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Changing Burma From Without: Political Activism Among the Burmese Diaspora

DAVID C. WILLIAMS*

ABSTRACT

This Article examines the role that the Burmese diaspora plays from afar in influencing reform inside the country. It offers a brief history of the crisis in Burma as background for identifying the various elements of the diaspora: those on the run from the military; those in camps for internally displaced persons and refugees; migrant workers; leaders of the democracy movement active on Burma's borders; asylees; and professional activists with influence on the international community. The different groups use the different strategies available to them. The leadership on the borders is helping to lead the democracy movement inside the country; leaders outside the country, by contrast, try to lobby the United Nations and foreign governments. Unfortunately, these strategies sometimes conflict because the different groups must serve different agendas: the leaders outside the country must be especially responsive to the international community, and the leaders on the borders must be especially responsive to their followers inside Burma. The result is that the movement is often disunited at a time when unity is critical for dealing with the Burmese government. The Article ends with a call for the international community to change the incentives that it gives to the various diasporic groups so as to promote unity within the democracy movement.

INTRODUCTION

When a country emerges from chaos or tyranny, it typically goes through a process to create a new governmental structure. And typically, many types of people and organizations influence that process,

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both insiders, the country's own citizens resident within its borders, and the outsiders, the so-called "international community." In recent years, commentators have spilled a lot of ink pondering the appropriate relationship between these two groups in the reform process. Most have concluded, unsurprisingly, that insiders must ultimately play the leading role or else the reform will be incomplete and short-lived. Outsiders, in other words, cannot effectively force countries to reform. Many think that this conclusion is the central lesson painfully gleaned from the United States' experience in Afghanistan and Iraq.¹

In many countries, however, there is a third group intermediate between these two that might influence the reform process: the diaspora. This group is comprised of people from the reforming country (the "home country") who have relocated to a different country but who remain interested in influencing the reform inside their home country. The diaspora community occupies an intermediate position between thoroughgoing insiders and thoroughgoing outsiders. Like insiders, many of the diaspora were born and grew up in the home country; many have the kind of knowledge and commitment typical of insiders; some remain citizens of the country; and many intend to return when the situation becomes safer and stabler. But like outsiders, they reside in a different country; they have firsthand experience of multiparty democracy and the rule of law; they inevitably develop different relationships and contacts; and they sometimes develop different agendas and strategies from those deployed by reformers inside the home country.

When chaos or tyranny creates an involuntary diaspora made up of persons fleeing dangerous conditions, outsiders typically view these refugees principally as a humanitarian issue. Well-meaning activists and policymakers seek to provide material assistance and spiritual support, to find a new home, and to ease the transition to that home. In this prism, the asylees and refugees are the recipients of aid from outsiders. Sometimes, however, the refugees play a very different role: though they have relocated, they remain active participants in the reform process back in the home country. An exclusive focus on diaspora members as passive recipients misrepresents their lived experience, and failure to consider them as active agents for change misrepresents the process of democratization.

To be sure, some diasporas may play little to no role in reform back home, and even within a reform-minded diaspora, different elements may play very different roles. Indeed, the beginning of wisdom on this

1. See, e.g., Stephen M. Walt, *Lessons of Two Wars: We Will Lose in Iraq and Afghanistan*, FOREIGN POL'Y (Aug. 16, 2011, 12:23 PM), http://walt.foreignpolicy.com/posts/2011/08/16/lessons_of_two_wars_we_will_lose_in_iraq_and_afghanistan.

subject is the understanding that when it comes to reform, no diaspora is monolithic, and many diasporas are extremely complicated. To consider what roles a diaspora has or may have in reform, it is first necessary to develop a close and intimate knowledge of the various elements of the diaspora.

By way of illustration, this article seeks to provide such an analysis for the Burmese diasporic community. My experience with the Burmese diaspora comes from my work as Executive Director of the Center for Constitutional Democracy (CCD) at the Indiana University Maurer School of Law. The members of the CCD study constitutional reform in countries transitioning from instability or tyranny, and we also advise foreign reform movements about how to change their constitutional structures so as to move beyond traditional patterns of conflict. The CCD also advises governments when they want reform. But in countries with oppressive governments, reform movements are generally illegal, so the CCD advises the outlaws. And some people in those illegal movements inevitably flee the country, so as to avoid persecution, but they still want to help support change back home. Frequently, it is these diasporic people who ask the CCD to become involved in their home countries, and then the CCD traces their journey in reverse, moving from the periphery into the core of the country. Today, the CCD advises revolutionary armed groups in Burma and dissident groups in Cuba and Vietnam.

In this article, I will focus on Burma, though I believe that an examination of the Cuban or Vietnamese diasporas would produce broadly similar portraits. In Section I, I will briefly encapsulate the constitutional crisis in Burma today. In Section II, I will offer a taxonomy or map of the Burmese diaspora to distinguish and describe its constituent elements. In Section III, I will examine the very different roles that those different elements might or do play in constitutional reform in Burma, by influencing events inside from the outside.

I. THE CONSTITUTIONAL CRISIS IN BURMA

I have analyzed Burma's current constitutional crisis at length in other fora, so a brief synopsis must here suffice.² Burma is currently enduring the longest-running civil war in the world.³ The conflict has

2. See David C. Williams, *Constitutionalism Before Constitutions: Burma's Struggle to Build a New Order*, 87 TEX. L. REV. 1657 (2009); David C. Williams, *Cracks in the Firmament of Burma's Military Government: From Unity Through Coercion to Buying Support*, 32 THIRD WORLD Q. 1199 (2011).

3. Richard Lloyd Parry, *Burma: World's Longest War Nears Its End*, TIMES (Mar. 24, 2009), <http://www.timesonline.co.uk/tol/news/world/asia/article5963064.ece>; see generally

deep roots. About two-thirds of Burma's population is ethnically Burman, and the remaining one-third is comprised of a large number of ethnic minorities.⁴ For centuries, before the arrival of the British, the Burman kings sought to bring the minorities within their domain, never wholly succeeding.⁵ That conflict left a legacy of distrust when the British invaded, and the British then contributed to that legacy by their style of governance. The British directly governed the Burman heartland—Burma proper—with colonial officials, but they governed the Frontier Areas—where the minorities were concentrated—only indirectly, allowing local groups substantial amounts of home rule.⁶ The British also recruited the minorities in superproportionate numbers into the army, on the view that they were “war-like” races, to the resentment of the Burmans.⁷

World War II deepened the ethnic animosity still further. The Burmans, by and large, welcomed the Japanese invasion as liberation from the West and fought on Japan's side until very late in the war, when they joined the returning British Army.⁸ The minorities, by contrast, overwhelmingly favored the Allies, giving them crucial support in jungle combat, tracking, and guiding.⁹ Toward the end of the war there were violent incidents between the Burman and some of the ethnic minorities, although, by then, they were nominally on the same side.¹⁰

As a result, at the close of the war when it became clear that the British were about to leave Burma for good, many of the minorities petitioned the imperial authorities not to leave them at the mercy of the Burmans.¹¹ Some wanted independence for their ethnic homelands;

MARY P. CALLAHAN, MAKING ENEMIES: WAR AND STATE BUILDING IN BURMA 114-228 (2003); see also MARTIN SMITH, BURMA: INSURGENCY AND THE POLITICS OF ETHNICITY, 106-10 (2d ed. 1999) (discussing the rise of armed factions in Burma); BERTIL LINTNER, BURMA IN REVOLT: OPIUM AND INSURGENCY SINCE 1948, at 210 (Silkworm Books 2d ed. 1999) (1994) (discussing the nature of the conflict).

4. DAVID I. STEINBERG, BURMA/MYANMAR: WHAT EVERYONE NEEDS TO KNOW, at xxiv (2010).

5. SMITH, *supra* note 3, at 38-39.

6. STEINBERG, *supra* note 4, at 20.

7. *Id.* at 29.

8. See generally, WILLIAM SLIM, DEFEAT INTO VICTORY (2d ed. 1956).

9. See, e.g., CHRISTOPHER BAYLY & TIM HARPER, FORGOTTEN ARMIES: THE FALL OF BRITISH ASIA, 1941-1945, at 204-06, 279, 352-53 (2004) (discussing Kachin and other minorities' resistance to the Japanese).

10. See CALLAHAN, *supra* note 3, at 93-94 (discussing the conflicts between the Burma National Army led by Aung San and minority groups during the final days of the war).

11. See THANT MYINT-U, THE RIVER OF LOST FOOTSTEPS: HISTORIES OF BURMA 253 (2006) (noting that some minority groups demanded of the British that they be

others agreed to join the new nation of Burma but only if the constitution guaranteed them substantial home rule through a strong federal system.¹² As it turned out, they got neither; instead, in 1948, they were made part of a new, majoritarian political system in which the Burmans dominated by virtue of their numbers.¹³ Almost immediately, the Karen—one of the largest ethnic minorities—took up arms against the new government, and, as time went on, every other sizable ethnic minority joined them.¹⁴ The diaspora began very early, as ethnic minorities fled into nearby countries to avoid the fighting or to receive training from sympathetic foreign militaries.¹⁵ The refugee movement, which began early as a stream, has now become a flood.¹⁶

The Burmese Army, officially known as the Tatmadaw, took the view that parliamentary government contributed to this turbulence because democracy encouraged unscrupulous politicians to pursue their own selfish ends.¹⁷ As a result, it seized the reins of government for a short time in 1958 and then again for good in 1962.¹⁸ From that time to the present day, the Tatmadaw has ruled Burma through a sequence of governments, becoming ever more brutal.¹⁹ All through this period, political dissidents fled the country in small numbers—never large, because few people dared to become open dissidents.²⁰

Then, in 1988, the country witnessed nationwide protest riots that threatened to spiral out of control. The military agreed to permit a multiparty election but also brutally crushed the protests, creating a much larger wave of displaced persons, as Burman democracy activists fled to the protection of the ethnic insurgents or of neighboring

independent of Burma); *see also* LINTNER, *supra* note 3, at xiv (discussing demands of minorities for constitutional guarantees of rights).

12. *See* LINTNER, *supra* note 3, at xiv.

13. *See* SMITH, *supra* note 3, at 79 (discussing the constitution of 1947 that governed Burma at independence in 1948).

14. *See id.* at 110 (discussing Karen resistance); *see generally id.* at 93-94 (discussing minority resistance).

15. *See* LINTNER, *supra* note 3, at 141, 145, 299-300.

16. *See, e.g.,* HAZEL J. LANG, FEAR AND SANCTUARY: BURMESE REFUGEES IN THAILAND 11 (2002) (discussing the growth of the Mon, Karen, and Karenni refugee camps in Thailand).

17. *See* ROBERT H. TAYLOR, THE STATE IN MYANMAR 389 (2009) (discussing the Tatmadaw's distrust of parliamentary democracy); *see also* MICHAEL W. CHARNEY, A HISTORY OF MODERN BURMA 161 (2009).

18. *See* CALLAHAN, *supra* note 3, at 184-88, 202.

19. *See generally* CHARNEY, *supra* note 17, at 93-201.

20. *See, e.g.,* Wai Moe, *Exiled Dissident Visits Burma*, IRRAWADDY (Sept. 5, 2008), http://www.irrawaddy.org/article.php?art_id=14189 (discussing the exile of Zaw Oo and other dissidents).

countries.²¹ The National League for Democracy, led by Aung San Suu Kyi, won the resulting elections in 1990, but the regime refused to allow the elected to sit as a parliament.²² Instead, the Tatmadaw insisted that the MPs should form a constituent assembly to draft a new constitution under the direction and supervision of the military regime itself.²³ When the junta began to imprison those MPs who refused to participate, many of the others fled to neighboring countries, where some now claim to be the legitimate government of Burma in exile.²⁴

Finally, after many years, the constituent assembly produced a constitutional draft that was adopted in 2008 in a referendum widely regarded as fraudulent. Because the vote was held shortly after the Nargis cyclone, when many areas of Burma were still inaccessible, the 2008 Constitution is sometimes called the Nargis Constitution.²⁵ The new constitution does provide for the creation of a civilian government, but it also provides that the Tatmadaw has the ultimate authority: it can do anything it thinks fit to protect national solidarity, including the suspension of the civilian government itself. Then, in 2010, the Tatmadaw held elections, which predictably were also fraudulent and led to the creation of a parliament dominated by serving soldiers and by soldiers who recently resigned their commissions to compete for the civilian seats.²⁶ The army then revoked the ceasefire agreements that it had reached with some of the larger ethnic armies in the 1990s.²⁷ Renewed fighting in Shan and Kachin States has created yet another wave of refugees.²⁸

Currently, the military government is making war on its own citizens. Typically, the army does not attack the armed resistance groups. Instead, it attacks civilians. It mortars villages, and when the

21. See CHARNEY, *supra* note 17, at 155-63 (discussing the brutality of the government against the protesters and the collaboration between the protesters and the KNU).

22. See *id.* at 173-76.

23. See *id.* at 176.

24. The most prominent such group is the National Coalition Government for the Union of Burma (NCGUB). See generally, *A Brief History*, NCGUB, <http://www.ncgub.net/NCGUB/staticpages/indexad9b.html?page=history> (last visited Jan. 29, 2012).

25. Unfortunately, very few published copies of the Nargis Constitution exist. However, I have first-hand knowledge surrounding the content of this constitution because I have reviewed it and worked with it extensively. See generally, CONSTITUTION OF THE REPUBLIC OF THE UNION OF MYANMAR (2008), available at http://www.burmalibrary.org/docs5/Myanmar_Constitution-2008-en.pdf.

26. See Sarah Jackson-Han, *Businessmen Urged to Run*, RADIO FREE ASIA, (Mar. 31, 2009), <http://www.rfa.org/english/news/burma/business-03312009123802.html> (noting that 110 candidates represented the military).

27. See Ko Htwe, *Fighting Continues in Kachin State*, IRRRAWADDY (Sept. 19, 2011), http://www.irrawaddy.org/article.php?art_id=22102.

28. See *id.*

villagers flee, it plants land mines in the village so when the villagers come back they are blown up.²⁹ The army also destroys the paddy dikes, so that in a few months mass starvation sets in, and it has used rape and slavery—forced portering—to control the population.³⁰ These campaigns have created one of the worst refugee problems in the world today, displacing many hundreds of thousands of people.³¹

When former Libyan leader Muammar Gaddafi attacked his own people, within ten days, the U.N. Security Council had condemned him, imposed sanctions, and referred him to the International Criminal Court.³² In addition to the United Nation's intervention, President Obama threatened U.S. military intervention.³³ The government of Burma has been committing the same sorts of atrocities for generations, and no one has done anything, with the exception of the United States and the European Union imposing limited sanctions that have achieved nothing.³⁴ The primary reason, of course, is China, which regards the Burmese military regime as its southernmost province.³⁵ And so the people of Burma, both inside and outside the country, must look for other homegrown paths to reform. Since no one else will help them, they must help themselves.

About a decade ago, the Burma democracy movement asked me to advise it on constitutional reform so that it can present a cogent, unified set of demands to the regime and to the international community. I work a good deal with the leaders of the ethnic resistance armies inside Burma, and for that reason, so I have been told, the regime regards me as an enemy of the state and has condemned me by name in *The New*

29. See Clifford McCoy, *Myanmar, the World's Landmine Capital*, ASIA TIMES (Nov. 4, 2006), http://www.atimes.com/atimes/Southeast_Asia/HK04Ae01.html.

30. See generally Van Biak Thang, *Churches Attacked, Women Raped and Civilians Killed in Kachin State*, CHINLAND GUARDIAN (Oct. 22, 2011), <http://www.chinlandguardian.com/news-2009/1606-churches-attacked-women-raped-and-civilians-killed-in-kachin-state.html>; Brad Adams, *Burma: Army Attacks Displace Thousands of Civilians*, HUMAN RIGHTS WATCH (Aug. 14, 2009), <http://www.hrw.org/news/2009/08/14/burma-army-attacks-displace-thousands-civilians>.

31. See Adams, *supra* note 30.

32. See generally S.C. Res. 1970, S/RES/1970 (Feb. 26, 2011).

33. Catrina Stewart, *Obama Threatens Military Intervention in Libya*, INDEPENDENT (Mar. 8, 2011), <http://www.independent.co.uk/news/world/americas/obama-threatens-military-intervention-in-libya-2235157.html>.

34. See generally Andrew Buncombe, *EU Rewards Burma Reforms by Lifting Some Sanctions*, INDEPENDENT (Jan. 24, 2012), <http://www.independent.co.uk/news/world/asia/eu-rewards-burma-reforms-by-lifting-some-sanctions-6293719.html> (discussing observers that believe Burma “has not yet done enough to warrant sanctions being dropped”).

35. See Patrick Winn, *Burma Rebooted: Part 2—Reformists Dare to Push Back Against Beijing*, GLOBAL POST (Nov. 14, 2011), <http://www.globalpost.com/dispatch/news/regions/asia-pacific/111110/burma-myanmar-china-natural-resources-sanctions>.

Light of Myanmar, its propaganda outlet. I get into Burma by walking in from the border, in the company of armed bodyguards sent to bring me in by the resistance leaders.

But from the beginning, the CCD has also worked with Burmese people outside the country—in Thailand, India, China, Bangladesh, and points further afield such as Japan, South Korea, Australia, the European Union, and the United States—who want to help secure a better future for their homeland. Indeed, as already noted, it was people in the diaspora that first approached me, illustrating one of the ways that refugees can help back home by linking external resources and internal reformers. Most of these diasporic groups are constantly trying to figure out new ways to support reform, but as Section II will explain, these groups are quite different from each other, and as Section III will explain, they have quite different approaches to the problem.

II. A TAXONOMY OF THE BURMESE DIASPORA

Like any other complex social phenomenon, the Burmese diaspora could be divided into constituent elements along many different sorts of axes so as to produce many different maps. For example, one could divide the diaspora into its ethnic components—the Karen diaspora, the Chin diaspora, and so forth. Or one could divide it into its gendered components, so as to examine the different (or, less likely, not different) experiences of men and women under diasporic conditions. I divide the diaspora along a different axis: I am trying to distinguish groups that do or might have different approaches, strategies, and agendas for reform in Burma. In other words, I develop the taxonomy in Section II largely in order to lay the groundwork for the analysis in Section III. Like all conceptual maps, this one is thus drawn with a particular purpose in mind. It should go without saying—but I nonetheless feel that I must stress it—that I do not suggest that this taxonomy is somehow “objective,” “natural,” or closer to the Cartesian “truth” than any other taxonomy drawn along different lines for different purposes.

First, starting closest to home, some people in Burma are literally on the run: their homes have been burned, their villages mined, and because they are afraid to go back, they have become jungle nomads.³⁶ They have not left Burma, but they can still be thought of as part of the diaspora because they have been forced away from their homes. One of the fellows in the CCD started life this way: shortly after she was born, her family had to flee, and her mother ran for days with a newborn in

36. See Thierry Falise & Karen State, *On the Trail of Burma's Internal Refugees*, IRRAWADDY (June 2001), http://www.irrawaddy.org/article.php?art_id=2296&page=1.

her arms. Understandably, many of the nomads eventually become part of the ethnic resistance armies. It is impossible to know how many are living this way at any given time, but the numbers are surely not small.

Second, if they are lucky, some of the jungle nomads will find their way to a camp for internally displaced persons (IDPs). The ethnic resistance armies along Burma's borders with other countries, especially Thailand, run most of these camps, but the Burmese government runs none.³⁷ There are at least tens of thousands in these camps. Recently, the numbers have gone up because the government has renewed attacks against some of the ethnic armies with which it had ceasefires.³⁸ For example, thousands have fled from the fighting in southern Kachin State between the Kachin Independence Army (KIA) and the Tatmadaw.³⁹ They are now mostly living in IDPs camps run by the Kachin Independence Organization (KIO) at Laiza, near the border with China, and at Myitkyina, the capital of Kachin State.⁴⁰

Third, some of these IDPs will eventually cross the border into another country and enter a refugee camp run by the government of that country. For some refugees, their stay abroad is relatively short. For example, when the regime attacked the Kokang, thousands fled into China, but China told the regime to end the attacks, and then the refugees went home.⁴¹ For others, though, the stay is very long. There are more than one hundred thousand people in refugee camps in Thailand, and they have no prospect of going back to Burma.⁴² Many were born there and remember nothing else. The physical conditions are not appalling compared to refugee camps in some other countries, but

37. See Aung Zaw, *Suspicious Neighbors: Neither Friend nor Foe*, IRRAWADDY (May 2002), http://www.irrawaddy.org/article.php?art_id=2621 (discussing the camps in the context of a military buffer zone between Thailand and Burma); see also Ashley South, *Humanitarian Aid to IDPs in Burma: Activities and Debates*, 30 FORCED MIGRATION REV. 17 (2008); Saw Yan Naing, *KIA to Halt Attacks Pending Ceasefire*, IRRAWADDY (July 5, 2011), http://www.irrawaddy.org/article.php?art_id=21629 (discussing refugees in the KIA headquarters of Laiza).

38. See, e.g., Saw Yan Naing, *9,000 War Refugees Still Stranded in Thailand*, IRRAWADDY (Feb. 25, 2011), http://www.irrawaddy.org/article.php?art_id=20830 (discussing flood of refugees into Thailand in the wake of the initiation of fighting between the DKBA and the Tatmadaw).

39. Sai Zom Hseng, *Kachin Displaced by Conflict in Need of Food, Medicine*, IRRAWADDY (June 21, 2011), http://www.irrawaddy.org/article.php?art_id=21538.

40. See *id.*

41. Wai Moe, *Fighting Stops as Konkaung Surrender Arms to Chinese*, IRRAWADDY (Aug. 29, 2009), http://www.irrawaddy.org/highlight.php?art_id=16667; Ng Han Guan, *Myanmar Refugees Return as Battles End*, CHINA POST (Sept. 1, 2009), <http://www.chinapost.com.tw/asia/other/2009/09/01/222839/Myanmar-refugees.htm>.

42. Caroline Stauffer, *Burmese Refugee Numbers Swell in Thailand*, IRRAWADDY (July 7, 2009), http://www.irrawaddy.org/article.php?art_id=16284.

there is widespread depression because the refugees are in effect prisoners. They cannot return to Burma, and Thailand will not let them leave the camps.⁴³ There are also about fifty thousand Chin and other refugees in various parts of India, and twenty thousand in Malaysia.⁴⁴

Fourth, many Burmese have become migrant workers in neighboring countries, driven there by a combination of economic want and political oppression.⁴⁵ No one knows how many there are, but the number is clearly in the tens of thousands.⁴⁶ These workers are at the mercy of the neighboring governments, who sometimes give them some legal protections, but more often they have no rights at all.⁴⁷ When the workers do have rights, they generally do not know what those rights are, and, of course, those rights change over time in response to pressure from the Burmese government.⁴⁸ Until recently, the worst conditions prevailed in Malaysia, where large numbers of Chin people were being sold into slavery by people promising to relocate them to other, friendlier countries.⁴⁹

Fifth, a group of leaders of the Burma democracy movement work on the borders of Burma with India, China, Thailand, and Bangladesh.⁵⁰ They regularly cross into Burma to work with the populations there, but then they return to the neighboring countries for safety.⁵¹ Some leaders

43. Ko Htwe, *Exchanging One Prison Existence for Another*, IRRAWADDY (Feb. 19, 2010), http://www.irrawaddy.org/article.php?art_id=17851.

44. Saw Yan Naing, *Chin Refugees Continue to Flee Harsh Conditions in Burma*, IRRAWADDY (Dec. 25, 2007), http://www.irrawaddy.org/article.php?art_id=9734.

45. See, e.g., Tony Broadmoor, *Land of Guile: Migrant Workers in Thailand*, IRRAWADDY (Oct. 2002), http://www.irrawaddy.org/article.php?art_id=2738.

46. See Lawi Weng & Ko Htwe, *Thai Floods Batter Burmese Migrants*, IRRAWADDY (Nov. 1, 2011), http://www.irrawaddy.org/article.php?art_id=22366 (noting 5,000 Burmese migrants at the Three Pagoda Pass).

47. See, e.g., Sai Zom Hsong, *Burmese Migrant Workers Exploited While Fleeing Floods*, IRRAWADDY (Oct. 25, 2011), http://www.irrawaddy.org/article.php?art_id=22321.

48. See *id.*; see also *Burmese Minister Tells Migrant Workers Not to Fear Harassment*, IRRAWADDY (Oct. 14, 2009), http://www.irrawaddy.org/article.php?art_id=16994 (noting how the intent of the passport scheme is to ensure Burmese workers' rights).

49. See Mun Ching, *No Asylum: Burmese in Malaysia*, IRRAWADDY (June 2002), http://www.irrawaddy.org/article.php?art_id=2650; see also Antonio Graceffo, *Chin Refugees in Malaysia (Part 1)*, SHAN HERALD (July 27, 2010), http://www.shanland.org/index.php?option=com_content&view=article&id=3115:chin-refugees-in-malaysia-part-1&catid=102:mailbox&Itemid=279.

50. See Saw Yan Naing, *Burma Activists at Prague Conference Call for EU Action*, IRRAWADDY (Feb. 16, 2011), http://www.irrawaddy.org/article.php?art_id=20771.

51. Throughout Section II, much of the information is drawn from my own personal, first-hand experience working in Burma and from conversations with Burmese leaders. See also, e.g., *Exile Leader Denies 'Secret Trips' to Burma*, IRRAWADDY (Apr. 5, 2011), http://www.irrawaddy.org/article.php?art_id=21076 (discussing Maung Maung, leader of the NCUB, and his surreptitious trips into Burma from Thailand); Wai Moe, *Arms*

have Burmese passports bought on the black market, and some have managed to acquire citizenship in these neighboring countries. Some of these leaders are commanders of the ethnic resistance armies.⁵² For example, the Central Executive Committee of the Karen National Union keeps a compound in Mae Sot, Thailand, where they are under the protection of the Thai military commandant;⁵³ the Central Executive Committee of the Chin National Front is headquartered in Aizawl in Mizoram State, India;⁵⁴ and the Shan State Army-South keeps an office in Chiang Mai, Thailand.⁵⁵ Some of these leaders hold office in civil society organizations, such as the Women's League of Burma in Chiang Mai, Thailand; New Delhi, India; and Chittagong, Bangladesh.⁵⁶ Still others lead umbrella organizations that include a number of different ethnic groups and both civil society and military groups—for example, the Ethnic Nationalities Council, also in Chiang Mai,⁵⁷ and the National Council of the Union of Burma, in Mae Sot.⁵⁸ Finally, many ethnic leaders hold positions in nongovernmental organizations (NGOs), such as the valiant humanitarian organization the Free Burma Rangers.⁵⁹ Despite these many differences, they all share the common characteristic of being directly involved with people inside Burma because of their physical proximity.

Sixth, some Burmese refugees have gained asylum status in other countries, especially Japan, the United States, Malaysia, and the countries that comprise the European Union.⁶⁰ These asylees tend to clump in communities, many in Indiana, so they can help each other

Smuggling, Anti-junta Activities Discussed, IRRAWADDY (Jan. 14, 2010), http://www.irrawaddy.org/article.php?art_id=17582.

52. See, e.g., Lawi Weng, *KNLA Leaders Still Barred from Mae Sot*, IRRAWADDY (Mar. 17, 2009), http://irrawaddy.org/article.php?art_id=15317 (discussing Karen military leaders along the Thai border).

53. *But see id.* (discussing how such support from the Thai government is tenuous).

54. See *News in Brief: Chin Rebels Flushed Out*, IRRAWADDY (July 2005), http://www.irrawaddy.org/print_article.php?art_id=4809.

55. See Tara Monroe, *Secrets of a Shan Palace*, IRRAWADDY (May 2005), http://www.irrawaddy.org/article.php?art_id=4643&page=2.

56. See Interview by Marwaan Macan-Markar with Hseng NOUNG, Founding Member, Women's League of Burma, in Chiang Mai, Thai. (Feb. 26, 2010), *available at* http://irrawaddy.org/article.php?art_id=17899.

57. See *About ENC*, ETHNIC NATIONALITIES COUNCIL (UNION OF BURMA), <http://www.encburma.net/index.php/about-enc.html> (last visited Aug. 29, 2011).

58. See *Exile Leader Denies 'Secret Trips' to Burma*, *supra* note 51 (noting that the NCUB operated in Mae Sot).

59. See Alex Elgee, *Inside KNLA Brigade 5 with the Free Burma Rangers*, IRRAWADDY (Dec. 18, 2010), http://www.irrawaddy.org/article.php?art_id=20343.

60. See, e.g., Neil Lawrence, *Tough Asylum*, IRRAWADDY (Jan. 2007), http://www.irrawaddy.org/article.php?art_id=6630 (discussing attempts of Burmese refugees to gain asylum in Japan).

with what is usually a difficult transition.⁶¹ Mostly, they are poor, and many have difficulty learning the languages of their new homes.⁶² At first, these communities were trying just to survive, but as they have become more settled, they have become more connected to events back home, and they are interested in thinking about how they can help. Many of these asylees and refugees are now becoming citizens, including two members of the CCD.

Seventh, and finally, a very few asylees in the European Union and to a lesser extent in the United States are professional activists on behalf of the democracy movement. Some have access to considerable aid money and to the corridors of influence in foreign governments. For example, the U.S. Campaign for Burma, headquartered in Washington, DC, has significantly affected American policy toward Burma.⁶³ Similarly, the U.S. government supports the National Coalition Government of the Union of Burma (NCGUB), which is made up of diasporic members of the parliament elected in 1990; some describe it as the Burmese government in exile.⁶⁴ Because of these resources, some of these activists also have great power in the Burma democracy movement itself, though they are sometimes resented for their influence.⁶⁵ In other words, though living abroad and engaged with foreign governments, these leaders are also engaged with people inside Burma and on the borders. For example, the Euro-Burma Office, headquartered in Brussels, provides funding and technical assistance to the ethnic resistance armies and civil society organizations, but it also lobbies the European Union, the United States, China, the United Nations, and the Association of Southeast Asian Nations countries.⁶⁶

61. See, e.g., Michael Puente, *Burmese Refugees Find New Home in Indiana*, NPR (Sept. 30, 2007), <http://www.npr.org/templates/story/story.php?storyId=14841071>.

62. See Kate McGeown, *American Dream for Burmese Refugees*, BBC NEWS (Sept. 1, 2006), <http://news.bbc.co.uk/2/hi/asia-pacific/5301736.stm> (noting the difficulty that refugees face in adjusting to American life).

63. See *Our Accomplishments*, U.S. CAMPAIGN FOR BURMA, <http://uscampaignforburma.org/about-us-campaign-for-burma/accomplishments> (last visited Aug. 29, 2011) (discussing how the group has affected U.S. policy).

64. See *A Brief History*, NAT'L COALITION GOV'T UNION OF BURMA, <http://www.ncgub.net/NCGUB/staticpages/indexad9b.html?page=history> (last visited Aug. 29, 2011) (discussing formation of NCGUB); see also Nehginpao Kipgen, *Continuance of Burma Scholarship Program is Necessary*, BURMESE REFUGEE SCHOLARSHIP PROGRAM ALUMNI NETWORK, <http://www.indiana.edu/~brspnet/news.html> (last visited Aug. 29, 2011) (noting how the Department of State has invited the NCGUB to speak at annual meetings of Burmese refugees).

65. See Wai Moe, *NCUB Plans to Form Parallel Government in 2009*, IRRAWADDY (Jan. 6, 2009), http://www.irrawaddy.org/article.php?art_id=14880 (noting criticism of NCUB).

66. ANGELIQUE BERHAULT & SAW WELDONE, EURO-BURMA OFFICE, WORKING TO PROMOTE DEMOCRACY IN BURMA: REPORT ON OVER A DECADE OF ACTIVITIES 15 (Sarah

Similarly, the National Council of the Union of Burma (NCUB), headquartered in Mae Sot, is comprised of a number of Burmese organizations active in the country and on the borders, but some of its leaders devote their efforts to lobbying the United States and the United Nations.⁶⁷ In particular, the NCUB has brought a series of credentials challenges in the United Nations, claiming that the United Nations should not recognize the current Burmese government as a legitimate representative.⁶⁸

III. DIFFERENT STRATEGIES FOR REFORM

In short, the Burmese diaspora is not one thing: it is made up of different types of people in different places with different relationships to events in Burma. And predictably, these different groups are pursuing different strategies for effectuating change in Burma, so that the conditions that drove them away from Burma will not drive more people away.

The strategies are essentially three. First, even though they are in diaspora, some people are actually helping to lead the movement for democracy inside the country. Second, some people resident in other countries, especially powerful countries or countries with a strong interest in Burma, are lobbying the governments of those countries to strive for democratic reform in Burma. Third, some are preparing themselves, by learning about democratic processes, so that they will someday be able to return to Burma with the expertise necessary to lead the country.

All three of these strategies are clearly useful, perhaps even necessary for a successful democratic transition. But no one person or group could possibly pursue all three strategies full-bore for two reasons: first, each person or group has only limited time; and second, the preparations, habits of mind, and personal contacts required for each strategy are different. For that reason, it has been necessary for different diasporic elements to specialize, and so it is good that the diaspora is multi-faceted enough to undertake this multi-pronged approach.

Collen et al. eds., 2010), http://euro-burma.eu/doc/Euro-Burma_report_final.pdf (discussing activities taken on behalf of minority and democracy groups and lobbying efforts around the world).

67. See Wai Moe, *Junta Slams Exile Group's UN Campaign*, IRRAWADDY (July 31, 2008), http://www.irrawaddy.org/cartoon.php?art_id=13644 (discussing the nature and activities of NCUB); see also *Exile Leader Denies 'Secret Trips' to Burma*, *supra* note 51 (further discussing the nature of the NCUB).

68. See Moe, *supra* note 67 (discussing attempts to unseat the junta at the UN).

And that is the good news. The bad news is twofold. First, it turns out that the pursuit of these different strategies gives their pursuers agendas that are not only different, but sometimes downright contradictory, so that they work at cross purposes. Second, as a result of these conflicting agendas, the diaspora is failing to do the one thing that the movement needs perhaps more than anything else—building unity. Unity is vitally important now, so that the movement can speak to the international community with one voice, and it will be even more important in the future, when the transition to democracy finally arrives, so that Burma will not fracture into internecine warfare. And this disunity among the diaspora contrasts sadly with the growing unity in the democracy movement inside Burma, because its primary goal is survival.

To elaborate on this claim, let me return again to the map of diasporic Burma. One might imagine that those populations closer to the country would play a bigger role in promoting reform inside the country than those farther away. In fact, that is not the case, because those closest to the country are generally also in the most desperate conditions.⁶⁹ Burmese people have to go farther away to secure resources and opportunities that allow them to leverage change. Thus, the jungle nomads, the IDPs, those in refugee camps, and the migrant workers have almost no ability to shape change. Some activists use the fact of their existence to pressure the international community to pressure the regime for change, but they have very limited political agency themselves. Most of their energy is absorbed in just staying alive.

Much further afield, the refugees and asylees in nearby countries and in powerful, more distant countries have considerably more power because they can lobby their governments on Burma policy. Of course, their effectiveness varies in different countries. The Burmese in India, for example, have almost no power because they are a very small part of the population, the Indian political process is not open to them, and the government of India has strong economic ties with Burma and wants to bolster that relationship.⁷⁰ By contrast, and perhaps surprisingly, the

69. See, e.g., Arkar Moe, *Refugees of the Maepra Rubbish Dump*, IRRAWADDY (Aug. 20, 2009), http://www.irrawaddy.org/article.php?art_id=16608 (discussing the abject poverty in which many refugees find themselves); Broadmoor, *supra* note 45 (discussing the difficulties faced by migrant workers in Thailand); Ching, *supra* note 49 (discussing situation of refugees in Malaysia).

70. See Bidhayak Das, *India's Burma Dilemma*, IRRAWADDY (May 2010), http://www.irrawaddy.org/article.php?art_id=18409 (discussing India's cooperation with the junta as result of India's strategic interests in Burma); see also Tony Broadmoor, *The Long and Winding Road to Asylum*, IRRAWADDY (Nov. 2002), http://www.irrawaddy.org/article.php?art_id=2766 (discussing the difficulties of asylum-

Burmese in Japan have more power because the press tends to give them good publicity, and so they have access to elected leaders.⁷¹ In the United States, the Burmese refugees have still more power, because support for the Burma democracy movement is a popular, no-cost proposition on both sides of the aisle.⁷² For example, when Senator Jim Webb, the head of the Senate Subcommittee on Southeast Asia, tried to cause the United States to relax sanctions on Burma, he was met with intense resistance by Burmese people, and no other U.S. senator joined him.⁷³ The Burmese communities in Indiana, concentrated in Fort Wayne and Indianapolis, have for some time been actively engaged with their representatives in Congress and the state assembly.⁷⁴ But although the different Burmese communities have different degrees of power in different states, nowhere do they have much power, because all they can do is lobby individuals who give support for their own reasons, rather than because of the power of the Burmese.

The remaining diasporic groups are the leadership on the border and full-time democracy activists in other countries. Not surprisingly, each of these two different types of groups tends to specialize in a different strategy for effectuating change, and the different strategies carry with them conflicting agendas that are a constant source of tension in the movement.

First, the leadership along the border naturally tries to provide leadership for the Burma democracy movement inside the country. Many of these leaders had to flee Burma because the regime made a concerted effort to find and kill them.⁷⁵ As already noted, many were

seekers in India); Tamara Terziana, *Shame of the Forgotten Refugees*, IRRAWADDY (Apr. 2007), http://www.irrawaddy.org/article.php?art_id=6967 (discussing ongoing difficulties of Chin migrants in Mizoram).

71. See generally, Neil Lawrence, *Japan's Burma-Watchers*, IRRAWADDY (May 2006), http://www.irrawaddy.org/article.php?art_id=5742&page=1 (discussing the activities of pro-democracy advocates in Japan and the attitudes of Japanese media figures and government officials toward Burma and the pro-democracy movement).

72. See, e.g., Htet Aung, *US Vows to Continue Pressing for Burma CoI*, IRRAWADDY (June 17, 2011), http://irrawaddy.org/article.php?art_id=21510 (discussing the U.S. government's commitment to press for a commission of inquiry).

73. In the interests of full disclosure, I must add that I testified before Senator Webb's subcommittee in opposition to his proposal to reduce sanctions. See also Pyrinza Zawta, *Webb's Misguided Views*, IRRAWADDY (Aug. 26, 2009), http://www.irrawaddy.org/opinion_story.php?art_id=16637# (providing an example of Burmese opposition to Webb's proposal).

74. See, e.g., *Burmese Refugees Want Help Getting Aid*, WNDU.COM, Sept. 9, 2008, <http://www.wndu.com/indiana/headlines/28045889.html> (discussing efforts of the American diaspora to lobby Congress over government aid).

75. See, e.g., *Chronology 1998: Karenni Party Vows to Continue Fight with SLORC*, IRRAWADDY (Jan. 1, 1998), http://www.irrawaddy.org/print_article.php?art_id=575 (discussing the attempt of the SLORC to poison Karenni leaders).

and still are officers in the ethnic resistance armies, and some of these leaders go back and forth across the border.⁷⁶ Being outside the country but nonetheless nearby has certain advantages for these leaders. First, it is less likely that the regime will kill them on foreign soil, though the regime has assassinated a number of Burmese leaders inside Thailand, and Thailand has looked the other way because the Thai government has business dealings with the junta.⁷⁷ Second, being outside the country, these leaders can reach out to NGOs who are providing cross-border assistance to people inside Burma.⁷⁸ Third, much of the supplies for the ethnic resistance armies must be brought in from neighboring countries, and these leaders are instrumental in those efforts.⁷⁹ Fourth, it is easier for the leaders of the various ethnic resistance groups to gather together outside Burma because it is so hard to move from one war-torn area of the country to another. So, taken in toto, this leadership outside, yet nearby, plays an important support role for the movement inside.

These leaders are generally quite well known to the people inside the country in the localities where they are working, but they have only limited contact with the governments of other countries and the United Nations—mostly because they see their mission as helping those inside, not lobbying foreigners. Colonel Htoo Htoo Lay is a very good example. He has served, on and off, as a member of the Central Executive Committee (CEC) of the Karen National Union (KNU) and may one day be its chair.⁸⁰ He was a famous guerrilla commander and is a beloved figure to many in the movement. Some years back, a mortar shell came directly down into his foxhole, and though it did not kill him, it blew out much of his hearing. He is no longer young and now has heart

76. See *Exile Leader Denies 'Secret Trips' to Burma*, *supra* note 51.

77. See Kyaw Zwa Moe, *A New Definition of Politics*, IRRAWADDY (Feb. 19, 2008), http://www.irrawaddy.org/opinion_story.php?art_id=10465 (discussing various assassinations ordered by the junta against rebel leaders along the border); *Burma: Ruling Junta to Blame for Murder of Top Karen Leader, Says ITUC*, ITUC-CSI.ORG (Feb. 15, 2008), <http://www.ituc-csi.org/burma-ruling-junta-to-blame-for.html>; Simon Roughneen, *The Implications of Thailand's Block on Vietnam Conference*, IRRAWADDY (Sept. 17, 2010), http://www.irrawaddy.org/article.php?art_id=19493.

78. See David Scott Mathieson, *Mae Sot Under the Microscope*, IRRAWADDY (Feb. 2006), http://www.irrawaddy.org/article.php?art_id=5446 (discussing the activities of NGO's and rebels in the Thai border town of Mae Sot); see also Aung Zaw, *The Need for Border-Based Aid*, IRRAWADDY (Oct. 3, 2009), http://www.irrawaddy.org/article.php?art_id=16926 (discussing the importance of maintaining aid on the Thailand-Burma border).

79. See Zaw, *supra* note 37 (discussing how supplies must be brought in from neighboring countries).

80. Chiravut Rungjamratrasami, *Karen Rebels Vow to Continue Fighting Against Burma Junta*, IRRAWADDY (Feb. 15, 2008), http://www.irrawaddy.org/article.php?art_id=10414.

problems.⁸¹ It is hard for him to live inside Burma, so he helps to run relief efforts from Thailand.⁸² I have tried many times to persuade him to come to the United States to speak to people in the U.S. government and to have his ailments treated, but he refuses to go that far from people who need his help. Indeed, at one point, he left the CEC of the KNU so that he could go back inside to do direct work caring for the people. Everyone inside Karen State in Burma knows him; virtually no one in Washington, New York, or Brussels does.

At the opposite end of the continuum, full-time democracy activists resident in other countries principally devote themselves to lobbying foreign government and the United Nations to pressure the military junta to allow democratic reform.⁸³ Because they are pursuing a different strategy, these activists have different priorities, partners, and agendas from those of the border leadership. They communicate principally with foreigners, not with people inside Burma. They typically seek funds to support their own lobbying activities, rather than funds for relief work in Burma.⁸⁴ And they also respond primarily to the demands of foreign governments and NGOs, because those organizations are the source of their funds and influence. Some of these leaders therefore tend to believe that the goals of the Burma democracy movement should be the goals prescribed by foreigners.

To be fair, sometimes this foreign pressure promotes goals that many would consider benign and that the movement would not pursue but for foreign pressure. For example, the democracy activists today are solidly behind gender equity because the United States and Scandinavian countries want them to be, and the funds might dry up unless they make the appropriate gestures.⁸⁵ By contrast, people inside Burma tend to believe that gender role differentiation is natural and inevitable.⁸⁶ As another example, until recently, some ethnic minority members wanted to secede from Burma, but the activists abroad never supported this demand because the international community would

81. See Brian McCartan, *Remains to Be Seen*, MIZZIMA (Oct. 28, 2008, 1:57 PM), <http://www.mizzima.com/edop/commentary/1204-remains-to-be-seen.html> (noting health problems).

82. See *Karen History and Culture Preservation Society*, MUSEUM KAREN HIST. & CULTURE, http://www.ibiblio.org/obl/docs3/karenmuseum-01/karen_history_and_culture_preser.htm (last visited Sept. 5, 2011) (noting Htoo Htoo Lay's involvement with relief efforts in Thailand).

83. See, e.g., BERHAULT & WELDONE, *supra* note 66, at 20, 35.

84. See, e.g., *id.* at 3, 19 (describing the activities of the Euro-Burma Office).

85. See *id.* at 14 (discussing the role of the Euro-Burma Office in promoting gender equity among democracy groups).

86. See *id.*

object.⁸⁷ Today, every significant organization in the Burmese democracy movement has forsworn the secession option.⁸⁸

So the point is not that foreign pressure always brings bad results; it's that this diasporic group responds to foreign pressure, good or bad, rather than to the opinion of Burmese people in the country itself. It should also be conceded that even the leadership on the border—which, as we have seen, is closely connected to the people inside—responds to foreign pressure; in particular, those leaders overwhelmingly support gender equity, at least in name, and federalism rather than secession. But the leadership on the border also responds to the attitudes of Burmese people inside the country, because it interacts with the people inside and to some extent depends on them for its authority.

This difference in the two groups' primary strategies—lobbying foreigners on the one hand, and leading the internal resistance on the other—points to different approaches with respect to the third strategy, that is, preparing themselves to return home to lead a democratic Burma. Both the border leadership and activists resident abroad believe that one day they will be leading the country. But if the leadership on the border ever becomes the leadership of Burma, it will be because the people of Burma put them there. Everyone knows this truth, so the border leaders are careful to balance the demands of foreign governments with the demands of their own people. By contrast, many Burmese democracy activists in other countries imagine that sooner or later a foreign country, or perhaps the United Nations, will force the junta to leave, and will then install these foreign activists—who, typically, have not been back to Burma for many years and are therefore almost unknown in the country—as the rightful government of the newly democratic Burma.

I am reluctant to name names, because I try to maintain amicable relations with all the Burmese groups who genuinely desire democracy, by whatever route. Nonetheless, it would be impossible to discuss the Burmese diaspora without specific reference to the NCGUB, the so-called government in exile.⁸⁹ Recall that in 1990, the military government permitted one election, which it handily lost.⁹⁰ It then refused to let the parliament meet; some MPs were imprisoned, and

87. See *Burma*, link within *Background Notes*, U.S. DEP'T OF STATE (Aug. 3, 2011), <http://www.state.gov/r/pa/ei/bgn/35910.htm> (noting that President Obama supports a unified Burma).

88. See Aung Zaw, *Will the Golden Land be Broken into Nuggets?*, IRRAWADDY (Nov. 21, 2007), http://www.irrawaddy.org/opinion_story.php?art_id=9384&page=2 (noting how the rebel groups voted against secession).

89. See NAT'L COALITION GOV'T UNION OF BURMA, *supra* note 64.

90. See *id.*

others fled.⁹¹ Some of the refugees met in Mae Sot, Thailand to form an alternative government.⁹² The NCGUB then moved to Washington, D.C., because the U.S. government offered it support.⁹³ Until recently, the press and the United States dedicated a lot of attention to the NCGUB.

The NCGUB has, in turn, dedicated most of its attention to working the corridors of power in Washington, New York, Brussels, and Geneva.⁹⁴ Foreign governments and the United Nations like working with the NCGUB because it is so well integrated into the international system. It would be much harder for the international community to engage directly with Burmese people in Burma or on the borders: it would have to learn the terrain, understand the politics, and get access. Supporting the NCGUB is much easier: the international community can claim to be doing something positive, and the fact that the NCGUB claims to represent the whole democracy movement gives the international community a rationale for not reaching out to Burmese people inside Burma.

In short, these two groups—leaders on the border, and leaders in other countries—have adopted quite different strategies for reform. Sometimes, those different strategies are complementary: change will most likely come to Burma if both Burma's citizenry and foreign governments are pushing for it. But sometimes, the different strategies work at cross-purposes in two discrete ways.

First, the international community will give only so much attention and so many resources to Burmese activists, and until recently, it tended to focus on the leaders who lived in foreign capitals. As a result, the diasporic elements in Washington, DC, New York, and Brussels have had close access to policymakers in those cities. They have been able to shape perceptions and to secure funds that, in turn, have given them a lot of power in the Burma democracy movement as a whole, because money within the movement is in such short supply. If the leaders on the border want to hold a seminar or a conference or to travel to meet the leaders of other countries, they generally have to rely on funds from the leaders who live in those other countries.

As an example: last fall, I arranged for a delegation of very high-ranking ethnic resistance officers to meet with some high-ranking people in the U.S. government. The U.S. officials had been quite

91. *See id.*

92. *See id.* (noting that NLD representatives were sent to Thailand to contact revolutionary forces there and get their support).

93. *See* STEINBERG, *supra* note 4, at 118, 178 (discussing U.S. support for the NCGUB).

94. To be fair, I should add that a small number of individual members of the NCGUB, in their personal capacities, are committed to working inside Burma and on the borders.

familiar with U.S.-based Burmese activists but had never met the people carrying on the fighting inside Burma. As a result, the resistance leaders and the Americans plainly felt themselves to be in unfamiliar territory. To their credit, the American policymakers understood that this was an opportunity to learn about conditions on the ground in Burma, so the meetings tended to become informational sessions. The trip, however, was possible only because the Euro-Burma Office (EBO)—which is headquartered in Brussels and receives its funds from the European Union and other foreign governments, especially Canada—agreed to fund it. Some leaders of the democracy movement feel that the delegation included only EBO “cronies,” who thus enjoyed unfair access to the levers of power in Washington. That perception may be unfair, and we at the CCD worked to ensure that the delegation was inclusive. But whether that feeling is fair is not the point; the point is that the EBO and similar groups—rather than Burmese leaders on the ground—have access to the attention and resources of the international community.

The second tension is that these two groups tend to have different agendas and priorities because they are differently situated and accordingly have different incentives. In turn, the different activist groups abroad often have agendas that are different from one another.

For example, the NCGUB wanted Burmese people to boycott the 2010 elections and wanted the United States to refuse to deal with the newly elected parliamentarians.⁹⁵ By contrast, the Ethnic Nationalities Council (ENC) urged Burmese people to participate in the elections on the grounds that, however fraudulent they might have been, they were the only game in town.⁹⁶ In offering this advice, probably both organizations were in good faith seeking the best for Burma but simply came to different conclusions. At the same time, though, each had very different interests at stake, which almost certainly influenced its reasoning. The NCGUB needed to discredit the elections to the greatest extent possible because as the winner of the 1990 election, the NCGUB can claim to be the legitimate parliament of Burma. If the new parliament has even a shred of legitimacy, it will displace the NCGUB from the international community’s attention, simply because its electoral victory is so much more recent. By contrast, the ENC has no stake in preserving the importance of the 1990 elections because its

95. See Lalit K. Jha, *Burmese Exile Leader Calls for Referendum Boycott*, IRRAWADDY (Feb. 11, 2008), http://www.irrawaddy.org/article.php?art_id=10257 (detailing the NCGUB’s opposition to the elections).

96. See Saw Yan Naing, *ENC Calls on US to Back 2010 Election*, IRRAWADDY (Oct. 6, 2009), http://www.irrawaddy.org/article.php?art_id=16940 (detailing ENC support for the general election).

leaders do not include the exiled MPs and because, perhaps, if the NCGUB is pushed to the margin, the ENC will have fewer competitors for the international community's attention. Lest I be misunderstood, I do not mean to intimate that any of these leaders are bad people in some way or that they don't care about their country. I mean merely that because they are differently situated, they will naturally have different agendas—as all of us would.

The leadership on the border, by contrast, is much less concerned about the elections either way. Instead, they primarily want direct support for the democracy movement inside Burma—humanitarian and also military. But almost none of the democracy activists abroad have adopted direct support as their first priority in lobbying foreign governments.

The leadership on the border also desires unity above all else, and the ethnic resistance armies have taken steps to secure it. Some of those armies first formed a pact group called the Military Alliance, then a larger group called the Committee to Effectuate a Federal Union, and most recently an even larger umbrella group called the United Nationalities Federal Council (UNFC).⁹⁷ The UNFC, in turn, is rapidly moving toward a unified command structure and a single federal army, and it has drawn up articles of mutual commitment.⁹⁸

The result of these tangled agendas is that although the leadership on the border may be working toward unity, there is, if anything, increasing disunity in the farther diaspora: activists are working at cross-purposes with each other and with the border leadership. That result should not be surprising: the different rings of the diaspora have different incentives because they are working with different partners, who themselves have different agendas. But though not surprising, it is unfortunate because it slows the movement toward democracy and may make democracy less stable once it comes.

CONCLUSION

Many in the movement believe that the diaspora is disunited because the leaders are pursuing separate, self-interested agendas. If this belief is true, the diaspora has lots of company: most political

97. See Saw Yan Naing, *Ethnic Armies Reject Piecemeal Peace Talks*, IRRAWADDY (Aug. 19, 2011), http://www.irrawaddy.org/article.php?art_id=21930 (discussing the ethnic armies' desire for unity under the auspices of the UNFC in forging a peace agreement with the junta).

98. See Saw Yan Naing, *Ethnic Alliance Vows to Strive for Federal Union*, IRRAWADDY (Feb. 21, 2011), http://www.irrawaddy.org/article.php?art_id=20792 (discussing mutual commitments among the ethnic groups).

diasporas pursue agendas developed in response to their own circumstances outside the home country—the Cuban and Tamil diasporas come to mind. But lamenting the moral failures of the leaders—if they are in fact moral failures—won't change anything: they are responding, as most people would, to their own incentives. To achieve unity, then, the incentives must change, and the incentives will change only when the international community changes the way it structures them. If the international community were to adopt shared policy goals and then were to give all elements of the diaspora—and for that matter, all elements inside Burma—a shared incentive to support those goals, it could dramatically help to unify the movement. Many of us working on Burma issues have long desired a common international front on the grounds that it might more effectively pressure the regime to change. But it would also have this other benefit: a unified international policy toward Burma would help the Burmese diaspora to unify itself around a shared set of goals.

This analysis has focused on the details of the Burmese diaspora, but I think that it has three general implications for those who study and work for democratization. First, I believe that the kind of dynamics I've seen in the Burmese diaspora are common in other diasporas as well. Second, fully to understand processes of democratization within a transitional country, one must study the politics not only within the country's borders, but also within the country's diaspora. Third, if the international community is going to try to support democratization efforts in transitional countries, it must understand that the diaspora is not one thing, that the different elements have different agendas, and that the international community can dramatically shape those agendas for good and for ill.