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Democratization in Myanmar: Development and Challenges

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Abstract:

The paper is an attempt to analyse democratization in Myanmar after independence, its development and challenges. Myanmar got its independence from British rule on January 4, 1948 and adopted constitutional democracy. But the nascent stage of democracy which was adopted after independence could not last long and ended in 1962 when the military under Ne Win stage a coup. Since then the country was under direct and indirect military rule. But the severe economic crisis in the 80s, leads to pro-democracy movement in 1988, which was the greatest landmark in the history of democratization in Myanmar. After the demonstration, election was announced to hold in 1990 to settle down the situation. Thus elections were held in 1990 and subsequently two more elections were held in 2010 and 2012 as a process to democratise the country. Myanmar is moving towards democratization but there are challenges which obstruct the path of democratization.

Objectives of the study:

1. *To examine the process of democratization in Myanmar.*
2. *To examine the challenges that is arising in the path of democratization in Myanmar.*

The methodology applied for the study is descriptive and conclusions are made through qualitative content analysis. The study is based on secondary sources of data which include Books, Thesis, Journals, Seminar Papers, Working Papers and Newspaper.

Keywords: *Democratization , democracy in Myanmar, elections in Myanmar, 2008 constitution, ethnic issues, military in Myanmar*

1. Introduction

Geographically Myanmar is located in Southeast Asia. It has border with India, Bangladesh, China, Laos, Thailand and Straits of Bengal and Andaman. Before independence, Myanmar was ruled by two foreign powers Britain and Japan. Myanmar was invaded by Japan from British colony in 1942 till 1945. The invasion of Myanmar by Japan opened the awareness of nationalism and independence (Keling et al, 2010, p.134). After the end of the Second World War, Myanmar faced political instability from groups of communist rebellion and other ethnic conflicts. But the country managed to achieve independence from British colonial on January 4, 1948. After the independence, Myanmar adopted constitutional democracy. But the coup led by Ne Win in 1962 marked the end of constitutional democracy and the beginning of military rule. After the coup, Ne Win seized power, closed down the economy and isolated the country from international community. In 1974, a new constitution was approved and a new Socialist Republic of the Union of Burma was established under the guidance of the army led party called as Burmese Socialist Program Party (BSPP) (Steinberg, 1992, p. 147). The military policy during its rule led to political instability and severe economic crisis. Consequently, Myanmar which was the richest country in Southeast Asia was recognized as one of the Least Developed Nations in the world in 1987. Severe economic crisis and the political instability in the 80s led to pro-democratic movement in the country in 1988. This movement was the greatest event in the history of democratization in Myanmar. It was successful in bringing the first multi-party general elections in 1990 to elect new parliament. However, the democratic transition could not last long as the military refused to hand over power to the elected civilian government after the election in 1990. But democratization in Myanmar became largely visible after the 2010 election held under 2007 roadmap to democracy and transfer of power to the elected government in 2011.

2. Democratization in Myanmar

Democratization is a process in which a country gets into more democratic, takes the path towards becoming democracy. It is a process which leads to a more open, more participatory and less authoritarian society. It is a process of transition from non-democratic form of government to democratic form of government. It has also been defined as a complex, long-term, dynamic and open-ended process. Democratization as a promotion of democracy contains internal conflicts because it involves a combination of fact and value (Alvandi & Hakala, 2007, p. 3). It is not only a national phenomenon but also influenced by international environment. In most of the developing countries, democracy was imposed and is by and large the legacy of colonialism (Yao, 2009, p. 3). So, it will take time for the country to democratise and to consolidate democracy.

Democratization in Myanmar starts before its independence in the late 40s. Democracy in Myanmar was practicing since the colonial period. The first election to the legislature was held in April 1947 during the decolonisation process. The early democratization in Myanmar sustained till 1962. But the coup in 1962 marked the end of democracy and the beginning of military rule. Since then, the country was under direct and indirect military rule. Till 1974, Myanmar was under the rule of Revolutionary Council which was composed entirely of military officials. It was in this year that the first general election was held and ended direct military rule and bring the country under indirect military regime. The year 1974 witnessed the starting point of democratization in Myanmar by holding election. Two national elections were also held in 1978 and 1981. During this period, there were unrest and demonstration towards democratization in the country. However the 1988 incident of mass uprising against the military showed the popular demand for democratization in the country. Military in order to suppress the movement announced to hold election in the country and in 1990, elections were held accordingly. Democracy was slowly developing in Myanmar amidst the conflicting situation. However democratization became more visible after the 2010 election and subsequent transfer of power to the elected government.

3. Development in Myanmar's Democratization

After its independence on January 4, 1948, Myanmar adopted constitutional democracy under U Nu which was ended in 1962 when there was a coup led by Ne Win. U Nu's policy was found to be not relevant anymore and there were demonstrations from minority ethnic groups against U Nu that showed the dissatisfaction among the people. These factors were claimed to be the guiding principle for Ne Win to capture power and formed its own polity under military umbrella. U Nu declared Buddhism as official religion after he came to power. In the election of 1960, he won landslide victory because of the fact that he used Buddhism as a tool to campaign for election. There were demonstrations against the declaration of Buddhism as official religion and thus leading to instability of the country. So, religion has played an important role in the failure of democratic government in the early period of independence. Ne Win also claimed that the democratic government failed to unite the people and eradicate poverty. But unfortunately Ne Win's coup marked the end of constitutional democracy and changed the form of government to socialist democratic system and ruled the country under one-party called as BSPP. He also introduced "Burma Way to Socialism" and adopted isolationist policy from the rest of the world. In 1974, military junta in Myanmar created a new constitution called as "New Basic Law" and accepted both democracy and civilian supremacy and the first national election was held in the same year and transferred power to the newly elected government (Devi, 2014, p. 47). Subsequently two national elections were held in 1978 and 1981. But the situation in Myanmar remained unstable and people demanded for more democratic government. In 1981, Ne Win resigned from office but his resignation could not solve the problem. And in 1988, mass demonstration took place against the military. It was also in this year that National League for Democratic (NLD) was formed with the objective to demand human rights, implementation of a democratic system and justice for minority groups. To settle down the situation, military announced that election would be held in 1990. Subsequently, elections were held in the same year. The election in 1990 was the greatest landmark in the development of democracy in Myanmar. This was the first multi-party general elections held after a period of 30 years to elect a new parliament and return the country to civilian rule. Many Burmese regard the election as exercise of democracy conducted through the "barrel of a gun" (Tonkin, 2007, p. 25). In this election U Nu, the former Prime Minister was banned from contested in the election (Keesing's Record of World Event, 1990, p. 37188). Aung sang Suu Kyi was also not allowed to participate on grounds that she married a foreign national, her long residence in the United Kingdom and her alleged links with insurgents. However, NLD led by Aung San Suu Kyi won the election securing 392 out of 485 seats to the National Assembly and secured 80.82 per cent of seats in the elections (Tonkin, 2007, p. 34). In the election, NLD gained support from the ethnic minority. The proposal of NLD to give right to each ethnic minority group to make their own laws with regards to administration was the main reason of support from the minority ethnic people in the election. The election outcome showed majority support for democracy and the election also gave hope for future democracy in the country. But the total scenario had been changed when the military government under State Law and Order Restoration Council (SLORC) refused to hand over power to the newly elected government on the ground that transfer of power will lead to weak government and SLORC also gave its decision that the military had no intention of releasing Aung Sang Suu Kyi from house arrest. Instead of transferring power to the newly elected government, military arrested NLD's leader, put them into jail, harassed its members, tortured and killed political leaders and used accounting of election expenses as a legal maneuver to delay dealing with the winners and continued to rule the country. The nascent stage of democracy started during this period could not sustain long. But the effort to reform and democratise the country continued till today.

The military junta also showed its intention to democratise the country. Khin Nyunt announced seven-step roadmap to democracy in 2003 with the main task of writing a new constitution. In November 2005, the junta moved the capital from Yangon (Rangoon) to Naypyidaw for better administration. However the country's political and economic situation remained unstable. In 2007, pro-democracy protests broke out in the country against the increase of the price of fuel. Buddhist monks also participated in the protests. The military, like the previous protest in 1988 reacted against the protest by arresting and killing several people. In order to curb the situation, a new constitution was made in 2008 through a popular referendum. But this constitution gives more power to the military to control the government. In the constitution 25% of seats of both houses of parliament are guaranteed for the military, cabinet ministries are reserved for military representatives and granted the commander-in-chief of the armed forces extraordinary, self-activated reserve powers (Turnell, 2012, p. 158). Without amendment of the constitution, 25% of reservation cannot be removed and a majority of more than 75% is needed to amend the constitution. The constitution makes it impossible to amend the constitution without the approval of military. The constitution also excludes Aung San Suu Kyi to become power, since no foreigners or people married to foreigners can be elected as president. The military junta held Legislative elections in 2010 amidst the conflicting situation in accordance with the new constitution. The elections were for the Pyithu Hluttaw (People's Assembly or lower house) of 440 seats

out of which 110 were reserved for non-elected military representatives, the Amyotha Hluttaw (the upper House of Nationalities) of 224 seats in which 56 were reserved for the military, as well as for 14 state and regional assemblies. Even though the military held elections in the country, the elections were not considered to be democratic because 25% of all seats in the national Parliament were not contested, key ministerial portfolios such as Defense and Home Affairs were exclusively given to military representatives. The west reacted after the election by claiming that the elections were not free and fair. President Barack Obama asserted that the elections were neither free nor fair. The European Union gave its opinion by declaring the elections as “not compatible with internationally accepted standards” (Turnel, 2011, pp. 149-151). After the election, Thein Sein was elected as President in March 2011 and transferred power accordingly. The transfer of power to the newly elected government in the early 2011 is part of the democratization process in Myanmar (Win, 2013, p. 10). After the election and consequent transfer of power, reform processes towards democratization started in a fast pace and became very much visible. Thein Sein after coming to power met with Aung San Suu Kyi, contacted with opposition leaders for reconciliation, released thousands of political prisoners, relaxed media censorship, allowed NLD and other previously banned opposition parties to run for parliament, signed several peace agreements with ethnic minorities and increased budget spending for health and education (Hofmeister, 2010, p. 58). Private journals were allowed to engage in political reporting, opened up space for civil society, non-governmental organisations were also allowed to form and participate in political life, economic and social development (Clapp & Suzanne, 2013, p. 3). NLD began to cooperate with the government and agreed to participate in the April 2012 by-elections for 45 seats. NLD won the majority of seats in the election by getting 43 seats out of 44 seats and Aung San Suu Kyi became a member of parliament. The April by-elections were acknowledged by ASEAN and international observers to be freer and fairer (Thuzar, 2013, p. 20). Some are of the opinion that the transformation of Myanmar’s political system was designed and implemented by the military regime. National elections were set to hold in 2015. The current government is also assuring the international community that the 2015 election will be held free and fair and declared that Myanmar will not backslide to military rule. Many analysts believed that Myanmar will be transformed into democracy and Aung Sang Suu Kyi’s NLD party will form the government. NLD led government can form only if the general’s interests will be protected (Pereira, 2013, p. 2). However some are of the opinion that even after the election the military will continued to play political role in the country.

4. Challenges of Democratization in Myanmar

Myanmar is progressing towards democracy but the question is whether Myanmar will be able to consolidate democracy or not. The country is not free from challenges in the path of democratization. The country’s unresolved civil war and communal violence act as biggest challenges in democratisation process in Myanmar (Aung, 2014). Clapp & DiMaggio in 2013 pointed out ten critical challenges of political transition in Myanmar. However, Myanmar is facing three important challenges in the path of democratization.

4.1. Ethnic Problem

Ethnic problem remained an obstacle in democratic transition in Myanmar. Since its independence, the country is facing with ethnic conflict from various ethnic groups. Myanmar is a country of diverse ethnic groups consisting of eight ethnic groups and 135 ethnic races. Burmans are the dominant group with 69%, Shan constitute 8.5%, Kayin 6.2%, Kayah 0.4%, Rakhine 4.5%, Chinese 0.7%, Mon 2.41%, Indians 1.3% and other Tribes 6.99%. Burman in Myanmar inhabiting the central plain, dominated country’s military and held the highest posts in government while most of ethnic minorities inhabit mountainous frontiers areas and demanded for autonomy since its independence. With the increased demand for democratization, demanded for autonomy from ethnic minorities also increased. The ethnic issue in Myanmar is rooted before its independence. A system of differing treatment for different ethnic groups was established during British rule. Ethnic minorities were administered as separate “Frontier Areas” consequences to internal instability and demanded for either independence or full autonomy in the country after independence. The Panglong Agreement 1947 gave assurance to give autonomy to the ethnic minority after independence but the promised was not fulfilled resulted to continuous strife, unresolved internal conflict and instability in the country. The instability on the other hand led to coup in 1962. The 1962 coup was the result of the feared from the challenge for constitutional reform by ethnic minority groups and breakup of the union. The coup was also claimed to be the result of the unresolved conflict between ethnic groups and threat to unity and integrity of the country (Hofmeister, 2010, p. 59). Without bringing solution for the internal conflicts and bringing stability, democracy will be difficult to bring in the country and military rule in Myanmar will therefore continue to exist. Myanmar is now facing the same ethnic problem that it has faced in the early 1960s. So bringing peace and rebuilding trust is the serious challenge facing in the country today (Win, 2013, p. 12). Uniting and integrating all the ethnic groups into a territory has become one of the most important issues in the democratization process in Myanmar.

4.2. The 2008 Constitution

The 2008 constitution is also another factor which gives obstacle to democratization process in Myanmar. Under the 2008 constitution, President was given the key executive power and the President takes precedence over all other persons throughout the Republic of the Union of Myanmar. Qualifications of the President given in the constitution are as follows:

1. The President should be a citizen of Myanmar who was born of both parents who were born in the territory under the jurisdiction of the Union and being Myanmar Nationals;
2. he should be well acquainted with the affairs of the Union such as political, administrative, economic and military;
3. He should be a person who has resided continuously in the Union for at least 20 years up to the time of his election as President;

4. The President himself, one of the parents, the spouse, one of the legitimate children or their spouses must not owe allegiance to a foreign power, not be subject of a foreign power or citizen of a foreign country.

The constitution makes it difficult for the candidate from civilian to become president and also banned Aung Sang Suu Kyi who is the hope of the country to become president of Myanmar and till today there is no agreement for Aung Sang Suu Kyi to become president. Under the 2008 constitution, 25% of seats in the national Parliament and 33% in regional parliaments will be nominated by the army. That means 25% of seats in the national parliament are unelected. Democracy will be difficult in Myanmar if all the seats are not elected fully. Until and unless the 2008 constitution is amended, democracy becomes very difficult. But to amend the constitution, a vote of more than 75% of all the representatives of the Pyidaungsu Hluttaw (Union Parliament) is needed. So the constitution makes it very difficult to amend the 2008 constitution. This shows that the constitution was framed to serve the purpose of the military.

4.3. Military

The first democratic government formed after the independence ended with the military coup in March 1962. Military politics in Myanmar have placed Myanmar's democratization process at bay (Keling, 2010, p. 135). Everything is controlled by the military and claimed that rebelling minority groups are one of the main reasons for military rule (Enckevort, 2010, p. 46). Military in Myanmar shows intention to democratize the country in order to gain people's support and to show themselves as good government. The military held elections in the country as a process of democratization but failed to democratize the country and also failed to keep its promises after the military refused to hand over power to the elected civilian government in 1990. In 1997, military government changed the name from SLORC to State Peace and Development Council (SPDC) to gain people's support and mandate on SLORC. At the initial stage when the military announced the intention of changing its name, most of the rebel groups put down their weapons in 1995-1996. However the military failed to achieve people's support in the long run. Democratization is going on in Myanmar but the military on the other hand wants to delay the democratization process because they feared that action might be taken against them by the civilian government in reaction to their brutal action against the people and their property might be ceased. So, even though military wants democracy they want to delay it and played delay tactics. The intention of military to democratize the country may be because of the fear of international reaction. There were influences from international community to democratize the country. The international community including United Nations pressured the military government to take positive approaches towards democratization. Democracy in Myanmar is possible only when military agreed to democratize the country.

5. Conclusion

Transition to democracy is going on in Myanmar in the form of elections and people's participation. But, the country is facing three important challenges which need to be solved to democratize the country. Democracy is difficult in Myanmar because there are diverse ethnic groups demanding for separate autonomy. There is general perception that democracy leads to good governance and stability but in case of Myanmar where one hundred and thirty five ethnic communities live together demanding for different political status, democracy is difficult to sustain. The 2008 constitution also obstructs democratization in Myanmar. It reserved 25% of seats for the military. So, amendment is necessary to contest all the seats. Until and unless all the seats were contested Myanmar cannot be called true democracy. Military remain the greatest challenges in democratic transition in Myanmar. The 2008 constitution cannot be amended if military do not agree to amend the constitution because more than 75% of vote is necessary to amend the constitution and 25% of seats are reserved for the military in the national parliament. Military also wants to delay democracy and don't want the civilian to come into power because of the fear that action might be taken against them. Amaruso pointed out that "democracy is possible if those in power let the people decide the fate of their nation, only then, true democracy will be brought to Myanmar". But the military in power don't want to fully democratize the country as of now because of the fear that they might be prosecuted, their property might be ceased and they might be exiled. So, fully democratization is difficult in Myanmar and will take time to consolidate democracy even though civilian government comes to power after the 2015 election.

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