questions

1. What kind of federal unit is most appropriate for your region or ethnicity?
2. How do we ensure that local institutions are democratic and accountable?
3. What role should traditional/customary institutions play?
4. How can we avoid centralization of power even within a federal unit?

Summary and Key Takeaways

- **The Unit is a Partner:** The federal unit is a constitutionally protected partner in the union, guaranteeing its Autonomy and power of Self-Rule.
- **IGR is Constant:** The relationship between the Unit and the Union requires constant Intergovernmental Relations (IGR)—cooperative forums to resolve conflicts and coordinate policy based on the Principle of Loyalty.
- **Autonomy is Not Absolute:** Federalism demands that the Union retain a final check to ensure that all federal units respect national human rights standards, particularly concerning the protection of vulnerable groups.
- **Triple Separation is Key:** Democratic legitimacy within the federal unit requires a clear separation of powers between the Executive, Legislature, and Judiciary.
- **Checks and Balances Prevent Abuse:** The system of Checks and Balances is the primary mechanism to prevent local leaders from concentrating power, a critical measure in a post-conflict environment.
- **Justice Must Be Independent:** The Unit Judiciary must be completely independent to guarantee that the unit's Self-Rule is exercised fairly and non-discriminatorily, particularly in protecting the rights of women and internal minorities.

Three Things to Do Before the Next Module

1. Draft a visual organogram of your envisioned federal unit.
2. Identify which services (or competencies) your unit should control exclusively.
3. Interview a local leader about what powers they wish to have in a future federal system.



Module

3

Participatory and Inclusive Governance

*Federal Unit Governance in the Myanmar
Context*

Overview

This module explores how inclusive and participatory governance contributes to the legitimacy and effectiveness of federal units. It focuses on practical strategies for engaging communities, ensuring representation, and building trust between people and local institutions—especially in the Myanmar context where the state is absent or highly contested.

Learning Objectives

By the end of this module, participants will be able to:

- Define participatory and inclusive governance in practice
- Identify barriers to participation and inclusion in local governance
- Apply practical tools to engage citizens in decision-making
- Design inclusive structures for federal units in diverse and conflict-affected contexts

Topic 3.1. Citizen-Centric Governance: Participation, Inclusiveness and Accountability

Learning Objective: By the end of this topic, participants will be able to differentiate between Government and Governance, and analyze how the three interdependent pillars of citizen-centric governance—Participatory, Inclusive, and Accountability—contribute to state legitimacy and effective public service delivery.

Background Reading: The Three Pillars of Citizen-Centric Governance

Modern democratic theory recognizes that effective public service delivery and state legitimacy depend not just on the formal entity of "Government," but on a comprehensive system of "Governance" that includes the entire web of rules, institutions, and non-state actors, with the ultimate goal of serving its citizens. This critical shift from a state-centric view to a citizen-centric framework is founded upon three interdependent pillars designed to ensure power is exercised responsibly and ethically. The first, **Participatory Governance** (The Right to Act), moves beyond periodic elections to establish sustained mechanisms for citizens to influence policy and resource allocation, exemplified by practices like Participatory Budgeting. The second, **Inclusive Governance** (The Right to Be Heard), actively ensures that all societal groups—especially those historically marginalized, like women and ethnic minorities—have guaranteed representation and equitable access to services, through structural interventions such as quotas and reserved seats, as utilized in Nepal, Karenni State, and Kawthoolei. Finally,

Accountability (The Right to Demand Answers) provides the necessary checks and balances, requiring public officials to answer for their decisions through transparency measures and citizen-led oversight tools like Social Audits and Citizen Report Cards. Together, these three pillars define the foundation for robust, effective governance, transforming citizens from passive recipients of policy into active shapers and monitors of public life.

A. Setting the Stage: Government vs Governance

While often used interchangeably, **Government** refers specifically to the formal entity exercising authority (the body that makes decisions). **Governance**, by contrast, is a much broader concept. It is about a state's ability to serve its citizens and involves the entire web of rules, procedures, institutions, and behaviors through which interests are expressed, resources are managed, and power is exercised within society. A government is merely one actor within the larger framework of governance, which also includes civil society, NGOs, the private sector, and citizens themselves. Good Governance demands that the exercise of this power is conducted responsibly, ethically, and effectively.

B. Participatory Governance (The Right to Act)

Participatory Governance ensures that citizens are not merely recipients of policy but active participants in the decision-making processes that affect their lives. This principle moves beyond simply voting in periodic elections to establishing sustained, meaningful engagement structures. These structures allow citizens to influence policy creation, resource allocation, and project monitoring.

The shift to participatory methods is crucial for building democratic legitimacy. When citizens actively debate and decide on priorities, they are more likely to support the outcome, even if their specific preference is not chosen.

Case Example: Participatory Budgeting (PB)

Originating in Porto Alegre, Brazil, Participatory Budgeting is a widely adopted practice where a municipality allocates a portion of its public budget (usually capital spending) to be directly prioritized and decided upon by ordinary citizens. This shifts financial power from elected officials to community assemblies, directly linking public funds to local needs like road repair, school upgrades, or new parks.

Local Case Study: Kawthoolei (Karen Areas)

The Karen National Union (KNU), one of the longest established ethnic resistance organizations which has operated since 1949, publicly announced in August 2023, following the military coup in 2021, to establish the state of Kawthoolei as a local unit of a federal union. The KNU's governance structure can be seen as a bottom-up structure because the representatives of the legislative and executive branches are elected through village-tract level, township level, and district level.

To gain broader representation and legitimacy while drafting the state constitution, the KNU has identified five key stakeholders:

1. KNU representatives - central
2. Representatives from non-Karen constituencies
3. Youth representatives
4. Women representatives
5. Elected MPs from the 2020 election

The constitution also mandates two Karen CSOs (Karen Women Organization - KWO and Karen Youth Organization - KYO) special status to represent their members at the administrative level by providing one seat at the congress to elect KNU leadership. This allows local leaders, including women and youths, to shape the decision-making body of the KNU. While providing public services, village consultation meetings are often used to gather community input for school building, local dispute resolution, or land use planning. However, women and youth participation could still be limited unless actively encouraged.

Local Case Study: Cambodia (with a focus on Decentralization and Deconcentration)

The Royal Government of Cambodia (RGC) has been committed to strengthening public service delivery through public sector reforms in the early 2000s, which include the Public Financial Management Reform Program (PFMRP), the National Program for Public Administration Reform (NPAR), and Decentralization and Deconcentration (D&D) reforms. The foundation of local participatory governance as part of the D&D reform began at the Commune/Sangkat (CS) level, which is the lowest level sub-national administration.

Under the D&D framework, the CS council members are directly elected by citizens, following indirect elections of district, municipal, khan (DMK), and capital and provincial (CP) level councils. This democratic decentralization aims to improve sub-national governance and shift decision-making closer to citizens at the local level, while the deconcentration aims to share administrative and fiscal responsibilities from ministries to sub-national administration to provide better public service delivery. However, limited knowledge, experience, and expertise of citizens, particularly women and youths, remain challenges in implementing reforms and engaging with citizens effectively.

C. Inclusive Governance (The Right to Be Heard)

While participation focuses on the act of engaging, **Inclusive Governance** focuses on **who** is engaging and **who** benefits. This approach ensures that all societal groups—especially those historically marginalized, such as ethnic minorities, women, youth, displaced persons, and persons with disabilities—have guaranteed representation, a genuine voice in policy formulation, and equitable access to public services.

Exclusion from governance leads to policies that fail to address the needs of entire segments of the population. Inclusivity requires conscious structural and systemic interventions.

Best Practice Example: Structural Quotas and Universal Design

Many governments implement **Quotas and Reserved Seats** (e.g., for women in local councils) to overcome socio-political barriers and ensure that diverse perspectives influence the design of laws. Furthermore, genuine inclusivity demands practical adjustments, such as implementing **Universal Design** standards and accessible communication to ensure persons with disabilities are fully integrated into civic processes, from voting to accessing public buildings.

Local Case Study: Nepal

Since its transition to a federal democratic republic in 2007, Nepal has been implementing an inclusive governance structure and eliminating long-standing social and political inequalities by providing a guarantee for marginalized groups to participate in decision-making processes and public institutions. To ensure the representation of marginalized groups such as ethnic minorities, indigenous groups, and women in the executive and legislature, a mixed electoral system composed of First-Past-The-Post (FPTP) and Proportional Representation (PR) electoral systems has been used. Besides, the amendment of the **Civil Service Act in 2007** provides quotas for marginalized groups and women in public service positions, and the amendment of the **Local Government Operation Act in 2017** also mandates a specific number of seats for women in local governance and development planning processes.

D. Accountability (The Right to Demand Answers)

Accountability is the bedrock principle that public officials and institutions are answerable to the people they serve for their decisions and actions. In participatory systems, this accountability is not passive (i.e., waiting for an election) but active, with citizens taking a key role in demanding oversight. Without it, the benefits of participation and inclusivity can be nullified by corruption or inefficiency. Accountability is fundamentally linked to **Transparency** (making information public) and the **Rule of Law** (enforcing consequences).

Citizen-Led Mechanisms: How Accountability Works

- **Social Audits:** Citizens organize to directly review official government records and expenditures for public works (like road construction or school meal programs). They verify that funds were spent as claimed, that materials were used correctly, and that the project adhered to its mandate. The findings are then publicly presented to authorities, creating immediate pressure for remediation.
- **Public Petition:** Citizens affected by decisions or issues make a collective political request or demand to public officials or members of parliament to redress their grievances or to solve the issue. This is a way for citizens to communicate with their elected representatives to raise their concerns, influence, and request policy actions. Collective political demand (such as a signature campaign) may force public officials or MPs to take action on the issue and, at the same time, may threaten the representatives' electoral seats in the next election.
- **Citizen Report Cards (CRCs):** NGOs conduct systematic, public surveys of users of government services (e.g., healthcare clinics, police stations) to measure their satisfaction and performance. The results are published as a "grade" for the service provider, creating competitive pressure and demanding a public response from agencies with poor grades.

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Discussion Questions

1. How can a local government move beyond simply holding a public consultation meeting to genuinely practicing Participatory Governance? What are the risks if participation is poorly managed?
2. The principle of Inclusive Governance requires guaranteeing representation for marginalized groups. Is it enough to have a woman or a minority representative in a seat, or must they also have the power to influence the final decision? Explain the difference.
3. Accountability relies on Transparency. If a government publishes all its financial data online (making it transparent), but the data is incomprehensible to the average citizen, has it truly fulfilled its accountability obligation?
4. Discuss a real-world example from your country where citizens have successfully used a tool (like a Social Audit or a public petition) to hold a local official accountable. What were the key steps?

Topic 3.2. Enhancing Local Legitimacy: Participation, Planning, and Inclusion

Learning Objective: Upon completion of this topic, you will be able to evaluate the relationship between inclusive governance mechanisms (Community Engagement, Participatory Planning, and specific measures for women, minorities, and youth) and the establishment of genuine, sustainable political legitimacy, demonstrating how gender inclusion is operationalized through mechanisms like Gender Responsive Public Services (GRPS).

Background Reading: Enhancing Legitimacy through Inclusion

For a federal unit's constitutional Self-Rule to be truly effective in a hybrid governance environment, it must transcend formal legal status and achieve genuine political legitimacy among its population. This legitimacy is not passively granted but actively built when citizens perceive their government as effective, accountable, and fundamentally inclusive. This module explores the practical transition from mere "governance over the people" to "governance with the people" focusing on two critical pillars: first, the institutional adoption of Community Engagement and Participatory Planning to harness local knowledge and foster transparency; and second, the mandated inclusion of historically marginalized groups—specifically **women, youth, and internal minorities**—through dedicated mechanisms to ensure that the resulting policies and governance structures are representative and lead to equitable, **gender-responsive** public services and conflict-resistant outcomes.

A. The Power of Legitimacy

In hybrid governance environments, the federal unit's constitutional Self-Rule is only meaningful if it translates into genuine legitimacy among the population. Legitimacy is built when people feel their government is effective, accountable, and, crucially, inclusive. This shift requires moving from "governance over the people" to "governance with the people through participation."

B. Community Engagement and Participatory Planning

Community Engagement is a process of collaborating with groups of people who share the same interests, location, and similar situations to address issues affecting them. It is more than just informing the community about the issue. The process includes continuous efforts of listening to and having dialogue with community members to build mutual trust and relationships, ensuring they are well-informed about the issue before a final decision is made.

Participatory Planning is a practical tool for community engagement and is a specific approach to decision-making in which not just the technical experts or politicians are involved, but those affected by the plan are given a direct role in creating it—such as setting priorities, making budget decisions, and monitoring project outcomes. This process is essential because it leads to:

Improved Outcomes: Local communities know best about their areas, needs, culture, and economic conditions. Including them in the planning process leads to better and more sustainable project outcomes.

Reduced Conflict: When communities participate in deciding resource allocation, they feel ownership, which reduces internal conflict over scarce resources.

Foster Transparency and Trust: Community involvement in planning and decision-making processes fosters transparency, and they are more likely to support the project as they feel ownership.

Budget Credibility: Participatory budgeting, where citizens help allocate a portion of the local budget, increases transparency and public trust in the administration's fiscal management.

Mechanisms for Engagement:

Town Hall Meeting: A large-scale meeting, open assembly or public gathering where elected representatives and government officials engage with the public to communicate policies, answer questions or address public concerns about policy decisions.

Consultative Forum: A smaller and more focused meeting, regularly and continuously organized to receive advice and feedback on policy development from different stakeholders and experts.

Information Platform: Both digital and physical platforms where official information is disseminated by the government in a timely and accessible manner. Digital platforms may include government websites, email or SMS, data portals, etc. Physical platforms may include public notice boards, printed pamphlets or books, community centers, etc.

Local Sectoral Committees: A committee focused on specific sectors (such as environmental issues, urban planning, public transportation, health, etc.) and composed of citizens, technical experts, local business owners, representatives from NGOs and academics who provide advice to the government on specific policy issues.

C. Inclusion of Women, Minorities, and Youth

Inclusivity means structuring the administration and the political process to guarantee the participation of all community members—especially women, youth, and minorities in terms of ethnicities, religions, sex and gender, and people with disabilities. Exclusion is a source of conflict and undermines the federal unit's democratic character.

Women: Full participation is non-negotiable for conflict prevention, SGBV prevention, and equitable economic development. Mechanisms must integrate political presence with policy impact:

- **Quotas:** Mandatory reservation of seats (e.g., 30-40%) in the federal unit Legislature and local governance bodies to ensure voice.
- **Gender-Responsive Public Services (GRPS):** Requirement to conduct **Gender Impact Assessments (GIA)** for all local policies to ensure services (like water, transport, and security) are designed to meet the differential needs of women and men.

GRPS Case Study: Urban Safety in Municipal Planning

A local federal unit initiated a project to install new public lighting. The initial plan, drawn up by male engineers, focused on lighting main roads to improve traffic flow and reduce vehicular accidents. However, during the required **Gender Impact Assessment (GIA)** and targeted community consultations with women's groups, it was revealed that women and girls primarily walked on unpaved footpaths leading to markets and public transit stops, which became dark and dangerous after sundown, limiting their movement and increasing the risk of sexual and gender-based violence (SGBV).

Outcome: The federal unit Executive re-prioritized the budget, shifting 30% of the lighting funds away from main roads toward lighting these key pedestrian pathways. By focusing the service provision on the documented safety needs of women, the government did more than just install lights; it increased women's mobility, enhanced their economic participation, reduced SGBV risk, and generated immediate, visible legitimacy by demonstrating that the government listens and responds to the needs of all its citizens.

- **Minorities (Internal to the federal unit):** Mechanisms should include:
 - **Language Rights:** Guaranteed rights to use minority languages in federal unit administrative services.
 - **Reserved Positions:** Guaranteed representation for ethnic/religious minorities in the federal unit Executive (Cabinet) and administration.
 - **Sectoral Integration:** Requirement to conduct Social Inclusion Assessments for all local policies (e.g., ensuring public spaces are accessible for people with disabilities).
- **Youth:** To transition from being actors in conflict to stakeholders in governance. Mechanisms should include:
 - **Youth Councils:** Constitutionally recognized advisory bodies for the federal unit Executive.
 - **Internship/Apprenticeship Programs:** Mandatory public sector programs to integrate young people into the administration.

References:

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Discussion Questions

1. Why is simply holding an open Town Hall insufficient to guarantee the participation of women and marginalized minorities? What two specific accommodations would you add to make the meeting truly inclusive?
2. If your federal unit is developing its first local budget, how can you use Participatory Budgeting to increase local tax compliance and community trust?
3. The Unit Legislature decides to implement a 30% quota for women. What is the next step the Unit Executive must take to ensure women's influence is felt beyond just their presence in the legislature and to establish Gender-Responsive Public Services?

Summary and Key Takeaways

- Governance is a Process: It involves all societal actors, not just the state. Good Governance ensures this process is just and effective.
- Participation is Active: It requires sustained citizen engagement in decision-making, often through structures like Participatory Budgeting.
- Inclusivity is Non-Negotiable: It demands structural measures (like quotas and accessibility standards) to ensure marginalized voices shape and benefit from policy.
- Accountability is Citizen-Driven: Mechanisms like Social Audits and Citizen Report Cards are essential tools that transform passive subjects into active monitors of public power.
- Participation = Legitimacy: Community engagement and participatory planning are vital tools for building local legitimacy, ownership, and reducing conflict over resources.
- Inclusion is Institutional: Effective inclusion of women, minorities, and youth requires mandatory institutional mechanisms (quotas, reserved positions, specialized councils), not just goodwill.
- Inclusion Must Translate to Outcomes: Mechanisms for inclusion (like quotas for women or youth councils) are vital, but their impact is fully realized only when they lead to Gender-Responsive Public Services (GRPS). GRPS moves beyond mere representation to ensure that public policies and budgets actively address the specific, differential needs of all citizens, thereby making governance effective and equitable.

Three Things to Do Before the Next Module

1. Talk to someone from an excluded group—ask how they would like to be involved.
2. Conduct a mini power map of your own community.
3. Reflect on where decisions are being made and who is at the table.





Module

4

Governance in Conflict-Affected and Hybrid Settings

Federal Unit Governance in the Myanmar Context

Overview

This module focuses on how governance functions in areas affected by armed conflict or outside formal state control. It introduces the concepts of **hybrid governance**, **de facto authorities**, and **adaptive service delivery**, while encouraging learners to think critically about legitimacy, accountability, and the transition toward federal democratic governance.

Learning Objectives

By the end of this module, participants will be able to:

- Describe the characteristics of governance in conflict-affected and non-state-controlled areas
- Analyze how different actors (e.g., EROs, CSOs, local leaders) play governance roles
- Identify challenges and opportunities for participatory, accountable governance in fragile settings
- Explore transitional strategies for moving from de facto governance toward a federal framework

Topic 4.1: Governing in Transition: Navigating Dual Authority and Conflict Sensitivity

Learning Objective: By the end of this topic, participants will be able to analyze the structure of dual authority, develop practical strategies for navigating inter-authority friction, and integrate the principles of **Conflict-Sensitive Governance (CSG)** into their public service delivery methods.

Background Reading: The Challenge of the Overlap

A **hybrid governance setting** exists when legal authority is formally held by one government (e.g., the union or federal unit or central government), but security, public services, administration, and resources over a territory are controlled or contested by a non-state actor (e.g., an Ethnic-Armed Organization or parallel civil administration). In this circumstance, a single unit alone cannot govern effectively over the territory. The central government or the federal unit (internationally recognized) may hold legal (de jure) authority but lose public trust and cannot enforce rules, while non-state actors (Ethnic-Armed Organizations) have actual (de facto) control over the territory and people and provide security and services. This results in **dual authority systems** where administrators must navigate overlapping jurisdictions, competing laws, and often, personal loyalties.

A. Characteristics of Governance in Conflict-Affected Areas

Governance in conflict-affected areas is complex, fragile, transitional and unstable. Characteristics of governance in conflict-affected areas may include:

Feature	Description
Plural Authorities/ Dual Authority	Multiple groups claim governance roles—EROs, central government or military, local armed actors, ethnic leaders, etc.
Security Fragmentation	Ethnic-Armed Organizations have actual (de facto) control over the territory and people, and provide security and services
Informal Institutions	Customary law, religious mediation, or traditional councils often fill gaps
Lack of Law Enforcement	Unclear rules, overlapping laws, or no formal legal system
Insufficient Service Delivery	Lack of or insufficient public services such as electricity, health care, education, communication, etc.
Aid Dependency	Service gaps are often covered by NGOs or INGOs, including basic needs (food, clothing, shelter, healthcare, education, etc.)
Political Uncertainty	Ongoing or potential armed conflicts, possible ceasefires

B. Challenges of Governance in Conflict-Affected and Hybrid Settings

The primary challenges of governance in hybrid and conflict-affected settings center on the pervasive **legitimacy deficit** of the de jure state, as its authority is undercut by non-state actors who provide de facto services and security. This is compounded by **security fragmentation**, where multiple armed groups operate parallel enforcement mechanisms, leading to unpredictable security environments and a breakdown of the uniform rule of law. Furthermore, **resource and fiscal management** becomes highly contested; the inability of the central government to collect taxes or administer revenues in non-state-controlled territories forces reliance on informal or external financing, creating long-term structural weakness and fueling conflict cycles. These factors collectively push administrative focus toward crisis management rather than sustainable institutional development.

C. Realities on the Ground – Case Examples

Kawthoolei (Karen Area):

The Karen National Union (KNU) and its twelve departments provide public services such as education, healthcare, security, and judicial services in its controlled areas by collaborating with civil society organizations. For example, the Karen Education and Culture Department (KECD) and the Karen Department of Health and Welfare (KDHW) have been providing crucial and essential services in the education and healthcare sectors, especially since the military coup. Another important service that KNU provides is judicial services in all districts at different levels, which is made up of the Justice Department and the Karen National Police Force (KNPF). Moreover, KNU has also been facilitating humanitarian aid for Internally Displaced Persons (IDPs), including Karen and non-Karen ethnic groups, strengthening its legitimacy in the areas under its control. Yet, gaps in resources, technical skills, and coordination persist.

Chinland:

After the 2021 coup, communities formed new interim local councils and people's administrations to replace those of the military regime. The Chin National Front (CNF) and its allied Chinland Defense Forces (CDFs) established Chinland Council and its administration involving local leaders, tribal leaders and representatives from CDFs in the areas under CNF control. At the same time, its rival group, the Chin Brotherhood Alliance, has also been providing public services in the areas of education, healthcare, and justice in the areas under its control. These public services are mostly administered on a voluntary basis, provided by Civil Disobedience Movement (CDM) teachers, doctors and nurses. At the local level, disputes and conflicts have been resolved using local mediation methods by local tribal leaders. Thus, Chinland's administration and public service delivery are complicated due to its rival governance system.

Kachin State:

The Kachin Independence Organization (KIO) operates an extensive administrative system and has provided a full range of public services with its departments for education, health, justice, finance and taxation for decades in the areas under its control. Its administration and public service delivery have been widely expanded since the 2021 coup. Not only has the KIO established its own school and healthcare systems, which were joined by CDMers after the coup, but it also has its own judicial system, including a police force which provides justice and security services. These public services have been delivered and sustained through tax collection on the extraction of natural resources and customs duties on border trade. While the KIO offers relative stability and public services in areas under its control, challenges remain in ensuring consistent service delivery, resource management, and coordination with local communities and other actors.

Karenni State:

The Karenni State Interim Consultative Council (KSCC) was established three months after the 2021 military coup, it then also formed the three main pillars of executive, judicial, and legislative branch institutions. For the executive branch, it formed the Karenni State Interim Executive Council (KIEC) in June 2023, which provides services through the establishment of relevant departments, including Health, Education, Taxation, and Humanitarian Affairs. In 2025, the KIEC controlled over 70% of Karenni State and delivered public services and administrative work within these areas. Despite facing challenges, the governance structure in Karenni State is well-recognized for several reasons: (1) the establishment of policies related to drugs, youth, women, and other important areas, (2) strong collaboration among armed groups, political parties, and civil society organizations, and (3) transparency in tax collection and its utilization.

D. Navigating Dual Authority Systems

Dual authority creates ambiguity and fragility, which can be paralyzing. The goal is to move from **friction** (direct conflict) to **coexistence** (parallel operation) and eventually toward **cooperation** (joint service provision).

Mapping the Overlap: The first step is to clearly map out which authority controls which sector (*e.g., Federal unit controls formal land registration; non-state actor controls local dispute resolution*). This informs where cooperation is possible and where confrontation is unavoidable.

The Principle of Pragmatism: Administrators must prioritize service delivery (health, education) over ideological purity. If a non-state actor can safely and efficiently distribute vaccines, a pragmatic approach is to find an interim mechanism for coordination without legitimizing the non-state actor's *political claim*.

Communication Channels: Establishing neutral, administrative-level (non-political) communication channels with parallel authorities is critical to prevent minor administrative disputes from escalating into political or security crises.

E. Governing During Transition and Conflict

Conflicts introduce volatility, unpredictability, and security risks into governance. Thus, administrators must build resilience into their systems:

Contingency Planning: Developing clear procedures for rapid mobilization, evacuation, and continuity of essential services (e.g., maintaining health services during intense fighting or natural disasters).

Protecting Institutional Memory: Ensuring that core documents, records, and data (land titles, health records, fiscal data) are digitized, backed up, and secured against disruption or seizure.

Neutral Service Delivery: All public services must be delivered neutrally, ensuring that humanitarian aid, education, or infrastructure projects do not favor one political, ethnic, or religious group over another.

F. Conflict-Sensitive Governance (CSG)

Conflict-Sensitive Governance (CSG) means understanding how your administrative actions—even favorable ones like building a road or appointing a director—can exacerbate existing tensions.

"Do No Harm": This foundational principle requires administrators to analyze how their policy, project, or hiring decision might unintentionally reinforce existing divisions or redistribute resources unfairly, thus fueling the conflict.

Impact Analysis: Before implementing a major project (e.g., building a new hospital), assess: *Does the location favor one community over another? Does the hiring process exclude members of a marginalized group?*

Harnessing Peace Dividends: Strategically design projects (e.g., joint water management committees) that require opposing groups to cooperate in order to reap a shared benefit, thus fostering cross-boundary trust.

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Discussion Questions

1. In a dual authority system, if the non-state actor issues a different local tax demand, how should a Township Administrator communicate with the community to minimize public confusion and avoid a conflict?
2. Explain the difference between Coexistence and Cooperation in the context of service provision in a hybrid setting. When might Coexistence be the most appropriate strategy?
3. An international donor wants to fund a major new road project. Using the "Do No Harm" principle, what are two critical questions the Unit Planning Department must ask before approving the route?

Topic 4.2: Transitional Justice, Trust-Building, and Service Delivery in Hybrid Systems

Learning Objective: By the end of this topic, participants will be able to define key components of **Transitional Justice (TJ)**, integrate TJ principles into local trust-building initiatives, and understand how fair, consistent public service delivery (health, education) serves as a critical form of non-judicial **transitional justice**.

Background Reading: Healing the Rift

Transitional Justice (TJ) is a set of judicial and non-judicial measures implemented by a country or a society to address the legacies of massive human rights abuses and violations to ensure accountability, serve justice and achieve reconciliation. Transitional justice focuses more on transformation than on retribution and seeks to balance peace and stability with justice and truth.

For federal unit administrators, TJ is not just about courts, it's about trust-building at the local level. It involves recognizing past harms while simultaneously building a future where government institutions (the new federal unit) are trusted to deliver basic services fairly and without discrimination.

A. Transitional Justice and Governance

TJ is a comprehensive approach that includes four primary pillars:

Accountability: Investigating and prosecuting perpetrators who committed serious crimes (massive atrocities and human rights violations).

Truth-Seeking: Establishing commissions to document past abuses and provide a comprehensive public record.

Reparations: Measures to acknowledge and compensate victims (e.g., medical aid, financial compensation, psychological support, educational support, etc.).

Institutional Reform: Reconstructing institutions (like the police, judiciary, civil service) and legal reform to prevent future abuses and guarantee the protection of human rights.

For federal units, **Institutional Reform** and **Reparations** are often the most immediate and impactful areas of focus.

B. Service Delivery as Non-Judicial Reparation

In areas devastated by conflict, **fair, equitable, and non-discriminatory service delivery** is often the most profound way that a new federal unit can offer **reparations** and build trust.

Equity vs. Equality: Service delivery should be based on **equity** (recognizing that some communities were intentionally marginalized or destroyed) rather than simple equality.

- Example: Repairing infrastructure and providing necessary service delivery in a village where human rights violations existed is a practical form of redressing past harm.

Healing Centers and Memorials: Using local budgets to establish community healing centers, SGBV support facilities, and local memorials acknowledges suffering and provides tangible support, fulfilling the non-judicial component of reparations.

Restoring Identity: Allowing communities to restore local names, cultural sites, and traditional leadership structures that were suppressed by previous regimes is a non-monetary, yet powerful, act of justice.

C. Trust-Building with Communities

Trust is the essential element of effective governance. Any administration (federal unit) must demonstrate that it is fundamentally different from previous, abusive systems by providing effective service delivery and taking noticeable action to stop unfair practices.

Transparency in Hiring: Prioritizing the hiring of qualified local staff, especially from previously marginalized groups, into the administration and security forces sends a strong signal of inclusion.

Public Apology/Acknowledgement: Local leaders and administrators should use public forums to formally acknowledge past atrocities committed by state or non-state forces in their jurisdiction, fostering reconciliation and setting a new ethical standard.

Conflict Resolution Training: Training local administrative staff and village leaders in non-violent mediation and conflict resolution techniques ensures that the government is seen as a third-party mediator, not a partisan player.

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Discussion Questions

1. Why is simply waiting for a national Truth Commission to be established not a sufficient strategy for a federal unit administrator seeking to build trust with local communities today?
2. If two adjacent villages were on opposite sides of the conflict, and you only have the budget to build a new school in one, how would the principle of Equity inform your decision?
3. How does/should non-discriminatory access to education and health services function as a form of reparations for a community that was historically deprived of these services?

Topic 4.3: The "Mini-State" Dilemma: Centralization vs. Subsidiarity at the Unit Level

Learning Objective: By the end of this topic, participants will be able to recognize the danger of **mini-state-building**, articulate the importance of the **principle of subsidiarity** within the federal unit, and design mechanisms to devolve powers, resources, and accountability to municipal (township) and village tract levels.

Background Reading: Decentralization Within Decentralization

The primary goal of federalism is to secure the **self-rule** of regional groups against centralized oppression. However, a common challenge in post-conflict transitions is the **"mini-state" dilemma**: federal unit leaders, often former military or political elites, replicate the highly centralized, authoritarian control they once fought against, shifting power from the union capital to the unit capital but failing to share it with local townships and villages.

A. Recognizing the Mini-State Tendency

This tendency manifests itself in several ways:

Fiscal centralization: The unit executive controls all tax revenue and federal transfers, allocating funds based on patronage rather than needs, leaving townships with no financial autonomy.

Patronage appointments: Key administrative positions in the townships are filled by officials appointed from the unit capital and who are loyal to the central unit leadership rather than accountable to the local community.

Legislative weakness: The unit legislature is strong, but it prevents local township or village councils from having any real law-making authority or genuine budget oversight.

The result is that citizens in villages or remote townships feel just as disconnected and poorly served by their regional government as they once were by the union government.

B. Subsidiarity: Sharing Power Within the Unit

To overcome the mini-state dilemma, the **principle of subsidiarity** must be applied internally. Just as the union should only do what the unit cannot, the unit should only do what the township or village cannot do efficiently.

Fiscal decentralization: Township councils must have the power to collect and keep specific local taxes (e.g., property tax) and manage a guaranteed portion of the unit's revenue transfers.

Administrative autonomy: Local administration (township, village tract) should be primarily staffed by locally hired and accountable personnel, ensuring proximity and cultural sensitivity in service delivery.

Empowering local councils: Democratic township and village councils must be given clear, legal authority over local matters (e.g., local infrastructure, primary markets, local public health campaigns) and must be held accountable by their immediate constituencies.

C. Creating Local Accountability for Women and Youth

Decentralization to the lowest level (village and ward) is often the most effective way to ensure the participation of women and youth who may not have the resources or influence to engage at the unit capital level.

Village tract planning: Mandatory participatory planning sessions must occur at the village level, enabling women and youth to set priorities for local projects (e.g., water access, local security).

Local budget oversight: Village tract councils, which include mandatory representation for women and youth, must be given oversight over the specific funds allocated for their local projects to ensure the funds are not diverted by the unit administration.

Local land committees: Empowering local committees (with diverse membership) to resolve low-level land disputes and register local customary holdings can stabilize communities and provide legal security, particularly for women's land rights.

References:

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Discussion Questions

1. How can the **Unit Legislature** create legal requirements that prevent the **Unit Executive** from engaging in **fiscal centralization** (i.e., hoarding all tax revenues)?
2. If the Unit capital centralizes the appointment of all Township Administrators, what immediate negative impact does this have on local **accountability** and service delivery?
3. Why is the **Mini-State Dilemma** such a dangerous threat to the long-term stability and democratic promise of a new federal unit?

Summary and Key Takeaways

- **Subsidiarity is Internal:** Federal units must practice Subsidiarity internally by devolving powers and resources to the lowest possible administrative levels (Township and Village Tract).
- **Stop the Gatekeeping:** Preventing the Unit Capital from becoming a gatekeeper for all resources and appointments is the key to avoiding the Mini-State Dilemma.
- **Local Legitimacy:** Empowering local councils and involving women and youth in village-level planning and budget oversight ensures that the federal project translates into real democratic governance at the community level.
- **Justice Beyond Courts:** Transitional Justice is a necessary foundation for reconciliation. For administrators, this means focusing on Institutional Reform and targeted Reparations.
- **Equity in Services:** Fair, non-discriminatory, and equitable public service delivery (health, education, infrastructure) is the most immediate and impactful way the new federal unit can acknowledge past suffering and build trust.
- **Trust is Earned:** Trust-building requires transparent actions: acknowledging past wrongs, hiring inclusively, and prioritizing the needs of the most marginalized groups.
- **Hybrid Realities:** Governance often involves dual authority. Successful administration requires mapping the overlap and seeking paths for pragmatic service coexistence or cooperation.
- **Do No Harm:** Conflict-Sensitive Governance (CSG) is mandatory. Every policy, appointment, or project must be assessed to ensure it does not inadvertently fuel or exacerbate existing inter-group tensions.
- **Prioritize Services:** During conflict, the administration's primary focus must be on maintaining the continuity of essential public services—this builds local legitimacy and demonstrates institutional competence.

Three Things to Do Before the Next Module

1. Interview someone living in a non-state-controlled area—what do they see as “government”?
2. Try mapping governance actors in your township or district, or region.
3. Reflect: What would it take to transition your region to a federal governance structure?





Module

5

Local Leadership and Administrative Capacity

*Federal Unit Governance in the Myanmar
Context*

Overview

This module delves into the engine of effective governance: local leadership and administrative capacity. It highlights essential qualities of local leaders, the interplay between political and administrative roles in local governance structures, and results-based management practices across the administration to improve public services strategies for capacity-building. These include concrete steps to professionalize the federal unit's civil service, accountability mechanisms for responsive, inclusive, and transparent governance, and communication and coordination mechanisms tailored especially for challenging environments such as conflict-affected or self-administered areas.

Learning Objectives

By the end of this module, participants will be able to:

- Articulate the differences between political and administrative roles, define the core values of a public service ethos in a federal context, and identify the steps necessary to professionalize the federal unit's civil service.
- Map the administrative cycle (planning, budgeting, monitoring and evaluation), use data analysis to inform policy decisions, and link financial requests to measurable outcomes through performance-based budgeting.
- Establish effective horizontal and vertical coordination mechanisms, manage high-stakes crisis communication, and utilize public transparency (budget, reporting) as a tool for political accountability.

Topic 5.1: Building Administrative Capacity in Conflict-affected Communities

Learning Objective: To establish the ethical, structural, and professional foundation required for public administration to be seen as legitimate, impartial, and functional in a conflict-affected or hybrid environment.

Background Reading: Shifting from “Faction” to “Function”

In post-conflict or politically fragile settings, the stability of a local government depends critically on its ability to shift its operational model. The primary challenge is moving from a system driven by factionalism and patronage (the “faction” model) to one defined by a professional public service (the “function” model).

A. The Problem of Factionalism

In fragile contexts, political success is often achieved through forming factions—groups bound by kinship, ethnicity, or political loyalty. When these factions control the government, they frequently view public administration as a tool for maintaining power. This leads to:

- recruitment based on loyalty, not merit,
- arbitrary and opaque decision-making, and
- diversion of state resources for personal or factional gain.

This "faction" model fundamentally undermines the state and destroys public trust because it fails to deliver impartial services.

The Goal: The Public Service Ethos as "Function"

The antidote to factionalism is institutionalizing a public service ethos. This is the professional duty of civil servants to serve the entire public with impartiality, equity, and transparency. The shift to "function" means that a government's legitimacy is derived from its ability to solve problems for everyone, rather than from rewarding its factional base.

B. Defining Administrative Capacity and Its Pillars

Administrative capacity is often mistakenly reduced to just resources or technical skills (e.g., "do they have computers?"). While these are components, true administrative capacity is the institutional ability to transform policy intentions into measurable public results.

This ability rests on three core pillars:

- **technical competence:** the skills needed to execute specific tasks (e.g., accounting, engineering, public relations and communication, data management and analysis, etc.);
- **procedural adherence:** the discipline to follow standard operating procedures (SOPs) and legal frameworks impartially;
- **institutional autonomy:** the ability of the administrative structure to operate without undue interference from political or personal interests.

C. The Practical Framework: Roles, Ethos, and Professionalization

To achieve the shift from faction to function, a legitimate government must focus on three interconnected areas: clarifying roles, building a shared ethos, and professionalizing the civil service.

1. Clearly Defined Roles and Responsibilities

A key step is distinguishing the roles of political officials from administrators to prevent the blurring of political and administrative loyalties. Local administrators are the face of governance. They must be non-partisan experts who implement the laws passed by the Unit Legislature and the policies set by the Unit Executive.

- **Political officials (executive/legislative):** Set goals, make laws, and decide policy direction (e.g., should we prioritize health or education this year?). They are temporary, partisan, and accountable to voters.
- **Administrators (civil servants):** Implement policy, manage budgets, and deliver services efficiently and impartially (e.g., how do we build the most effective health clinic within the allocated budget?). They are permanent, non-partisan, and accountable to the law and the public.
- **Core administrative duties:** These include public financial management, personnel management (hiring/training), record-keeping, public communication, and ensuring the continuous delivery of essential services (e.g., water, sanitation, local policing oversight).

2. Embedding the Public Service Ethos

An ethos is the guiding moral character of a group. A public service ethos is the commitment to serving the entire community and thus prioritizing public interest over personal or factional gain. Its core values are:

- **impartiality:** Service delivery (e.g., issuing permits, accessing aid) must be based on objective criteria, not on ethnicity, political affiliation, or personal connection;

- **legality (rule of law):** based on and authorized by law and exhibiting consistency and predictability;
- **responsiveness:** quickly and courteously addressing citizen needs and complaints, recognizing that delayed or ignored requests erode trust;
- **competence:** possessing the necessary skills (e.g., technical, financial, and managerial skills) to perform duties effectively and efficiently.

3. Professionalization and Capacity Building

Professionalizing the civil service is a practical mechanism for embedding the public service ethos and breaking patronage networks.

- **Merit-based Hiring:** Establishing transparent, competitive recruitment and promotion processes based solely on qualifications and performance is critical for strengthening institutional autonomy.
- **Standardized Training:** Implementing mandatory, continuous training on administrative law, public financial management, and anti-corruption measures.
- **Decentralized Delegation:** Delegating sufficient authority to lower-level staff (e.g., a Township Chief) to make decisions within their defined scope, thereby encouraging initiative and accountability at the local level.

D. Comparative Case Examples: Addressing Factionalism through Structure

1. Rebuilding Civil Service in Post-War Bosnia and Herzegovina (BiH)

Following the 1995 Dayton Peace Agreement, BiH faced the challenge of establishing three distinct, often politically antagonistic, public administration systems (Bosniak-Croat Federation, Republika Srpska, and the Brčko District). Civil servants were largely recruited along ethnic lines, making public employment a tool for political control and patronage (“faction”).

- **Administrative Solution:** The establishment of the independent **Civil Service Agency (CSA)** at both the state and entity levels. The CSA’s sole mandate was to standardize merit-based recruitment, professional training, and disciplinary codes. By making recruitment competitive, transparent, and legally enforced by an impartial body, the administrative barrier between the political leadership (“faction”) and the operational staff (“function”) was strengthened, compelling officials to act based on law, not political favor. The challenge remains in fully enforcing the CSA’s mandate against strong political resistance.

2. Building an Administration in the Autonomous Administration of North and East Syria (AANES)

Established during the Syrian Civil War, the AANES governance model is based on “democratic confederalism” and is characterized by radical principles of gender and ethnic inclusion. The core challenge here was not reforming an old bureaucracy but creating one from scratch under active conflict.

- **Administrative Design Feature:** To prevent the “Faction” model, the AANES constitutionally mandated a co-chair system (male and female leaders must co-head every administrative body and committee) and required the balancing of ethnic representation (Kurds, Arabs, Assyrians, etc.) in all government institutions.

- **Capacity Challenge:** While the co-chair system immediately instilled principles of inclusion and accountability to diverse groups, the practical administrative challenge involved training thousands of civil servants who were recruited based on political and ideological commitment rather than formal technical experience. The administration had to constantly balance its ideological goals (decentralization, and inclusion) with the need for technical competence (public financial management and service delivery). This required ongoing, extensive capacity building to ensure the staff could deliver functional, professional services to the public.

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Discussion Questions

1. A new Unit Minister asks the Head of Education to hire their nephew for a vacant teaching position, bypassing the merit-based hiring process. How should the Head of Education respond while upholding the principles of Impartiality and Legality?
2. Compare the administrative challenge faced by the CSA in BiH (reforming an existing, factional system) versus the AANES (building a functional system from scratch). Which challenge is fundamentally more difficult to achieve long-term professionalization?
3. If your federal unit is resource-poor, what are two low-cost methods you can use to immediately reinforce the value of responsiveness in your staff?

Topic 5.2: The Competence Cycle: Evidence, Planning, and Performance Budgeting

Learning Objective: To equip leaders with the technical tools and processes necessary to manage scarce resources effectively, ensuring that public spending is driven by strategic goals and measurable results, thereby demonstrating administrative competence.

Background Reading: The Path from Intention to Impact

Local administrations are constantly under pressure to deliver improvements—better roads, cleaner water, faster registration processes, etc. However, noble political intentions often fail to translate into tangible public impacts due to a breakdown in the competence cycle.

A. The Competence Cycle

This cycle is the administrative mechanism that transforms abstract political goals into concrete, measurable service delivery outcomes. The core of the competence cycle consists of three integrated steps:

Step 1: Evidence (Needs Assessment)

The cycle must always start with objective data. This is the difference between reacting to the loudest political complaint and responding to the deepest public need.

Anecdote vs. data: Instead of assuming a problem exists, the administration must conduct a needs assessment or service gap analysis. For instance, rather than simply budgeting for “better schools,” evidence must pinpoint the exact gap: Is it the teacher-to-student ratio? Lack of textbooks? Poor sanitation?

Baseline data: This evidence from needs assessment or service gap analysis creates a baseline. If you don’t know the current state of affairs (e.g., only 30% of houses have trash collection), you cannot measure improvement.

Step 2: Planning (Outcome Setting)

Once the evidence is established, the administration must translate the political intention into a specific, achievable goal using standard planning methodology (often these are SMART goals: Specific, Measurable, Achievable, Relevant and Time-bound).

From abstract to concrete: An abstract intention (e.g., “reduce corruption”) must become a concrete goal (e.g., “implement a fully digital, publicly accessible business registration system within 12 months”).

Goal alignment: All departmental planning must align with the evidence collected, ensuring limited resources are focused on the highest-impact areas.

Step 3: Performance Budgeting (Resource Allocation)

This is the most crucial administrative challenge: allocating money based on expected results rather than historical spending or political demand. Performance budgeting shifts the focus from inputs to outputs.

Input budgeting (the old way): “We need \$50,000 for the Public Works Department to buy fuel and pay salaries.” This focuses only on the cost of the operation.

Performance budgeting (the competent way): “We will allocate \$50,000 to the Public Works Department to achieve the following deliverables: a 25% increase in road surface repair (measured in square meters) and a 15% reduction in public complaints (measured via the call center log).” This focuses on the service target.

By linking every expenditure line item directly to a quantifiable service target, the administration gains a powerful tool for self-correction and accountability. If the impact (output) is not achieved, the administrative system must review the planning and evidence cycle stages to diagnose the failure, thereby closing the loop of the competence cycle.

Case Example: Municipal Service Delivery in Post-Conflict Liberia

In the wake of Liberia's civil conflict, local governments often had clear intentions to improve services but lacked the administrative structure to translate those intentions into tangible impact, resulting in misplaced priorities and wasted resources.

The administrative challenge: A lack of baseline data meant that planning was based on anecdotes rather than evidence of greatest need, preventing effective resource allocation.

Administrative solution: The **Simplified Planning and Budgeting (SPB) Framework** was introduced. This mandatory administrative tool forced local technical staff to start with a participatory **service gap analysis** (evidence). They were then required to link every budget line item to a specific, quantifiable service delivery target (planning). For example, a budget item was no longer just 'road maintenance,' but 'repairing 5km of critical feeder roads in district X by Q4' (performance budgeting). This institutionalized a basic competence cycle that tracked expenditures against observable impacts.

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Discussion Questions

1. Your federal unit has limited resources, but the local data collection is unreliable or nonexistent. What is the minimum, lowest-cost data set (qualitative or quantitative) you can begin collecting immediately to enable Evidence-Based Decision Making for local service delivery?
2. A Unit Minister insists on a \$50,000 budget allocation for a new, visible ceremonial building that is not in the strategic five-year plan. As the Head of Planning, how do you use the principles of Strategic Planning and Performance Budgeting to professionally push back against this request?
3. What is the fundamental difference between simply spending \$1 million on road repair (Line-Item) and successfully reducing road safety accidents by 50% for \$1 million (Performance)? Which approach generates more public trust?

Topic 5.3: Coordination and Communication: External Legitimacy and Public Trust

Learning Objective: To analyze the necessity of establishing clear, formal, and transparent communication protocols—both vertically (with the central government) and horizontally (with the public)—to build and maintain the external legitimacy of the new federal unit.

Background Reading: Visibility as Legitimacy

In a fragile state, a local government's legal right to exist (its *de jure* legitimacy) is often insufficient to command compliance or inspire cooperation from the public. To function effectively, it must earn external legitimacy—the trust and acceptance of the population it serves. This legitimacy is not granted; it is earned through administrative performance, particularly through effective **coordination** and transparent **communication**.

A. The Coordination Challenge

Many public problems are complex, requiring multiple administrative bodies to work together. For instance, fixing a street requires coordination between the Engineering Department (design), the Procurement Office (contracts), the Finance Department (payment), and the Traffic Police (managing flow).

Siloed administrations: In administrations with weak capacity, departments tend to operate in “silos,” refusing to share information or resources. This leads to common public complaints, such as a road being paved only to be dug up again a week later by the Water Department.

Visible efficacy: When administrations coordinate smoothly, the public observes a government that works efficiently and intelligently. This visible efficacy is a key indicator to the citizen that the government is competent and in control. Effective coordination is thus a prerequisite for public satisfaction.

B. Communication: From Transactional to Trust-Building

Communication in public administration often defaults to being transactional (e.g., “pay your tax bill here”). To build external legitimacy and public trust, communication must become proactive and transparent, acknowledging the government’s performance, both good and bad.

The key shift is adopting **visibility as legitimacy**:

- 1. Public acknowledgement of performance:** The administration must not just do its work, it must visibly report on its work. Tools like publicly posted budgets, quarterly performance reports, or citizen report cards (CRCs) force the administration to face the reality of its service gaps.
- 2. Transparency in process:** When a citizen knows the process for obtaining a license (the steps, the cost, the required documents, and the guaranteed timeline), they are less likely to assume corruption or bureaucratic sabotage.
- 3. Managing expectations:** Open communication manages public expectations. If a major infrastructure project is delayed, visible communication explaining the reason for the delay (e.g., supply chain issues, not incompetence) prevents the erosion of trust.

By consistently coordinating tasks to achieve a visible result and openly communicating both successes and challenges, the local administration earns the perception that it is professional, trustworthy, and working in the public interest. This externally acknowledged performance—**visibility**—becomes the foundation of the administration’s **legitimacy**.

Case Example: Citizen Report Cards in Nepal's Local Units

Following the shift to a federal system, Nepal's newly empowered local administrative units (Palikas) struggled with public skepticism regarding their competence, which was exacerbated by political infighting and bureaucratic inertia.

The administrative challenge: Citizens lacked a reliable, objective way to assess the performance of their local administration, leading to low trust and high transactional costs (i.e., bribery and long waiting times for simple documents).

Administrative solution: Implementation of a standardized, regular **citizen report card (CRC) system** for key services like birth registration, small infrastructure projects, and tax collection. This involved the local administration (or civil society partners) surveying citizens on the quality, timeliness, and fairness of services received. The results were then **publicly posted** at the Palika office and on public notice boards. This act of visible, self-assessed accountability (visibility as legitimacy) forced local officials to coordinate their departments better to avoid a poor public rating, directly increasing public trust in the service delivery mechanisms.

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Discussion Questions

1. **High-Stakes Scenario:** Following a natural disaster, the Security Department closes roads for security reasons, while the Aid Department must use those roads to deliver supplies. What **horizontal coordination** mechanism should have been in place to prevent this conflict?
2. A major media outlet alleges corruption in the purchase of ambulances. You know the allegation is partially true. What are the first three steps for your **Crisis Communication** team to manage the fallout truthfully while limiting damage?
3. A local politician demands that the budget reports be kept secret to prevent "political opponents from misusing the information." Using the principle of **Transparency**, how do you argue professionally for the public release of financial data?
4. How can a simple, low-cost feedback mechanism (like a public suggestion box) serve as an early warning system for broader political dissatisfaction or factional tension?

Summary and Key Takeaways

1. Foundational Principles: The "Faction to Function" Shift

Separate Roles to Build Trust: Legitimacy requires a clear, legal firewall between temporary political leaders (who set policy) and a permanent, impartial civil service (who implement it).

Ethos over Loyalty: The antidote to factionalism is a professional culture rooted in serving the public with impartiality, legality, and responsiveness.

Hire for Merit, Build for Skill: Break patronage networks with transparent, merit-based hiring, and reinforce competence through continuous training and standardized procedures.

2. Financial Stewardship: Governing with Evidence

Budget for Outcomes, Not Just Outputs: Link all spending to a strategic plan and measure success by public results achieved, not just money spent.

Let Data Drive Decisions: Use objective evidence to justify administrative actions and defend against political or factional interference.

3. Sustaining Legitimacy: Communicate and Adapt

Be Seen to Be Believed: Proactively communicate performance and coordinate publicly to make administrative competence visible and build trust.

Listen to Improve: Establish robust feedback loops with citizens; responsiveness reinforces the public service ethos and drives continuous improvement.

Three Things to Do Before the Next Module

1. Reflect on a recent public work planning process in your community: What worked? What could be improved?
2. Identify local community and civil society groups and think about how they could be involved in planning.
3. Observe or participate in a decision-making meeting, noting the methods used.





Module

6

Planning and Decision-Making

*Federal Unit Governance in the Myanmar
Context*

Overview

This module covers essential principles and processes of planning and decision-making within federal units. It emphasizes participatory approaches, transparency, and evidence-based methods that promote accountable governance and responsive service delivery, particularly in complex, conflict-affected, and multi-ethnic contexts like Myanmar.

Learning Objectives

By the end of this module, participants will be able to:

- **Analyze and articulate** how strategic planning in a post-conflict environment transcends technical resource allocation to function primarily as a **political tool** for establishing administrative coherence, government legitimacy, and trust among diverse stakeholders (citizens, donors, and state institutions).
- **Differentiate** between mere “consultation” and genuine “co-ownership” in planning, and **evaluate** the core administrative mechanisms (budget decentralization, mass assemblies, technical vetting) required to transform local participation into sustainable service delivery and enhanced democratic legitimacy.
- **Analyze** how administrative resilience and conflict sensitivity (the do no harm principle) should be integrated into administrative mechanisms in service delivery, particularly in the context characterized by deep historical divisions.

Topic 6.1: The Role of Planning in the State-Building of Conflict-affected Communities

This topic examines how planning processes in post-conflict settings are inherently political acts. They are used to forge administrative coherence out of chaos, signal government legitimacy to skeptical populations and donors, and build trust among formerly warring factions. The very act of creating a shared, public plan is a performative declaration that the state exists, has a vision, and is capable of steering the country toward a common future. We will explore this through the conceptual framework and the practical example of Timor-Leste's National Strategic Development Plan.

Learning Objective: By the end of this session, participants should be able to:

- articulate why planning is a critical tool for establishing legitimacy and trust, not just for allocating budgets;
- analyze how a strategic plan serves as a communication and coordination signal to different stakeholder groups (citizens, donors, state institutions);
- evaluate the practical challenges and political trade-offs involved in implementing a strategic plan in a low-capacity, high-distrust environment;
- apply the conceptual framework to other post-conflict or fragile state scenarios.

Background Reading: Planning as a Political and Legitimacy Tool

In a stable OECD state like Canada or Germany, planning operates within a settled institutional framework. The rule of law is established, the civil service is professional, and public trust in institutions is relatively high. Here, a national development plan focuses on optimization: how to best use known resources to achieve agreed-upon societal goals (e.g., improving educational outcomes, transitioning to a green economy).

In post-conflict states like Timor-Leste (after 1999), Sierra Leone (after 2002), or Bosnia and Herzegovina (after 1995), this context is inverted. The key challenges are:

- **Institutional vacuum:** The state's administrative machinery may be destroyed, co-opted by wartime factions, or non-existent.
- **Shattered social trust:** Trust between citizens and the state, and between different identity groups (ethnic, religious, political), is extremely low.
- **Legitimacy deficit:** The new government must rapidly prove it is more than just a victor in a conflict; it must demonstrate it is a **competent**, fair, and viable manager of public affairs.
- **Donor dominance:** International donors pour in aid, but often create parallel systems that bypass weak state institutions, further undermining long-term capacity.

In this environment, a strategic plan is not just a document; it is a foundational act of statecraft.

A. Planning as a Signal of Coherence

The act of creating a shared, public, long-term plan serves as a powerful signal:

to citizens, it demonstrates that the government has a coherent, long-term vision that extends beyond immediate political maneuvering. It offers a promise of stability and future improvement;

to donors, it provides a clear framework for alignment, ensuring that external aid supports national priorities rather than creating parallel, unsustainable administrative structures;

to state institutions, it forces ministries and departments, which may have historically been antagonistic or siloed, to agree on a common set of objectives and coordinate their activities toward a unified goal.

Case Example: Timor-Leste's National Strategic Development Plan (NSDP)

Following its independence in 2002, the newly formed nation of Timor-Leste faced the daunting task of building state capacity amid resource scarcity and intense political diversity. The government's administrative response was the creation of the National Strategic Development Plan (NSDP) 2011–2030 (Government of Timor-Leste, 2011).

The NSDP's administrative success lay in three strategic functions:

1. **Establishing visionary unity:** The NSDP 2011–2030 was not crafted in an ivory tower. It involved extensive consultations across all 13 districts, engaging political parties, civil society, and traditional leaders. This process was as important as producing the final document. By getting buy-in from diverse groups, the plan helped transform the state from an abstract, distant entity into a shared project. It answered the fundamental question: "What does Timor-Leste stand for, and what do we want to become?" This created a political consensus that was essential for subsequent administrative action.

2. **Enforcing resource alignment:** The NDSP acted as a “magnet” for all government and donor activity. By mandating that all ministerial budgets and donor-funded projects be aligned with the plan’s pillars (e.g., “social capital,” “infrastructure,” “economic development”), the government fought against fragmentation. It prevented the Ministry of Health and the Ministry of Education from pulling in opposite directions and stopped donors from building schools in locations that did not fit the national infrastructure strategy. This enforced coherence is the first step in building a unified administrative state.
3. **Building accountability:** The NDSP was not a secret government document. It was published and disseminated. This transparency meant that citizens could see the government’s commitments—for instance, to reduce malnutrition or increase electrification rates. Civil society organizations could then monitor progress and report on shortfalls. This transformed the citizen from a passive recipient of the state’s services to an active stakeholder in its dealings, which is a cornerstone of democratic legitimacy. For donors, this accountability framework provided the confidence that their investments were part of a monitored, rational system.

B. The Planning Process: A Deliberate Sequence of State-Building

Each step in the planning process has a distinct state-building function:

1. **Conducting needs assessment:** This is not just data collection; it is an act of presence. Government teams engaging with communities to understand their needs signal that the state cares and is listening.
2. **Setting priorities:** This is a public negotiation of values. Choosing between investing in a new road versus a new hospital forces a public debate about the nation’s priorities, cementing the idea of a collective “we.”

3. **Developing action plans:** This translates the grand vision into manageable tasks, beginning the process of routinizing state functions and moving from crisis management to normal administration.
4. **Resource mobilization and budgeting:** This is where the state demonstrates its sovereign function—the legitimate authority to collect and allocate public resources according to a public plan.
5. **Implementation and monitoring:** This builds the bureaucratic muscle memory of the state. It creates feedback loops and begins to instill a culture of performance and results.
6. **Reviewing the plan (evaluation):** This demonstrates state learning and adaptability, showing that the government can reflect on its performance and adjust its course—a key trait of a resilient state.

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Discussion Questions

1. What is the fundamental difference between "planning" in a stable OECD (Organization for Economic Co-operation and Development) state versus a post-conflict state? Why does the objective shift from technical efficiency to political legitimacy?
2. The background reading identifies three key stakeholders: Citizens, Donors, and State Institutions. For which of these three groups is a Strategic Plan (like Timor-Leste's NSDP) the most essential signal, and why?
3. If you were an international donor in Timor-Leste, how would the existence of the NSDP change your decision-making process for funding—specifically regarding "bypassing" local administrative structures?
4. The NSDP is a multi-decade plan. Why is a long-term vision so critical for rebuilding trust after a period of short-term conflict or crisis? What message does this longevity send?

Topic 6.2: Models of Integrated and Participatory Planning

This topic delves into the practical architecture of citizen engagement in governance. It moves beyond the theoretical appeal of “participation” to critically examine the specific institutional designs that separate superficial consultation from transformative co-ownership. The core argument is that for local planning to be effective and legitimate, it must be integrated—meaning citizen input is systematically fed into official decision-making and resource allocation processes—and participatory—meaning it involves citizens as genuine partners, not just passive recipients of information.

Learning Objective: By the end of this session, participants should be able to:

- differentiate clearly between tokenistic consultation and genuine co-ownership, identifying the specific design features of each;
- evaluate the core administrative mechanisms (fiscal, deliberative, and technical) that are necessary to make participatory planning functional and sustainable;
- anticipate the common challenges and power dynamics that can undermine participatory efforts;
- assess the transferability of integrated models like Kerala’s to different contexts, including post-conflict states.

Background Reading: From Consultation to Co-Ownership in Local Planning

For a service-delivery plan to be legitimate and sustainable at the local level, it cannot be merely handed down from a central authority. It must be developed through an integrated and participatory process that ensures local ownership. The quality of a plan in a decentralized setting is less about its technical perfection and more about its level of local buy-in.

A. The Spectrum of Participation: From Informing to Empowering

It is crucial to understand that participation is not a binary concept. We can visualize it on a spectrum (adapted from Arnstein's ladder of citizen participation):

Low-end participation (tokenism):

- **Informing:** A one-way flow of information from officials to citizens (“This is the plan we have made for you.”)
- **Consultation:** Citizens are asked for their opinions, but there is no obligation to incorporate them. This is the “feedback box” model. It creates an illusion of inclusion without transferring any real power. The critical risk here is the creation of “ghost assets”—infrastructure like wells or clinics that fall into disrepair because the community feels no responsibility for them.

High-end participation (citizen power):

- **Collaboration:** Citizens partner with officials in each phase of planning, from diagnosis to implementation.
- **Co-ownership/empowerment:** Citizens are given the final decision-making authority over plans and budgets. This is the realm of participatory budgeting and the Kerala model.

The shift from consultation to co-ownership is a shift in power. It requires dismantling the monopoly that central ministries and technical elites traditionally hold over public resources.

B. The Three Pillars of Integrated Participatory Planning

For participation to be genuine, it must be backed by concrete administrative mechanisms. The Indian state of Kerala launched the revolutionary People's Plan Campaign (PPC) in 1996, which remains one of the world's most successful examples of radical decentralization (Isaac & Franke, 2000). The PPC's administrative model completely restructured the planning and budgeting process.

Its core mechanisms of integration were as follows:

- **Decentralized budgeting mandate:** The state legislature mandated that a significant portion of the development budget (up to 40%) was transferred directly to local governing councils (panchayats and municipalities). This gave local bodies real power to allocate funds based on local priorities. Without control over real money, participatory planning is a hollow exercise. A budgetary mandate transforms community discussion from wish-lists into serious, consequential debates about trade-offs. It answers the question, “Why should we participate?” with the powerful answer: “Because you have the authority to decide.” This is the fundamental difference between a meeting and a mandate.
- **Mass participation (gram sabhas):** The process mandated extensive public consultations, known as gram sabhas (village assemblies), where hundreds of thousands of people participated directly in identifying local needs and prioritizing solutions. This is where “needs accuracy” is achieved. It accesses hyper-local knowledge—the specific landslide-prone road, the school without a clean water source—that is invisible to central planners. It is also a profound school of democracy, where citizens learn to negotiate, advocate, and understand the complexities of governance.
- **Technical vetting by local experts:** To ensure that community-proposed projects were feasible and technically sound, the PPC established subject-matter expert committees at the local level. These committees were comprised of retired professionals, teachers, and local experts who volunteered to vet and refine the projects before they were integrated into the final budget.

This mechanism directly addresses the biggest risk of mass participation: the potential for populist, technically unsound, or financially unviable projects. The expert committees do not veto popular will; they translate it into actionable, sustainable plans. They ensure that a community’s desire for a bridge results in a well-designed, safely located, and properly costed bridge project. This integration of local knowledge with technical expertise is the linchpin of a credible plan.

C. Deepening the Analysis: Challenges and Power Dynamics

The following listed challenges are not mere obstacles; they are active forces that must be managed.

- **Elite capture:** This is not a minor issue but a direct threat to the model's equity. Powerful local figures (landowners, business owners) may dominate gram sabhas to steer resources toward their interests. Counter-measures are essential, such as reserved seats for marginalized groups (women, low-caste communities) and skilled, impartial facilitation.
- **Time and cost:** This is the “transaction cost” of deep democracy. It is inefficient in the short term but aims for long-term efficiency through sustainability and legitimacy. The cost of *not* doing it is wasted investments and continued public distrust.
- **Political interference:** The line between political support (necessary for scaling) and political interference (which distorts local priorities) is thin. The model's resilience depends on robust rules and a vigilant civil society to protect the process from being co-opted by party agendas.

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Discussion Questions

1. What is the critical risk associated with a "consultation-only" approach, and how does this risk directly impact long-term sustainability (e.g., asset maintenance)?
2. The Kerala PPC mandated that up to 40% of the budget be decentralized. Why is a budgetary mandate more critical for achieving "co-ownership" than simply holding more public meetings?
3. If hundreds of thousands of non-expert citizens propose projects in the Gram Sabhas, what is the single biggest risk to the technical quality and feasibility of the resulting plan? How did Kerala's "Technical Vetting by Local Experts" address this risk?
4. The PPC model relied heavily on local political organization and volunteerism. Do you think this model could be successfully transferred to a post-conflict state characterized by high mutual distrust? If so, what is the first mechanism you would adapt or strengthen?

Topic 6.3: Overcoming Political Volatility in Service Delivery

Learning Objective: By the end of the lesson, the participants will be able to:

- differentiate between simple contingency planning and deep administrative resilience, identifying the specific institutional features that create the latter;
- analyze why sensitive data and routine service delivery require conflict-sensitive frameworks in;
- apply the "Do No Harm" principle to a concrete administrative action, such as resource allocation or a public works project;
- evaluate the necessary trade-offs between administrative efficiency and political resilience in power-sharing systems.

Background Reading: Designing for Conflict Sensitivity and Administrative Resilience

In political environments characterized by deep historical divisions, frequent political deadlock, or the risk of renewed conflict, administrative systems must be engineered for resilience. Administrative resilience is not about having a "Plan B" for a temporary disruption. It is about building a system with inherent "shock absorbers" that allow it to continue its core functions (like service delivery, budgeting, and resource allocation) despite ongoing political volatility. Furthermore, every administrative action must adhere to the principle of Conflict Sensitivity—ensuring the government "does no harm" to social cohesion. The "Do No Harm" principle, originating in humanitarian work, is a mandatory lens for all government action in a divided society.

A. Conflict Sensitivity: The "Moral Compass" of Administration

The "Do No Harm" principle, originating in humanitarian work, is a mandatory lens for all government action in a divided society. It recognizes that even well-intentioned policies can exacerbate tensions.

How Harm Happens: A government can "do harm" by:

divisive allocation: distributing resources in a way that privileges one group over another (e.g., building a new school only in neighborhoods of one ethnic group);

reinforcing bias: using recruitment or procurement practices that systematically exclude a segment of the population;

symbolic insensitivity: using symbols, language, or locations for public buildings that are associated with one side of the conflict;

administrative assessment: this is the practical tool for applying conflict sensitivity. It is a formal process of asking, *"How might this decision, even if technically sound, impact inter-group relations? Who benefits? Who is excluded? Could it create a perception of bias?"*

Case Example: Institutional Design in Northern Ireland

The 1998 Good Friday Agreement (or Belfast Agreement) in Northern Ireland established a power-sharing executive designed to end decades of conflict (Dixon, 2001). The key challenge was the administrative mechanism: how to prevent the collapse of governance when political cooperation inevitably failed.

Key Resilience Strategies:

1. **Institutionalized Cooperation:** The administrative rules of the power-sharing executive were designed to force cooperation. Key decisions in the Northern Ireland Assembly, including the election of the First Minister and Deputy First Minister, require support from both a majority of unionist and a majority of nationalist members. This is known as "parallel consent." Requiring cross-community voting thresholds for key decisions means that neither faction could unilaterally enact policy. This ensured that transparent consensus-driven administration became a structural precondition for policy enactment.

2. **Technical Independence for Sensitive Decisions:** To manage highly sensitive resources (like the Northern Ireland Housing Executive (NIHE) public housing and the Police Service of Northern Ireland (PSNI) for police accountability), technical administrative agencies and oversight bodies were established. These bodies were legally required to apply neutral, non-discriminatory criteria, protecting decisions from the political deadlock of the executive.
3. **Conflict Sensitivity (The Do No Harm Principle):** Every single government project, from major urban renewal initiatives to civil service recruitment policies, has to undergo an administrative assessment for its potential impact on inter-community relations. **Equality Impact Assessments (EQIA)** are the legal requirement for all new policies and significant decisions. This administrative check ensures that government action consistently builds social cohesion rather than fueling division.

B. The Volatility of Data in Divided Societies

In a stable society, data is a tool for planning. In a divided society, data is a weapon.

Why Data is More Dangerous Than Money: Misallocated funds can be re-allocated. Manipulated data can shatter trust for a generation. A census that undercounts a population can lead to under-representation and reduced resource share. Unemployment data skewed along ethnic lines can be used to fuel narratives of discrimination and grievance.

The Role of Insulated Technical Bodies: An independent statistics agency, protected by law from political interference, is a critical institution for peacebuilding. Its integrity provides a single, trusted version of the truth that all sides can, however reluctantly, accept as a basis for policy debate. Without this, there is no common factual ground for governance.

Summary and Key Takeaways

State-Building, Participation, and Resilience

1. **The Plan is the State:** A post-conflict plan is the first act of the government, proving capability and establishing the state's legitimacy in a political vacuum.
2. **The Triple Signal:** The plan sends three critical messages: To citizens ("We have a vision."), to donors ("Align with our plan."), and to state institutions ("Coordinate or fail.").
3. **The Public Contract:** The negotiation process among rivals is the real nation-building work, transforming the final document into a public contract for accountability.

Models of Integrated and Participatory Planning

4. **Ownership, Not Just Opinion:** Move beyond simple consultation (asking for advice) to true co-ownership, giving citizens real power over resources for deep buy-in.
5. **The Three Pillars of Legitimacy:** True participatory planning requires all three:
 1. Fiscal Power (control over money),
 2. Deliberation (mass assemblies for needs),
 - and 3. Technical Bridge (experts ensuring feasibility).
6. **Design for Equity:** You must deliberately design the system (e.g., reserved seats, expert facilitation) to prevent local elites from dominating the process and silencing marginalized voices.

Overcoming Data and Political Volatility

7. **Resilience is Institutional:** Don't rely on contingency plans or political goodwill. Build permanent administrative resilience (e.g., institutional rules) directly into the system to survive political shocks.
8. **The "Do No Harm" Check:** Every single state action—from building a road to hiring staff—must pass a **Conflict Sensitivity Test (like an EQIA)** to ensure it builds trust, not fuels division.
9. **Insulate the Fact-Base:** In divided societies, data is a weapon. Protect the integrity of the state's information by placing sensitive technical functions (like housing or censuses) in politically insulated, independent agencies.

TOOLS AND ANNEXES



STAKEHOLDER MAPPING TOOL

[Click here](#)



STAKEHOLDER MAPPING GRID

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ABOUT ISP-MYANMAR

Established in 2016, the Institute for Strategy and Policy (ISP) - Myanmar is an independent, non-partisan, and non-governmental think tank. ISP-Myanmar promotes democratic leadership and public participation in public affairs as a means to encourage a resilient and tolerant society. Its goals are the advancement of democracy, the building of a federal union, and the strengthening of civil society in Myanmar. The institute's three core activities comprise a policy-oriented research program, a capacity-building and leadership engagement program, and a communications and outreach program. ISP-Myanmar is focusing research on these areas: Conflict, Peace, and Security Studies, China Studies, Conflict Economy Studies, Socio-economic Studies, and Governance Studies. For more information about ISP-Myanmar, visit our websites at www.ISPMyanmar.com and ISP Gabyin Community.

This workbook was developed by ISP-Myanmar Capacity Building Department. In preparing it, ISP team consulted key experts and practitioners working in this field. ISP-Myanmar grounds its Capacity Building programs in an approach that emphasizes the role of institutions, organizational culture and broader contextual factors in influencing governance. As a result, we seek to strengthen capacities for democratic leadership through the design or reform of institutions and organizations, such as political parties, parliaments, government departments, and local associations in civil society to improve strategy and policy making processes. Over the past nine years, ISP Capacity Building Department has developed a proven track record of providing training and workshops suited to the needs of Myanmar's communities. ■



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