

## After an Election and a Symbolic Re-Election in Myanmar - What Next?

### Introduction

On November 7, 2011 elections were held in Myanmar<sup>1</sup> for the first time in 20 years under the guidance of the country's military leadership which had organised the last polls in May 1990 as well. The latter had resulted in an unexpected landslide victory of the National League of Democracy (NLD) led by the charismatic leader, daughter of the country's national hero and Nobel Peace Prize winner Aung San Suu Kyi despite her confinement under house arrest during the election campaign. This time, the results were no surprise. The military backed Union Solidarity Development Party (USDP) won some 75% of the contested seats in the 16 parliaments elected – two houses for the entire country, the *Pyitthu Hluttaw* (lower house) and the *Amyotha Hluttaw* (house of nationalities)<sup>2</sup> and 14 parliaments, one for each of the country's Regions and States. As a consequence of the expected election results and in contrast to 1990, the parliament was convened in the end of January 2011. It soon performed its main task by electing a president and two vice presidents in accordance with the constitution adopted in 2008.

Six days after the elections, on November 13, Aung San Suu Kyi was released after the end of an 18-month prison term commuted into house arrest which had prolonged her detention since the end of May 2003. Like in 1995 and 2002, when previous house arrests came to an end, she was received by her jubilant supporters as the beloved “mother of the nation” and the true leader of the country.<sup>3</sup> Western politicians welcomed her release and expressed the hope that it might indicate the end of the government's repressive policy and the beginning of a way “towards national reconciliation and a more peaceful, prosperous, and democratic future” as US Secretary of State Hillary Clinton worded it. Suu Kyi's party, the NLD, had not registered for the elections because it rejected the constitution and the election laws for being not in

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<sup>1</sup> The country was known as „Burma“ in the international world until 1989. With the „Adaptation of Expression Law“ the military government that took over power in 1988 ordered that „[t]he expression "Union of Burma" and the expression "Burma" or "Burman" or "Burmese" contained in the existing laws enacted in the English language shall be substituted by the expressions "Union of Myanmar" and "Myanmar" respectively.“ Accordingly, the names for „nationalities and places“ were officially changed. „Rangoon“ became Yangon etc. The changes were accepted by the United Nations but rejected by Aung San Suu Kyi and her supporter the most prominent being the government of the United States because the authorities that issued the orders was deemed illegitimate. – This paper uses „Burma“ for the time before 1989 and „Myanmar“ for the time after the law was enacted.

<sup>2</sup> Both houses form the *Pyidaungsu Hluttaw* (Union Parliament). The constitution provides for joint sessions to be held within 15 days of the first session of the *Pyitthu Hluttaw* (section 78). Bills initiated by any of the two Hluttaws and passed by both of them are deemed as being approved by the Union Parliament (section 85 a).

<sup>3</sup> It was noted that the crowd greeting Suu Kyi in 2010 was not that great than on her last release in May 2002. A German resident of Yangon estimated that 50.000 people had welcomed Suu Kyi at the former occasion compared to just 5000 in 2010 (author, personal communication, May 5, 2011).

accordance with democratic principles. Subsequently, the party had been removed from the list of parties by the Election Commission in line with the provisions of Myanmar's Parties' Registration Law. As a political party, it became an illegal institution.

Nevertheless, for some time the polling faded into the background both nationally and internationally due to the attention aroused by the release of "the Lady" and her subsequent actions.

The two days in November signify a continuation as well as a shift in the long standing stalemate characterising Myanmar's politics. There are still two models competing for a way out of the country's troubled situation, one labelled "disciplined democracy" enacted by the military, the other personified by the daughter of Myanmar's national hero standing for "genuine democracy". Still Suu Kyi and not the government is widely regarded as the legitimate albeit symbolic leader of the people of Myanmar. On the other hand, the rules of the game have changed. Aung San Suu Kyi now commands just an extra-parliamentarian opposition that is opposed not just to the military and its proxy party but to some other parties as well which decided to participate in the elections, among them the National Democratic Front (NDF) that split off the NLD after the decision to boycott the elections in early 2010.

This article provides an overview of the developments leading to the "two elections" of November 2010, outlines the activities of the contesting parties and their supporters for leading Myanmar into a brighter future, examines the forces that emerged between the two blocs in the last two decades and draws some cautious conclusions for future options focussing on the role of the international community.

### **Looking back at previous elections**

In a way, the elections of November 2010 were a "first" in manifold kind and not just due to the interval of 20 years since the last polls. They were the first elections under a constitution since 25 years because the 1990 elections were held in a constitutional void.<sup>4</sup> In 1985, the fourth and last elections under the 1974 constitution were held in which candidates from just one party, the Burma Socialist Programme Party (BSPP), could be chosen. Constitutionally guided multi-party-elections followed by the formation of a government did not take place since Burma's first Prime Minister Nu's election victory 50 years back in February 1960. As in 1990 and 2010, these elections were organised by a government under military leadership. After the political body, under which Burma had gained independence, the Anti Fascist

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<sup>4</sup> The constitution of 1974 had not been formally abrogated but could not be applied as well because it provided for a one-party rule. For a discussion of the 1990 elections see Tonkin 2007.

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People's Freedom League (AFPFL), had split in 1958, General Ne Win was elected Prime Minister of a government, which became known as the Bogyoke – the General's – Government. The interim government handed over power after the elections. However, in March 1962 the military staged a coup that paved the way for the 26 years of “the Burmese Way to Socialism” under Ne Win's leadership.

Further, one may say that the 2010 elections were the first since Burma's independence to which the long time leader Ne Win, who died in 2002, was not in some way connected. It was widely suspected that Ne Win was still pulling the strings behind the scene after his resignation as chairman of the BSPP in July 1988 and the he supervised both the elections of 1990 and its disregard after the National Unity Party (NUP), the successor of the BSPP, failed to win a majority of seats.

In the 1950s the army under his leadership had secured the elections of 1956 and still more of 1951/52 both of which were overshadowed by civil war. One month before the first post-war elections for the Constituent Assembly held in April 1947 Col. Ne Win commanded a counter-insurgency campaign to curb communist influence in Middle Burma. (Smith 1991: 70)

Finally, it can be noted that the 2010 elections were the first in Myanmar in which not just parliaments for the entire state were elected but also 14 regional parliaments for the country's seven Divisions and seven States.

Seen from a different angle, all elections in independent Burma were either preceded or succeeded by deep political crises. Two major functions of democratic elections did never materialise: There was never a smooth transition of power from one government to the other and a competition for the political mandate between parties in which the defeated contender(s) accepted to serve the country as a parliamentary opposition according to generally acknowledged rules. In a continuation from the practice in the late colonial period under the parliamentary system introduced by the British, the “opposition” mainly aimed at undermining the credibility of the government and replace it as soon as possible (Zöllner 2011).

Accordingly, elections held between 1947 and 1990 can be characterised as acclamations of a certain leader and his political organisation. Between 1974 and 1985 the people had no choice but to vote for the only existing party. As in many other countries under authoritarian rule acclamation by coercion took place.

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This characteristic feature can be illustrated by the elections of 1947 and 1990, which were won by the two Leagues led by Aung San as the head of the AFPFL and his daughter as the leader of the NLD and to a lesser extent by Nu's victory in 1960. On all occasions, the winning parties got close to 100% of the seats contested.<sup>5</sup> The first-past-the-post voting system adopted from the British contributed to the clarity of the results.<sup>6</sup> In contrast, the outcome of the 1956 elections, in which the AFPFL almost lost the majority of votes – not seats<sup>7</sup> –, resulted in the crisis that led to the League's split and the following first takeover of Ne Win as the leader elected by parliament of the Caretaker Government between 1958 and 1960.

The tendency towards unanimous election of a political leader is firmly rooted in Burmese Buddhist tradition. When Aung San Suu Kyi defended her democracy movement against the allegation that the principles of democracy were “un-Burmese”, she referred to a Buddhist text which had already been used to legitimise the rule of the Burmese kings (Suu Kyi 1991: 169-170). The story is told in the *Aggañña Sutta* and informs about the birth of social order and its structure including the emergence of the monastic order (Tambiah 2007: 9-18). One focus is the election of the *Mahasammata*, the Great-Elect - or Great Select - who was unanimously chosen because of his many obvious virtues and whose task was to control the people's selfish and anarchic inclination. According to Aung San Suu Kyi, “[t]he agreement by which [the] first monarch undertakes to rule righteously in return for a portion of rice crop represents the Buddhist version by social contract.” (Suu Kyi 1991: 170) The ruler is bound by the *dhamma* as taught by the Buddha and particularly to the ten royal virtues or rules (Suu Kyi 1991: 170-173) and follows the tradition of Ashoka, the exemplary Buddhist ruler. As Sarkisyanz stated in his groundbreaking study of the Buddhist foundations of Burmese political thought, there existed a broad gap between the “symbols of Buddhist democracy” as impersonated by U Nu, who at that time attempted to revive the Ashokan spirit of a government committed to Buddhist ethics, and the “efficiency criteria” as implemented by the British and later re-enacted by the military (Sarkisyanz 1965: 229-236).

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<sup>5</sup> In the elections of 1947, the AFPFL won all but 8 seats of the Constituent Assembly which became the first Burmese parliament after independence. In 1990, the NLD won 82% of the seats, but the constituencies won by candidates of some ethnic “Leagues for Democracy” can be added raising the total number to more than 90% (for details see Tonkin 2007). – In 1960, Nu's “Clean AFPFL” won more than 80% of the seats against his rivals from the “Stable AFPFL” which was supposedly supported by the military. The results of these elections are, however, not very well documented (see Bigelow 1960; Myanmar Politics 2007: 283-285).

<sup>6</sup> In 1960, the winning party received 57,2 % of the votes against 30,7 % of its main rival (Bigelow 1960: 70). In 1990, the NLD got 58,7 % of the votes against 21,7 % of the National Unity Party (NUP).

<sup>7</sup> In 1956, the percentage of votes of the AFPFL dropped to 53,7 % according to Bigelow 1960, to some 48% according to Taylor 1985 and to 47,9% according to Maung Maung 1969: 227. Anyway, the novelty in 1956 was that one single party threatened the dominance of the AFPFL. As a consequence, Nu resigned from the premiership for one year to reorganise the League.

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In the Ashokan tradition, the election victories of 1947, 1960 and 1990 can be interpreted as acts establishing a social contract between a modern “righteous monarch” and the people. This assessment is underlined by Aung San Suu Kyi’s statement that “[t]he people of Burma view democracy not merely as a form of government but as an integrated social and ideological system based on respect for the individual.” (Suu Kyi 1991: 173)

In this context, the jubilant reception of Aung San Suu Kyi on November 13 and 14 after her release was an – albeit symbolic – renewal of the acclamation in 1990 by the electorate and thus a symbolic re-election. People want her to become the country’s righteous ruler, who is expected to integrate the people following her freely into a “social and ideological system” represented by her as the legitimate successor of her father. Moreover, many western countries joined in Suu Kyi's acclamation.

On the other hand, the elections of November 2010 were another step in a series of moves undertaken by the military government to introduce “democracy as a form of government”. This can be seen as another attempt to institutionalise the rule of the *Mahasammata* by coercion in a different way than undertaken in the “Burmese Way to Socialism” between 1962 and 1988 under the guidance of the BSPP shepherded by Ne Win. The fact that the USDP won around 75% of the contested seats underlines this assessment. Such a form of “guided democracy” contains the danger of a rollback to direct authoritarian rule if the expectations of the guardians of change are not met.

Finally, both contesting parties in 2010 as before are very different versions of the same concept stressing the unity of the people as the basis for any political action and, as a consequence, propagate a top-down approach in terms of social relations. The concept however is represented by rather antagonistic protagonists both claiming to be the legitimate heir of Aung San, the country’s national hero, founder of the Burmese army and father of Aung San Suu Kyi. The latter emphasises the freedom of choice as the foundation of Burmese democracy. She relies on the moral support of the majority of the people, but postpones the issue of how to organise democracy. The military stresses the necessity of such organisation in order to secure democracy against the many dangers of disunity. The military’s legitimacy is not recognised by most of the Myanmar people as shown in the election results of 1990 and the recent reception of Aung San Suu Kyi both within and outside Myanmar. Suu Kyi lacks any instrument to implement her vision other than symbolic action.<sup>8</sup>

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<sup>8</sup> Sarkisyanz closes his book with a statement on the “existential tragedy of the Ashokan Buddhist political ideal”. It “is inherent in its aspiration to base the state on an ethical maximum, while the state by its very nature

### **Aung San Suu Kyi's politics of symbolic action**

In a short speech to her supporters who had gathered before her house after her release on November 13, Aung San Suu Kyi said: "If we are united, we can get what we want." (New York Times 13.11.2010) On the next day, this unity was symbolically shown by means of an exchange of declarations of love before the NLD's headquarters. "We love Suu" the crowd estimated at 10.000 people<sup>9</sup> shouted along with the traditional Burmese wish for a revered person "Long live Suu Kyi". She responded by showing a placard on which was written "I love you too" (Daily Mail 14.11.2010). In her speech, she stressed the necessity of working together:<sup>10</sup>

It's not enough to think only of oneself or one's own family. I want to reiterate this. Please don't have the attitude that politics do not concern you. My father has said that before, that you may not be concerned with politics but politics will be concerned with you, you can't avoid this (applause). Everything is politics. Politics is not just coming here and supporting us. The housewife, who is cooking at home, also has something to do because she is struggling to feed her family with the money she has (cheers). Struggling to send children to school is politics. Everything is politics. No one is free of politics. So saying that politics does not concern you and that you do not wish to be involved in politics is a lack of awareness of politics. So I ask the people to try and understand politics and to teach us. We must teach one another. Unless the people teach us what democracy is, we will not [sic!] make mistakes.<sup>11</sup>

This part of the speech takes up main motifs of her talks to Myanmar audiences in former periods of her relative freedom, in which she attempted to educate the people on politics (Blum 2011).

After the first meetings with her supporters, Suu Kyi started further initiatives. On Tuesday, November 16, she talked with some ethnic leaders and proposed a Second Panglong Conference aiming at achieving unity among the country's ethnic groups. The initiative emulated the meeting of Aung San with ethnic leaders on February 12, 1947 in Panglong (Shan State), which resulted in an agreement to achieve independence from Britain in concert. Since then, February 12 is a national holiday called "Union Day".<sup>12</sup> However, the government called the move a "cheap stunt" and some representatives of ethnic parties that participated in the 2010 elections voiced reservation (Mizzima News 9.12.2010). At the November 16

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can only safeguard an ethical minimum. Yet, without aspirations to transform morally political power, History's balance would be hopelessly gloomy indeed." (Sarkisyanz 1865: 236)

<sup>9</sup> The figure is disputed. A German businessman and long time resident of Myanmar estimated that only 5000 people listened to the speech on November 14 compared to some 50.000 who came to see her on the occasion of her last release in May 2002 (author, personal communication in May 2011).

<sup>10</sup> For an unofficial translation of the speech see <http://democracyforburma.wordpress.com/2010/11/15/unofficial-translated-transcript-daw-aung-san-suu-kyi%E2%80%99s-public-address-nld-headquarters-14-november/> [6.3.2011]

<sup>11</sup> From the unofficial transcript of her speech (<http://ko-kr.connect.facebook.com/notes/altsean-burma/transcript-daw-aung-san-suu-kyis-public-address-nld-headquarters-14-november-201/176517152358996> [24.2.2011]).

<sup>12</sup> The meaning of the Panglong Agreement is very controversially discussed (Walton 2008).

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meeting Suu Kyi had said she wanted to hold the conference using the internet to avoid the need to apply for permits from the authorities. (Mizzima News 16.11.2010)

On the same day, Suu Kyi filed a document with the country's High Court to have her political party reinstated. In the end of January, a Special Appellant Court in the capital Naypyitaw dismissed the appeal and ruled that the party remained an "unlawful association" (Reuters 28.1.2011).

On Wednesday, November 17, Suu Kyi visited a home for AIDS/HIV patients in Yangon run by a NLD activists. Many people and some 40 to 50 reporters were present at the occasion. She distributed flowers which had been presented to her the days before and was reported to have said to the bystanders: "'I want you to help others who are poorer than you. Many people only focus on self-interest. But I want you to have the desire to help and work for others. Such desire has to be built up. This is called altruism. I want you to build it up.'" (Irrawaddy 18.11.2010) – A few days later it was reported that the 80 people living in shelter were threatened with eviction by the authorities because the permit to house the people had not been renewed (AP 20.11.2010).<sup>13</sup> Some days later the authorities revoked the eviction order and continued to extend the registration every week (DVB 26.11.2010).

Besides these initiatives inside Myanmar, Suu Kyi received foreign diplomats and gave many interviews. The NLD published papers analysing the economy<sup>14</sup> and reviewing the sanctions imposed on Myanmar concluding that "economic conditions within the country have not been affected by sanctions" and therefore should only be lifted if the "violations of human rights and lack of democratic practices" have come to an end.<sup>15</sup> On January 28, 2011 Suu Kyi addressed the participants of the World Economic Forum in Davos in a video message.

Over the past few years, despite my isolation from much of the world, I have been able to follow closely the global response to the economic downturn through listening assiduously to radio broadcasts. [...]

I would like to speak on behalf of the 55 million people of Burma who have for the most part been left behind. We yearn to be a part of the global community [...]

The National League for Democracy (NLD) has in fact embarked on an experimental micro credit scheme on a very small scale. [...]

I would like to request those who have invested or who are thinking of investing in Burma to put a premium on respect for the law, on environmental and social factors, on the rights of workers, on job creation and on the promotion of technological skills. [...]

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<sup>13</sup> The authorities claimed that visits in July and August at the home had proven that it was overcrowded and hygienic conditions were bad. (*The Guardian* 24.11.2010).

<sup>14</sup> The short paper entitled „Analysis of the Economy” was published on Myanmar's Independence Day, January 4, 2011 (<http://www.burmapartnership.org/2011/01/economic-analysis-and-vision-of-the-nld/> [7.3.2011]);

<sup>15</sup> <http://www.networkmyanmar.org/images/stories/PDF6/nldsana.pdf> [7.3.2011].

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I would like to appeal to all those present at this gathering to use their particular opportunities and skills as far as possible to promote national reconciliation, genuine democratization, human development and economic growth in Burma that our people may in turn be able to make their own contribution towards a safer happier world.<sup>16</sup>

The speech was widely quoted in the internet community with a concern on Myanmar but not mentioned in the international newspapers, broadcasts and TV-reports.

These examples throw light on the limitations of Aung San Suu Kyi's initiatives both inside and outside Myanmar. Inside the country, she is subject to the same restrictions imposed by the government on all citizens. As a political actor, she does not have an institutional base after the NLD was de-registered. Other political actors not allied to the military and its civilian proxies challenge her and her party's claim to represent the democratic aspirations of the people of Myanmar by voicing their different assessments on the NLD's initiatives which for a long time was regarded as the only voice of dissidence in Myanmar.

In the international world Aung San Suu Kyi is still prominent. But her prominence has been reduced – or elevated – to a level beyond realpolitik. Her speech to the 2500 attendants of the Davos meeting was appreciated but had no tangible results. Suu Kyi presented herself as the voice of the 55 million people of Burma, recurred to the – rather limited - economic activities of her party and admonished investors to act in an ethically sound way.

With the speech presented to the attendants of the World Economic Forum Suu Kyi continued to present herself to the international world as the leader of an alternative government situated at the headquarters of the NLD and her residence in Yangon. Over the years, UN declarations and visits of Aung San Suu Kyi from the General Secretary's envoys and the impositions of sanctions by Western countries supported by her had created the impression that the NLD under Aung San Suu Kyi's leadership was legitimised to politically represent the people of Myanmar.

Within the country, this claim was substantiated by a series of acts by the NLD and Aung San Suu Kyi. In November 1995 the NLD delegates quit the National Convention convened by the military government in January 1993 to draw up a new constitution. In September 1998 a legislative body, the Committee Representing People's Parliament (CRPP), was formed. The Committee was to act on behalf of the parliament elected in 1990 that was never convened. In one of its first sessions, the Committee declared all laws enacted by the military government since the takeover of power on September 18, 1988 null and void if they were not endorsed by the new body.

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<sup>16</sup> <http://www.bbc.co.uk/news/uk-politics-12312254> [8.3.2011]

Other symbolic actions of Aung San Suu Kyi took place during those times when her house arrest was lifted or eased between 1995 and 2000 and between May 2002 and May 2003. In the first period she gave speeches from the gate of her house explaining her vision of how the country should be governed (Blum 2011). Later, she tried to enforce her right to travel freely and visit party members in a series of attempts to leave her residence which were blocked by the authorities (Zöllner 2001). In 2002 and 2003 she was allowed to travel to various parts of the country. These journeys developed into a triumphant procession in the footsteps of Aung San and thus a symbolic reclamation of her father's legacy. They were violently stopped by government agents on May 30, 2003 near Depayin in Upper Burma (Zöllner 2003) and followed by another period of detention which only came to an end in November 2010.

### **Military execution of a transition process**

On August 30, three months after the Depayin incident, General Khin Nyunt shortly after having been appointed Prime Minister announced a seven step roadmap outlining a process leading to the emergence of a “modern, developed and democratic nation”.<sup>17</sup> The chief of the country's intelligence had been Secretary 1 of the junta since September 1988 and was regarded as the key figure in the military's attempts to come to terms with Aung San Suu Kyi (Zöllner 2001).

In the roadmap's first step the National Convention, which had been suspended after the withdrawal of the NLD, was reconvened in May 2004. The proceedings came to an end in 2007 (step 3) shortly before the monks started their protests termed the “Saffron Revolution” (Zöllner 2009). In May 2008, the constitution was adopted in a referendum (step 4), the elections held in November were step 5 and the convening of parliaments on January 31, 2011 step 6. The final step started with the election of state leaders and its many organs as provided by the constitution in the first session of the parliaments which terminated in the end of March 2011 with the official ceremony of handing over the government from the military junta to the elected President and his government.

The roadmap was implemented in a systematic way matching the military's key concern for security as a view on the timing of the process illustrates. At the beginning, no timetable was announced. The precise dates of the meetings of the National Convention, which was held in a camp constructed for the event some 40 km away from Yangon surrounded by military bases, were announced only short term. At the end of each session vague information about the next

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<sup>17</sup> Details about the roadmap and the single steps of its implementation can be found at the Online Burma Library. See <http://www.burmalibrary.org/show.php?cat=2378&lo=d&sl=0> [8.3.2011].

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gathering was given. On February 8, 2008 it was announced that the referendum to adopt the constitution would be held in May. One month later the exact date, May 10, was announced. Remarkably, the date was not changed after cyclone Nargis had devastated the Irrawaddy delta on May 2 and 3 causing more than 100,000 fatalities. Only in the effected areas, the polling was postponed for 14 days. Finally, in February 2008 it was announced that the elections would be held sometime in 2010. The date of the polls was only made public on August 13, 2010. The date chosen, 7.11.2010 was significant in many ways. Numerology played a role – 7 plus 1 plus 1 sums up to the auspicious number 9.<sup>18</sup> In addition, it was the last Sunday before Aung San Kyi would have to be released. She had been sentenced to 18 months in August 2009 but the beginning of the period under detention was May 14, 2009 when she was officially charged for violating the conditions of her house arrest and was brought to Insein prison for the trial. Obviously, the junta wanted to secure that her release would not interfere with the election process.

More important, the military by implementing the roadmap continued its determination to play a leading role in Myanmar's politics even after the roadmap had been worked off. This had been made clear in one of the first announcements after the change in SLORC's leadership in April 1992 from Saw Maung to Than Shwe and the announcement of convening a National Convention after disregarding the result of the 1990 elections. The last of the six objectives prescribed in the drafting of the constitution was the “participation of the Tatmadaw in the leading role of national politics of the State in future.” (Maung Aung Myoe 2007: 18-19)

With the proclamation of this goal, the Tatmadaw assumed another role compared to that of a referee as taken from 1958 to 1960 at the time of Ne Win's Caretaker Government and before the elections of May 1990. Now, it became a key political player, too, a centre forward so to speak. The goal was pursued through a number of measures both in the process of drafting the constitution and in the field of direct political activities. These measures were not in line with Western democratic theory and practice and were often quoted by the NLD and its supporters abroad as reasons for the rejection of the whole process initiated by the military as being neither democratic in character nor free and fair in practice. There are some salient features underpinning such assessments.

First, the 2008 constitution states that a quarter of seats in all 16 parliaments of the State are reserved for soldiers nominated by the Supreme Commander. In case of the parliaments for

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<sup>18</sup> The number 9 is assumed to represent power, accomplishment and success.

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which elections were held in 2010, this task was performed by Senior General Than Shwe, Commander in Chief of the Armed Forces and Chairman of the State Peace and Development Council (SPDC) which was to hand over power to the new government at the end of the installation of a new government and other institutions provided by the constitution.

Another aspect of the ongoing military influence provided by the constitution is highlighted by the provision that the core ministries of Defence, Home and Border Affairs are members of the Defense Services and appointed by the President on the recommendation of the Commander in Chief (Section 232 b) ii of the constitution). Further, the Defence Services are entitled to not only safeguard the Union against external but also against internal dangers (Section 339).<sup>19</sup> They administer themselves despite the existence of a Defence Minister in the cabinet.<sup>20</sup>

Besides designing the rules and regulations of the political game after the end of the roadmap, the military prepared for entering the political arena as a dominating force. One main instrument for such domination was the build-up of a countrywide mass organisation, the Union Solidarity and Development Association (USDA) which started already in 1993 shortly after the sessions of the National Convention had started. In 2007, the organisation claimed to have 24 Million members. In March 2010, the USDP was formed as a political party headed by Prime Minister Thein Sein who one month later together with many other leading military personal left the Tatmadaw in order to assume political functions in line with the provisions of the constitution.<sup>21</sup>

On this background, the USDP was easily able to contest all seats in all parliaments. Moreover, the party was superior to all contestants with regard to financial and organisational strength. With regard to finances, any candidate had to pay US \$ 1000 together with his registration. As for organisation, the USDP was able to persuade many local dignitaries to stand for elections under the party's banner. The party was further able to nominate observers

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<sup>19</sup> Another often mentioned aspect is the constitution's provision of the National Defence and Security Council headed by the President (Section 201 of the constitution). The Council is composed of 11 members among them the Commander in Chief (CIC) of the Tatmadaw, his deputy and the ministers for Defence, Home and Border Affairs, all of them members of the Defense Services. The functions of the Council however are not very powerful (see sections 340, 342 of the constitution and Chapter XII (Provisions on State of Emergency) except for the provisions of organising peoples' militia and an act that allows for the recruitment of soldiers if needed. (ICR 2011: 7) In Myanmar there is no conscription.

<sup>20</sup> The news about the existence of an extra-constitutional eight member "State Supreme Council" allegedly formed in February as the de facto "highest body of the state" and headed by Than Shwe (Irrawaddy 10.2.2011) even after the handover of power from the SPDC to the country's civil leaders might be a fabrication by the exile media.

<sup>21</sup> The procedure paralleled the moves of the Revolutionary Council after the coup of 1962. With the implementation of the new constitution in 1974 the military leaders like Ne Win nominally became civilians.

witnessing the vote counting.<sup>22</sup> The victory in the elections was therefore assured before the polling.

Nevertheless, there were reports about vote rigging. In some constituencies, the provision of advance voting was used by USDP candidates to avoid defeat. Such fraud mostly happened in urban areas where prominent non-USDP candidates contested the seats. The reasons for such tampering most likely are not to be seen as a systematic endeavour of the top leadership but as results of the initiatives of individual candidates who wanted to avoid defeat because they feared a loss of face and had made plans for a political career under the new system which could only commence after a successful electoral campaign.<sup>23</sup>

In the end, the USDP won some 75% of the seats contested. Together with the 25% of seats taken by members of the Defence Service, parliaments are clearly dominated by the members of the institution which ruled the country under different conditions since 1958. The result resembles the great victories of 1947 and 1990 and thus indicates a continuation of Burmese electoral traditions. Before aspects of discontinuity are considered, a short look at the post-polling developments will be taken.

Parliaments were convened within the period of three months prescribed in the constitution on January 31, 2011.<sup>24</sup> The Union (*Pyidaungsu*) Parliament composed of members of both houses on February 4 elected the President and the two Vice-Presidents after both houses and the military had proposed two candidates each for the three posts. Thein Sein, the former Prime Minister, was elected President. A Shan medical doctor, Sai Mauk Kham,<sup>25</sup> proposed by the Amyotha Hluttaw, and Tin Aung Myint Oo, the former Secretary 1 of the SPDC since 2007, who had been proposed by the military<sup>26</sup> were elected Vice-Presidents.

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<sup>22</sup> Section 40 of the Election Laws for the Pyitthu, Amyotha and Regional Hluttaws reads: "On the day of election, each Hluttaw candidate may [...] appoint a polling booth agent and an assistant agent who are to act on his behalf at the respective polling booth in the constituency where he is contesting. [...]" - AFP reported on 31.10.2010: "But party members told the Myanmar Times, a privately-owned weekly newspaper, that they were struggling to appoint even one person to each booth, with some constituencies having more than 100 polling stations. Than Than Nu, general secretary of the Democratic Party (Myanmar), said she had so far only been able to recruit eight polling agents to cover 138 stations in one Mandalay constituency on November 7, the country's first election day in 20 years. 'Even though we offer a T-shirt, a meal and 3,000 kyat (roughly US \$3) to cover volunteers' expenses, only a few people dare accept. People refuse when they know that we are from the Democratic Party,' she told the newspaper."

<sup>23</sup> Author, personal communication in Yangon after the elections.

<sup>24</sup> Numerology played a role again in the choice of the date and the time of the first session of parliaments. The numerals in the date (31+1+2011=9) sum up to nine as do the numerals of the time 08+55=18; 1+8=9).

<sup>25</sup> Dr. Sai Mauk Kham, born 1950, is the owner of a medical clinic in Lashio, Northern Shan State. Besides, he is the chairman of the Shan Literature and Culture Association in Lashio. He was not involved in politics before the elections but had good social contacts to the top military leaders in Shan State. Apparently, he was approached to contest the elections under the banner of the USDP.

<sup>26</sup> Tin Aung Myint Oo, born 1950, had been quartermaster-general of the army and chairman of two bodies supervising the economy, the Trade Policy Council which was established during the Asian economic crisis in

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In the following weeks, sessions of the various parliaments were held. The President submitted proposals to the Union Parliament through the Speaker of the *Pyithu Hluttaw* for the composition of the constitutional bodies provided by the constitution. The parliament rubber-stamped the proposals, among them the 34 Union ministries and 30 ministers-to-be (all except four ex-military men, no woman), the governments of the 14 Regions and States (see below), the High Court (seven members) and the Supreme Judge.<sup>27</sup> From February 1 on the *Pyithu, Amyotha* and Regional/State *Hluttaws* held separate sessions and four Committees each that would represent the parliaments between the sessions were formed.<sup>28</sup>

From March 9 on, the parliamentarians asked questions and submitted proposals to be discussed later. The speaker of the *Pyithu Hluttaw* summarised the activities of the body in this regard thus:

Forty six queries raised by Hluttaw representatives had been answered in the from sixth-day session on 9 March to 14th-day session on 23 March. A total of 17 proposals submitted by the representatives were discussed and four out of them were approved. Tasks to be carried out regarding proposals and queries will be supervised by respective Hluttaw committees. (*New Light of Myanmar* 24.3.2011)

One of the 64 questions asked for an amnesty on “this auspicious transition to multi-party” democracy. The Home Minister answered that according to the constitution granting amnesties was the privilege of the President only. The President despite elected was not “at Office” yet and the State Security Council which had to be consulted was not formed. (*New Light of Myanmar* 22.3.2011)

The first sessions of parliaments were conducted in an interim period which only ended with the official transfer of power from SPDC to the new government on March 30, 2011.<sup>29</sup>

In the eyes of Than Shwe, the transfer of power was just the beginning of another interim period as stated by the outgoing head of state in an address published on March 12.

The democracy system introduced to the Union of Myanmar is still in its infancy. Therefore, it is required of the entire national people to safeguard and build together the newly-introduced democracy system, which has been adopted with the combined efforts

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1997 to strengthen controls on the private sector’s economic activities and the Myanmar Economic Corporation, a holding under military control which runs a number of factories. - He is regarded as a hardliner.

<sup>27</sup> In addition, the following bodies were constituted through the appointment of “suitable” persons: Chairperson and 9 members of the Constitutional Tribunal (section 46 of the constitution); 5 members of the Union Election Commission (sections 198 and 199), Auditor General (Section 237), Auditor General (Section 242),

<sup>28</sup> The committees are: Bill Committee (vetting bills), Public Accounts Committee (scrutinizing the budget), Parliament’s Rights Committee (submitting reports to the respective *hluttaws* when the rights of the *hluttaw* representatives have been violated) and the Government’s Guarantees, Pledges and Undertakings Vetting Committee (checking whether or not guarantees, pledges and undertakings assigned occasionally at the *hluttaw* by the Union Government are implemented). It was noted that the number of non-USDP members in the committees which were staffed by 15 members each was relatively high.

<sup>29</sup> The Speaker of the Pyithu Hluttaw concluded his speech by saying that “[n]ext sessions of Pyithu Hluttaw will be more systematically held in accord with Pyithu Hluttaw Law and Rules.” (*New Light of Myanmar* 23.3.2011)

of the government, the people and the Tatmadaw. In the process, it is mandatory for all national brethren to tackle any forms of disruptions to the new system. (*New Light of Myanmar* 12.3.2011)<sup>30</sup>

In order to avoid disruption, a careful “diffusion of power” has been organised by installing four power centres all related to the military: The presidency, the military, the parliaments and the leading party. (ICR 2011: 5-6)

### **“Third Forces” – Emerging civil society actors**

The whole transition initiated by the Tatmadaw can be seen as a secure exit-strategy for Than Shwe and the leading members of the SPDC. They rightly feel assured to further enjoy the benefits of the loyalty of their subordinates now serving in a variety of functions created by the new institutions and the economic privileges gained during the transition process. Whilst this process was labelled by the NLD and its supporters as a mere “sham”, there are indications of shifts emerging over time after 1988 in course of the process which can be summarised as the formation of “third forces” besides the two camps dominating the political discourse on Myanmar since 1988.

Beyond the uniformity of Burma's/Myanmar's political landscape over the last five decades since 1962 there existed a great diversity which for reasons of the reduction of complexity can be divided into two sections: ethnic and intra-Burmese. The first aspect can be labelled “plural society” (Furnivall 1957; Pham 2004), the second is characterised by a coexistence of various vertically structured patron-client relationships. In both segments there are elements since the beginning of the 20<sup>th</sup> century which today might be called “civil society” elements. The following deliberations will take a look at the changes within these two sectors in relation to the transition process of the last two decades.

#### a) Overcoming ethno-religious plurality

Furnivall characterised the “tropical” multi-ethnic plural society in the colonial period as a community in which people are separated by race and religion.

In Burma [...] probably the first thing that strikes the visitor is the medley of peoples – European, Chinese, Indian and native. It is in the strictest sense a medley, because they mix but do not combine. Each group holds its own religion, its own culture and language, its own ideas and ways. As individuals they meet, but only in the market place, in buying and selling. There is a plural society, with different sections of the community living side by side, but separately, within the same political unit. Even in the economic sphere, there is a division of labour along racial lines. (Furnivall 1957: 304)

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<sup>30</sup> Parts of the speech were reproduced on page 1 of the state media from March 4 on.

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According to his analysis, the economic forces introduced by the colonialists were paralleled by a “common social will” because the political institutions introduced by the British were rejected by the population in the Burmese heartland. As a consequence, the “typical plural society is a business partnership in which, to many partners, bankruptcy signifies release rather than disaster” (ibid.: 308) In Burma, this society was destroyed by the “autarkic socialist policies of successive Burmese governments” (Taylor 1995: 56). This destruction led to the bankruptcy of the Burmese state, a series of civil wars after independence and the removal of the fetters imposed by the British military forces.

Only after 1988, changes occurred. Civil war activities declined, caused by an increase of the military strength of the Tatmadaw with the assistance of China and truces concluded between the central government and some 18 ethnic armed groups. As a quid pro quo for the cessation of hostilities the respective groups received some free room to perform economic and other activities. In a way, the structures of plural society were re-enacted. Again, a business partnership was established or – in today’s terminology - some room for civil society was created (Lorch 2006). The results of the 1990 elections showed that under the Tatmadaw leadership no common social and political will existed and an alternative under the guidance of the NLD could not be tested. In recent times, the still fragile situation with regard to the end of civil war was highlighted by the difficulties to bring the still armed units of the former rebel armies under the control of the Tatmadaw by transforming them into Border Guard Forces (Lall 2009; ICR 2010).

The question is therefore how the missing “common will” can be created in Myanmar and at the same time economic progress can be achieved which benefits all groups and not just a certain segment of society. With regard to the latter question the rising Chinese influence on Myanmar’s economy is noteworthy not only because many Chinese immigrants are entering the country and creating a situation similar to what happened in the colonial times with regard to Indian and Chinese immigrants. One of Furnivall’s prophecies was that Burma could become one more Chinese province (Taylor 1995: 63). Many Burmese think that such a process is just happening. In other words: The bankruptcy of Burma caused by the Burmese Way to Socialism might be cured by Chinese businessmen and their Burmese counterparts but at the expense of the re-emergence of a plural society in which the Burmese people have the feeling that they are not receiving their share of the prospering economy.

Furthermore, it has become clear that the demands of the opponents of the military for a “tripartite dialogue” of the government in power, the opposition represented by the NLD and

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Suu Kyi and the ethnic groups which were regarded as a united “third force” of Myanmar politics, have become obsolete.

On this background, the new constitution for the first time in the country’s history contains provisions for regional branches of legislature, executive and judiciary thus acknowledging the ethnic diversity of the country and the need of a political solution to the problems created by such plurality. After the elections of November 7, the 14 parliaments for the 7 Divisions and 7 States were convened on January 31 at the capitals of the respective region.<sup>31</sup> On February 11, the parliaments elected the 14 Chief Ministers proposed by President Thein Sein and agreed to the proposals to form 9 ministries for each of the Regions and States and to appoint a certain number of judges for the respective High Court.<sup>32</sup> Almost all of the Chief Ministers have a military background. Only two are civilians.<sup>33</sup>

It cannot be foreseen how the new institutions in the Regions and States will function. The constitution provides some space for a though rather limited decentralisation of the state. Much will depend on the way in which the different interests of the union and the regions<sup>34</sup> are negotiated by the newly appointed political actors. In the States and, maybe to a lesser extent, in the Regions it will be interesting to see how the respective military commanders and the civilian turned ex-military Chief Ministers will co-operate. Here, the allocation of budgets and the handling of economic issues will play a salient role on the backdrop auf Aung San’s often quoted statement at the Panglong Conference of 1947 “If the Burmese receive one kyat, the Shan will also get one kyat”, the Kyat being the country’s currency.

With regard to money affairs, the “Financial Commission” provided by the constitution (sections 229 and 230) chaired by the President will be of even greater importance. This body is responsible for preparing the annual budgets to be submitted to the parliaments. All 14

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<sup>31</sup> The number of parliamentarians depended on the number of townships in the respective region. According to the constitution, in each township three members of parliament were elected composing 75% of the total amount. On January 20, 2011 Than Shwe as the Commander-in-Chief of the Armed Forces appointed the members nominated by the Tatmadaw. (<http://www.scribd.com/doc/47356370/List-of-Army-Candidates-to-Parliament-english> [23.3.2011]). The total number varied between 20 parliamentarians in Kayah (Karenni) State and 144 in Shan State.

<sup>32</sup> The names of the ministries denoting their respective field of functions varied according to regional conditions. For example, in Yangon Region a minister will be responsible for immigration affairs, in Regions and States bordering the sea, there will be ministries for fishery. – The number of judges to be appointed varies between 2 (Chin State) and 6 (Yangon and Mandalay Regions) (<http://www.burmalibrary.org/docs11/Hluttaws-NLM2011-02-12.pdf> [23.3.2011]).

<sup>33</sup> For a list of Chief Ministers and ministers see [http://euro-burma.eu/doc/PM\\_No.\\_7\\_-\\_22-02-11.pdf](http://euro-burma.eu/doc/PM_No._7_-_22-02-11.pdf) [23-3-2011].

<sup>34</sup> Besides the 14 Regions and States, the constitution identifies the capital Nay Pyi Taw as a “Union territory” directly administered by the President (Section 50) and six “Self-Administered Zones” (Section 56) comprising border areas inhabited by particular ethnic groups.

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Chief Ministers are members of the body and form the majority.<sup>35</sup> One of the Vice-Presidents will be in charge of the Union budget, the other for the budgets of the Regions and States (section 230).

In addition to the allocations given to them, the Regions and States may raise taxes and charges as “toll fees from using roads and bridges managed by the Region or State” (Schedule five of the constitution).

These provisions give the political actors in the States and Regions some space for bargaining with the state’s central authorities and might stimulate local organisations to present their demands to the members of parliament of their respective township.

Another central issue will be culture. All Regions and States will have ministries responsible for cultural, religious, social and educational affairs. The existing tensions in these fields are highlighted by the reactions to the appointment of the Chief Minister in Kachin State, U La John Ngan Hsaing (or Ngang Seng). He is a businessman and a native Kachin, but a Buddhist. This caused criticism of observers. According to a news agency concentrating on Kachin State, a member of the Kachin Independent Organisation (KIO) stated:

“The selection of the Buddhist, Ngan Seng, for a post giving him authority over the majority Christian Kachin society shows the continued imposition of Buddhism on the Christian minority by the new government.”

The agency report continued:

The KIO official also criticized the Buddhist military regime for holding the recent countrywide Election on a Sunday, (Nov. 7, 2010), the Christian day of worship in a multi-ethnic nation with Christian minorities. He said it was an act of discrimination against the Christian minority.<sup>36</sup>

Another commentator mentioned that the Chief Minister is a relative of a pro-Buddhist politician in the era of Burma’s first Prime Minister U Nu whose initiative to make Buddhism the country’s state religion heavily contributed to the outbreak of civil war in Kachin State.

Similar memories and fear of “Magnification” (Houtman 1998) can be found in many parts of the country and not just in those regions where non-Buddhists form a majority. To overcome such deep rooted mistrust of the central government and its agents will only be possible through a policy of continuous confidence building and reconciliation by means of concrete measures like the promotion of ethnic languages and support for local civil society agents. Only then the forces of separation that cause the “plural society” in Myanmar to continue or

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<sup>35</sup> The other members are: The President, the Vice-Presidents, the Attorney-General, the Auditor-General of the Union and the chairperson of the Nay Pyi Taw council. The Finance Ministers acts as the body’s secretary.

<sup>36</sup> <http://www.kachinnews.com/news/1854-juntas-appointment-of-chief-minister-not-welcome-in-kachin-state.html> [24.3.2011].

re-emerge can be slowly replaced by a pluralistic society under a roof accepted by a majority of the many groups that are up to now only compelled to be members of the Union of Myanmar. The constitution with its strong centralistic features might be a secure frame for turning Myanmar from a plural into a more pluralistic society in which the religious and ethnic affiliation of a politician is not regarded as an instrument of exercising power over a national minority group anymore and compromises can be sought on the basis of a concentration on issues.

### b) Forces opposing both the political establishment and the Burmese fundamental opposition

On March 11, 2011 leaders of 10 political parties, which had contested the 2010 elections, sent an open letter to the European Union asking for a review of the policy of sanctions.<sup>37</sup> The letter did not directly refer to the paper of the NLD published one month before but clearly formulated an attitude on Western sanctions opposed to that of the winner of the 1990 elections.

The 10 parties represent less than a third of all 37 parties that took part in the elections and almost a quarter of the 23 parties which at least won one seat in one of the 16 parliaments.<sup>38</sup> Combined, the “Myanmar Fraternal Democratic Parties” as they named their alliance won 37 seats in the *Pyithu Hluttaw* (out of 54 seats not won by the USDP and the NUP, the party that replaced the Burma Socialist Programme Party (BSPP) after 1988), 19 in the *Amyotha Hluttaw* (out of 34 not won by the USDP and the NUP) and 72 in the 14 Region and State Hluttaws (out of 120 not won by the USDP and the NUP). Most of the seats were won by ethnic parties which participated only in one of the States.<sup>39</sup>

These figures indicate that the parties positioning themselves between the “undemocratic” parties of the military and the old socialist regime and the NLD which stands for a fundamental opposition to the whole transition process initiated by the military represent a small but not insignificant part of the Burmese electorate. The latter assumption can be supported by the argument that the public support of two of the parties which signed the

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<sup>37</sup> For a facsimile of the letter see <http://www.networkmyanmar.org/images/stories/PDF6/mfdp.pdf> [24.3.2011].

<sup>38</sup> From the 10 parties which signed the letter only 6 won at least one seat. - The numbers given here are based on the “Election Report” published by Burma News International, Chiang Mai (<http://www.burmalibrary.org/docs11/HobsonsChoice-Burmas-2010-Elections-BNI-red.pdf> [24.3.2011]).

<sup>39</sup> The numbers of the seats for the three types of parliaments (Hluttaw – Amyotha – Region/State) are: a) Ethnic parties: Shan Nationalities Democratic Party (SNDP): 18 – 3 – 37; Rakhine Nationalities Development Party (RNDP): 9 – 3 – 4; Chin National Party (CNP): 2 – 2 – 5; Phalon-Sawaw Democratic Party (PSDP): 2 – 3 – 4 [the party is Kayin (Karen) based]; b) Parties mainly contesting seats in the Burmese heartland: National Democratic Front (NDF): 8 – 4 – 4; Democratic Party (Myanmar): 0 – 0 – 3. – No seats were won by the following parties which signed the letter as well: Democracy and Peace Party (DPP); National Political Alliance League (NPAL), Union Democratic Party (UDP) and Wun Tha Nu (National League for Democracy) (WNLN); all of them stressing to represent the entire country.

letter, the NDF and the Democratic Party (Myanmar) is much greater in Myanmar's urban centres than indicated by the election results because it is very likely that election fraud affected candidates of these parties in particular.<sup>40</sup>

These and other parties can be regarded as representatives of another branch of civil society in Myanmar composed of educated Burmese advocating for gradual change in Myanmar. The activities of Burmese agents of change emerged following the introduction of the government's market oriented policy<sup>41</sup> after 1988 and increased after the downfall of Khin Nyunt and the abolishment of the Intelligence under his command (Lall 2009). In the absence of a still missing empirical overview on this particular "third force" in Myanmar society and politics<sup>42</sup> two examples will be presented to illustrate this special phenomenon.

One of the main and well known actors advocating a "third way" is Myanmar Egress, a non-profit organisation founded in 2006 by Myanmar scholars and social workers and supported by individuals and organisations from abroad. The venture located in central Yangon promotes a variety of civil society activities concentrating on "nurturing democracy through renovation of highly intelligent and politically motivated citizenry of the country" by offering "courses in social entrepreneurship and other topics."<sup>43</sup>



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<sup>40</sup> Author, personal communication in Yangon, November 2010.

<sup>41</sup> Besides the development of an economic crony-system favouring big business performed by people with close ties to the ruling generals, in the tourism and press sectors manifold private enterprises developed which helped to create a middle class milieu in Myanmar's urban centres.

<sup>42</sup> The name was coined in early 2010 in course of the much disputed issue of registration or non-registration of parties for the 2010 elections. See <http://www.dvb.no/news/%E2%80%98third-force%E2%80%99-parties-register-for-election/8336> [24.3.2011].

<sup>43</sup> See <http://www.myanmarregress.org/index.html> [24.3.2011] for the homepage and <http://www.csmonitor.com/World/Asia-Pacific/2010/0628/Burma-election-Are-activists-the-new-Third-Force-in-politics> [24.3.2011] for an article on the activities of the organisation.

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A group of Myanmar Egress students after distributing “I Vote” stickers and information on the voting procedure in Central Yangon on November 5, 2010.

Before the elections, many seminars were organised to help citizens and party members get accustomed with the constitution and the laws regulating the election process. In addition, students attending the various courses participated in rising public awareness for the elections which most people considered with a mixture of scepticism, apathy, and anxiety. One medium was the “i-Vote” campaign meant to counter the “no-vote” campaign supported by Suu Kyi’s NLD. Students went out to various parts of Yangon distributing stickers with the campaign’s motto together with a leaflet explaining about the election modalities. The motto of the sticker and the T-shirts was designed by one of the country’s most famous prisoners, comedian Zarganar, who served a 35-year prison sentence in the Kachin capital Myitkyina because of his support of the monks’ demonstrations in 2007. For being a prisoner Zarganar was not entitled to take part in the election. Therefore, his rather ironical contribution is part of a movement trying to pave the way of an understanding of politics which is quite new in Myanmar.

This new approach is expressed in an article written by a young Myanmar journalist entitled “Democracy is not a gift, something we have to pay for it” summarising the country’s experiences with democracy:

In our imagination, democracy is something sounds always sweet. Although the concept itself is so much contested, we love it as much as we do to the cheese cake. [...] Even a single paragraph about democracy is not taught in schools in our education system. Human right is just a word we become familiar with once the military government tried to respond to condemnation from the outside world. We repeatedly learn about rights when we read foreign newspapers accusing the junta as the worst provider of human rights. But not a lot of people inside the country do have a chance to learn what it is while their rights are violated. Civic education for citizens is dismissed for many political reasons for several decades. When we were under the colonial rule, knowledge about electoral democracy was only accessible for the cream class who represented a few percentage of the population as the so called educated. When we gained independence, the value of democratic practice is swallowed by civil war. Then after an infant democracy had been brutally killed after the coup in 1962, we can only see it in our own imagination. We think it could be as sweet as a cheese cake. But we never learned how to bake it.<sup>44</sup>

Here, “baking democracy” is a challenge to be undertaken after a series of historical failures as a long way of educating people. This is in line with the teachings of Suu Kyi who reminded her audience on November 14 that “Politics is not just coming here and supporting us”. On

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<sup>44</sup> This article is written by one of the HBF alumni of the German Heinrich Böll Foundation who studied in Master of Arts in International Development Studies in 2006-2007 academic year in Bangkok. She is working as an executive editor of “The Voice Weekly Newspaper” based in Yangon. In addition, she teaches classes in mass communication at Myanmar Egress.

the other hand it takes up the notion of the military that democracy has to be developed in Myanmar step by step.

### **The “What-next”-question and the international community**

The reactions of the international community to the elections were mixed. Myanmar’s neighbours, China, India and the ASEAN states were relieved that the future government of the country could now be regarded as legitimised by a proper democratic exercise. The West was more reluctant. US President Barak Obama strongly criticised the regime one day after the election while being on a state visit to India: “It is unacceptable to hold the aspirations of an entire people hostage to the greed and paranoia of a bankrupt regime. It is unacceptable to steal an election, as the regime in Burma has done again for all the world to see.”<sup>45</sup> The European Union was not likely to change its common stance on sanction despite the fact that there are rather different opinions about reasonability of continuing the common position adopted in 1996, which is reviewed every year.

On the other hand, a kind of double strategy is practiced even by a country like the United Kingdom which is an advocate of strong actions against the Myanmar regime. The country increased its funds for humanitarian assistance from 2011 to 2015 to a great extent pledging to spend 75 million dollars yearly compared to 52 million dollars before and thus becoming the country’s greatest donor.<sup>46</sup> The EU is very likely to continue its policy of sanctioning the Burmese government on the assumption that democracy and human rights have to be restored in Myanmar as a precondition of sound economic and social development that might be supported by the EU countries. Since the common position has to be adopted by all 26 members of the EU, great changes within a short period of time are rather unlikely.

On a lower level, however, there are some developments that parallel the emergence of “third forces” in Myanmar. For many years, humanitarian agencies and private associations have been working in Myanmar concentrating on health and education programs. Recently, the European Burma Network (EBN), an association of some 15 European groups, has suffered a similar fate as the NLD in Myanmar. In early 2011 two members – from Germany and the Czech Republic – left the network because of its inflexible policy which is dominated by the powerful Burma Action Group UK trying to bind the activities of the members on the

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<sup>45</sup> <http://www.voanews.com/english/news/asia/Obama-Says-Burmese-Government-Stole-Election-106881289.html> [24.3.2011].

<sup>46</sup> <http://www.mmtimes.com/2011/news/565/news56501.html> [24.3.2011]. However, in terms of per capita assistance given by foreign donors, Myanmar still lacks far behind other countries in the region. In 2008 (even after cyclone Nargis which led to a considerable increase in humanitarian help), the country received only US \$ 10.7 per capita compared to US \$ 47.9 for Laos and US \$ 51.6 for Cambodia. (<http://www.mmtimes.com/2010/news/513/n51304.html> [24.3.2011]).

decisions of the NLD and the exile National Government of the Union of Burma (NCGUB).<sup>47</sup> Others remained despite strong reservations about the network's policies.

This is an indication that there is a global trend towards “third views” taken between the two camps represented by Myanmar's military leadership and Aung San Suu Kyi. Such a development is to be expected because the political developments – and non-developments – in Myanmar since 1988 were closely tied to international perceptions of what was happening in Myanmar.<sup>48</sup>

As a consequence, the answer of what can be expected to happen in Myanmar after the completion of the roadmap by the transfer of power from the SPDC to the nominally civil government under the presidency of Thein Sein depends to a great extent on the further actions of the international community as highlighted by the letter of the “Myanmar Fraternal Democratic Parties”. The Western countries will have to decide if they further want to leave Myanmar's social-political development to the dominating power of the military and economic affairs including the issues of workers' rights to the initiatives of the Asian countries which are not much concerned about the impact of uneven economic development on the political sphere.

### **Conclusion**

The elections of November 2010, the release of Aung San Suu Kyi and the transfer of power from the military junta to a nominally civilian but military coined government designates the end of a transition process initiated by the military in 2003 heavily contested by a Burmese opposition symbolised by Aung San Suu Kyi and supported by the majority of Western countries. The whole process has resulted in a decrease of political influence of the opposition leader and her – legally defunct – party despite her release which revived the hopes of an “other Burma” than that dominated by the military's perception of democracy and development. At the same time “third forces” both in the ethnic peripheries and the urban centres emerged which took part in the election process despite the many obstacles created by the constitution and the interests of the ruling elite to continue influence and economic benefits. For the future, overall rapid changes are not to be expected. For the years to come three interconnected fields of integration might be crucial for Myanmar's development towards a nation at peace with itself and the international community. First, it will have to be

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<sup>47</sup> For an explanation given by the German „Burma Initiative“ see [http://www.asienhaus.de/public/archiv/EBN\\_EndederMitgliedschaft.pdf](http://www.asienhaus.de/public/archiv/EBN_EndederMitgliedschaft.pdf) [25.3.2011].

<sup>48</sup> For a detailed study see Hans-Bernd Zöllner (forthcoming) *The Beast and the Beauty. A History of the Conflict between the Military and Aung San Suu Kyi, 1988-2010*, Set in a Global Context. Hamburg, Abera.

proven whether the new constitutional provision will help to bring the different ethnic groups closer together by way of negotiating and bargaining workable solutions to inter-ethnic problems both socially and economically and with regard to the ending of armed conflicts. Second, it will be important that the existing civil society actors get more influence in the political decision making process. In addition, it would be very interesting if Aung San Suu Kyi and her party can find a way to be integrated into the new set of games established by her long time opponents. Finally, a gradual re-admission of Myanmar into the family of nations together with a coordinated assistance to help the country dealing with its many problems is necessary. If some progress is made in these fields, the next elections in 2015 could be a decisive step of consolidation not just for the power of a ruling elite but for the wellbeing of a majority of the people who up to now have still very good reasons to mistrust the new system and its protagonists.

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