

# Myanmar: Militarised Democratic Landscape

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Myanmar occupies an important strategic location in Southeast Asia. It shares its border with China on the North and India on its west. Ever since its independence, the country has been undulating between a weak democracy to a military-controlled state which became the cause of its bane—so much so that sixty years of independence has seen only three general elections, that too smeared with allegations of being a ‘sham’. The last fair election of 1990 saw the emergence of National League for Democracy (NLD) under Aung San Suu Kyi as the majority but was deprived of political authority in the country. In a swift coup d’état the *Tatmadaw* (Myanmar’s military) took over the governance and steered the nation without a constitution. The country witnessed the Western nations’ wrath in terms of strong economic sanctions with a complete blockade of trade and aid. The military had to finally give in and create a new constitution. This Constitution is unique as it legitimises the participation of military leaders in Parliament and state affairs. Nonetheless, fresh elections were held according to the new Constitution in 2010 and an elected government assumed power. However, the challenges it faces are many and the road to complete democracy is smitten with not only tackling internal disputes from the large number of ethnic groups who are demanding autonomy but also to handling the dwindling economy and abject poverty.

The country has plenty of untapped natural resources and its geostrategic location in Southeast Asia has brought it back in focus. The location of Myanmar is of strategic interest not only to China but also has drawn the attention of India and USA. The present government has shown promise and has invited foreign

investments. But the moot question in the minds of everyone is that will this form of governance provide long-term stability to the dithering nation?

## **Ethnic Problems**

After being a colony of the British Empire for over a hundred years, Myanmar gained independence in 1948. With about 68% Burmans who traditionally dominated the central plains, the rest of the population was divided into ethnic groups, most of which were occupying the country's highland periphery. With over a hundred different ethnic groups, the country was beset with a strong ethnic divide. Most important among these groups were Shan (9%), Karen (7%), Arakanese (4%), Mon (2%) and significant numbers of Chin, Kachin, Wa, Kayah and Rakhine. Indians and Chinese were also 2-3 % of the population<sup>1</sup>.

Most of the ethnic groups were seeking either independence or full autonomy. Though the historic Panglong Agreement (1947) gave them considerable assurance of restoration of their autonomy, the government of U Nu did little to fulfill the promise. It resulted in continuous strife with these groups. Another important factor was that all these ethnic groups were in occupation of the border areas of the country and the ease of movement of people, goods and arms through the porous borders with the neighbouring countries could not be ruled out. By the end of a decade of independence most of these groups had picked up arms and were indulging in an armed struggle. Hence the ethnic face of Myanmar and the conflicts between the ethnic groups and the military continued to occupy the centre stage of the challenges faced by the country. Till date the disputes are unresolved and are keeping the *Tatmadaw* engaged considerably.

## **Political Turbulence**

On the political front the road had been equally turbulent if not more<sup>2</sup>. After independence in 1948 a constitutional government was installed by the British which lasted till 1962. However, this period was characterised by civil war, insurgency, corruption and mismanagement, to the extent that in 1960 the government had to hand over the reins to the army to get elections conducted in the strife-ridden country. However, the situation did not improve even after the elections and the army mounted a coup and took over the nation in 1962. The army-led party, Burma Socialist Program Party (BSPP), under Gen Ne Win gave Myanmar one-party socialist governance till 1988. This period too saw a large-

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scale unrest and a total apathy of the government resulting in a gradual derailing of the economy. By 1987, Myanmar had been declared a Least Developed Country (LDC).

In August 1988, a large section of students protested against the oppressive rule. The army was used to quash the demonstrators which resulted in the killing of many. In spite of the firing by the armed police, the protests spread like a wild fire and forced the BSPP to announce elections soon. In a subtle move the BSPP allowed the Commander in Chief to take over power and created the State Law and Order Restoration Council (SLORC) and used it to rule in a military manner. The popular political leader Aung San Suu Kyi was detained in 1989 while she was campaigning for elections. There seemed a huge chasm between the military regime and the political activists from the very beginning of the process of elections. Finally in the 1990 elections, Aung San Suu Kyi led the National League for Democracy (NLD) to a landslide victory. However, the SLORC did not handover power but instead dissolved the previous Constitution and used it as an excuse to justify the need for formulating a new constitution. When NLD openly protested, a large number of political prisoners were held and all movements were dealt with severely. The Military government did not honour the results of the elections and as a consequence several Western countries imposed economic sanctions. This impasse continued till a National Convention (NC) was convened in 1992 to formulate a new constitution. NLD then demanded the regime to make the NC more transparent which was not acceded to. Hence, NLD decided to boycott the NC<sup>3</sup>. In the meantime, the pressure from the Western countries in terms of economic sanctions continued but did not affect the regime. China then took the opportunity and came out openly to support the oppressive military regime. It bestowed it with the much-needed military and economic aid.

## **New Constitution Restores Power to the Military**

After a considerable delay, the military regime created the new constitution and quickly ratified it in a referendum in 2008. According to the new Constitution, The President was projected as the most important person in the Executive. The following qualifications were laid down for anyone who aspired to become the President:

- The person must be a citizen of Myanmar who has resided continuously in the country for at least 20 years up to the time of the election<sup>4</sup>.
- The President himself, parents, spouse, children and their spouses shall not owe allegiance to a foreign power, shall not be subject of a foreign power or

citizen of a foreign country and shall not be persons entitled to the rights and privileges of a subject or citizen of a foreign country.

- Moreover, the President must be “well acquainted with affairs of State such as political, administrative, economic and military”.

It is important to note that the principle did not state that the President must have military experience or military service. Nor was there any mention that the President must be an active member of the *Tatmadaw*. Thus, technically, a civilian with considerable knowledge in military affairs could become the President. But the procedure for the election of the President is much more insidious. Though the Constitution is termed as Presidential form of Government, the election of the President is closely related to the elections to the legislature; the presidential election is not based on direct vote. Therefore, it is necessary to understand the nature of the legislature. In terms of legislature, the *Pyidaungsu Hluttaw* (Union Parliament) has two chambers: the *Pyithu Hluttaw* (Lower House or People’s Assembly) and the *Amyotha Hluttaw* (Upper House or Chamber of Nationalities). The *Pyithu Hluttaw* has a total of 440 seats; 330 are elected on the basis of population and the other 110 come from the nomination list of the Commander-in-Chief of the Defence Services (C-in-C). The *Amyotha Hluttaw* has 224 seats; 168 are elected in equal numbers from each region or state and 56 come from the nomination list of the Commander-in-Chief of the Defence Services based on equal representation from each region and state. In total, the “National Legislature” has a total of 664 seats, of which 166 come from the C-in-C nomination list: they are known as “*Tatmadaw* Member Representatives”. A total number of 498 seats are contested: 330 for the lower house and 168 for the upper house.

As per the new Constitution, the Commander-in-Chief is perhaps the single most important person in Myanmar’s future. The C-in-C will nominate 25% of the representation in the national legislature and one third in the regional legislatures. He will also nominate three ministerial portfolios for Defence, Home Affairs and Border Affairs. Moreover, it is the Commander-in-Chief of Defence Services and not the President, who is the supreme commander of all armed forces; this includes the police, paramilitary organisations and even the civil defence forces. Besides, the C-in-C is equivalent to the Vice-President. In

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accordance with this, the C-in-C practically can mobilise the entire manpower of the nation for national defence. Moreover, the *Tatmadaw* is entrusted with safeguarding the State Constitution and the Union from all internal and external dangers. How does the C-in-C become more powerful than the President? In one respect, it is the C-in-C who decides and nominates the vice-presidential candidate who could become the President. Therefore, if the vice-presidential candidate nominated by the C-in-C becomes the President, the former could be very much under the influence, if not control, of the latter. According to this Constitution, “the president appoints the Commander-in-Chief of Defence Services with the proposal and recommendation of the National Defence and Security Council (NDSC). Interestingly, the 11-member NDSC consists of the President, two Vice Presidents, two Speakers from the lower and upper houses of the Parliament, incumbent C-in-C and Deputy C-in-C, and ministers for Defence, Foreign affairs, Home Affairs and Border Affairs. Among 11 members, at least six are from the *Tatmadaw* i.e. either the President or the Vice President (nominated by the C-in-C), Commander-in-Chief (himself), the Deputy Commander-in-Chief (immediate subordinate of the C-in-C), and the ministers for Defence, Home Affairs and Border Affairs (nominated by the C-in-C). Apropos, rest of the power matrix is self-explanatory.

### **General Elections: 2010**

On the lines of the new Constitution, general elections were held in Myanmar on 07 November 2010. The main opposition party NLD under its enigmatic leader Aung San Suu Kyi boycotted these elections. The world too was sceptical about the election process conducted under the vexed Constitution. As expected, the military-supported Union Solidarity and Development Party (USDP) won the elections. Myanmar barred foreign observers and the international media from covering the election. The United Nations and Western countries condemned the elections as fraudulent. However, the Government of Myanmar started to function and promised further reforms. Some visible changes were also seen in the governance by the regime post-2010 elections including a series of talks with the leader of NLD, Aung San Suu Kyi. The NLD participated in the 2012 by-election for all 46 seats and won a landslide victory, with Aung San Suu Kyi becoming Member of Parliament, alongside 42 others from her party.

Acceptance of the military-skewed Constitution by the political parties (including NLD, in spite of not participating in the national convention) sends some serious signals about the present situation in Myanmar. It seems now that

the NLD and other parties have somewhat come to terms with the view that whichever party comes to power in the next elections there would be an imminent need to keep the strong and omnipresent armed forces on its side. Probably this is the only way to keep a check on the strong ethnic groups (other than the majority Burmans) and their armed struggle.

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## **The Present Landscape and Impact on the Region**

By 2011, Myanmar was at the 149<sup>th</sup> position on UNDP's Country Development Index. With an annual growth rate of 2.9%, visibly Myanmar was one of the least-developed countries in the world, suffering from decades of stagnation, mismanagement and isolation. However within a year the new Government under President Thein Sein has shown some positive indicators like the removal of the press censorship, release of over 1000 political prisoners, lifting of entry ban on many others, permission to its prominent political figure and Nobel laureate Aung San Suu Kyi to travel abroad and the opening of the economy. Seemingly the *Tatmadaw* too is convinced beyond doubt that there is an urgent need to make the country amenable to foreign investors<sup>6</sup>. These steps have not only been welcomed by its democratic neighbour India but also by western countries.

However, the moot question is, does the military not hold the wild card in Myanmar anymore? Also, to what extent will the military allow opening up the country's economy and the reforms? Though during the period of the sanctions (1996-2012), Myanmar enjoyed the unflinching military and economic support of China but for an under-developed country to progress economically it needs large FDIs, trading partners and lucrative Western markets which at the moment are lacking. The world at large is watching the positive steps being taken by the recent regime. But what is most important is the integration of the ethnic minorities<sup>7</sup> and the political stakeholders so that the atmosphere is conducive for foreign investments.

The message which seems to be coming from this nascent democracy is that the military umbrella will not withhold economic reforms which are the need of the hour. It has already inked peace treaties with a number of ethnic groups and with others the process is on.

## **Impact on the Region**

China seized the opportunity in early nineties and not only engaged Myanmar in multiple ways but also began to give much-needed supply of military hardware<sup>8</sup>, training and large scale investments in infrastructure projects. Seeing this trend, India too took some steps to re-develop its snapped ties with the military regime. So much was the indulgence of China that, some strategic experts started assuming that Myanmar might become a future client state of China. But the 2012 visit of the Head of the State of Myanmar to USA and the reciprocal visit of the US President seemed to play a more active role in the political developments of the country. Time has now come to see this 'symbiotic relationship' between military and democracy in Myanmar in the right perspective. As of now, for the road to development, both need each other. The world should give this arrangement a chance to prove that it means serious business of bringing Myanmar back on the road to democracy and development.

India, being a key player in South Asia and ASEAN, needs to play a proactive role in engaging with the regime in multiple ways. The visit of Indian Prime Minister Dr Manmohan Singh in May 2012, followed by the visits by Indian Foreign Minister and Defence Minister are a step in the right direction. In the recent visit to India, President Thein Sein urged Confederation of Indian Industry (CII) to invest in energy, agriculture and infrastructure.<sup>9</sup> The CII has reciprocated Thein Sein's gesture by proposing five points of connectivity between the two countries. These are in culture and commerce; promoting integration and synergy in power and railway sectors; appropriate banking arrangements to foster trade and investment; enhancing bilateral engagement in trade protection and co-operation and collaboration in industries like tourism and software. This opportunity if steered correctly would not only serve the industrial growth interests of Myanmar but also give an opportunity for bolstering strategic ties and opening a window through which we could look further east.

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## **Notes**

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