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New World Beckons In Burma: Opposition Dominates Election But Will Military Yield Real Power?

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Authoritarian regimes controlling such diverse nations as Nicaragua, Philippines, and Poland made a common mistake: believing themselves to be popular, they called elections. The people then rose up and ousted their erstwhile rulers. The same thing just happened in Burma, or Myanmar.

In 2010 the military junta, misnamed the State Peace and Development Council, began a controlled move to limited democracy. Elections were held, civilian government was established, political prisoners were freed, and Nobel Laureate and opposition leader Aung San Suu Kyi was released from house arrest.

The process was highly imperfect and there has been backsliding of late. The nominally civilian regime has tolerated large-scale ethnic/religious persecution, suppressed political protests, and arrested increasing numbers of journalists. Nevertheless, national elections were held a week ago. The poll was flawed but largely free.

A voter casts his ballot at a polling station during a general election in Yangon, Myanmar, on Sunday, Nov. 8, 2015. (Photographer: Dario Pignatelli/Bloomberg)

Suu Kyi's National League for Democracy annihilated the regime's Union Solidarity Development Party, as of yesterday winning 78 percent of the seats, 387 of the 498 non-military positions (the USDP had 41). Voters rejected many top military and USDP leaders, including several cabinet members, party chairman U Htay Oo, and parliamentary speaker Thura Shwe Mann—who had indicated his willingness to work with Suu Kyi. The NLD even won big in the capital, Naypyitaw, dominated by members of the military.

The losers were surprised that the people gave them so little credit for the end of dictatorial rule. “All of our calculations were wrong,” said U Zaw Htay, deputy director general of President Thein Sein’s office. Htay Oo simply declared: “We lost.” Yet this happened before.

The military seized power in 1962. For years a brutal mystic, Ne Win, was in charge. Eventually merely brutal generals took over. After ruthlessly suppressing pro-democracy demonstrations in 1988 they sought to improve their image. In an election two years later the NLD similarly won about 80 percent of the legislative seats. The embarrassed junta promptly voided the results, suppressed protests, and kept Suu Kyi under house arrest for most of the last quarter century.

No one expects a similar response this time, however. The military made a far more calculated move toward democracy, guaranteeing itself 25 percent of the parliamentary seats, maintaining control over the security ministries, and writing the constitution to preclude Suu Kyi from taking the presidency. President Thein Sein and army commander-in-chief Min Aung Hlaing both promised to respect the election results and offered their congratulations to the NLD. They are to participate in “national reconciliation” talks this week.

The military also achieved one of its most important objectives, balancing against its neighbor China, whose embrace had become suffocating. Moreover, the generals released the genie of freedom; pushing it back into the bottle would be virtually impossible. After inviting in the West the military could not easily return to isolation, the almost certain result of any electoral repudiation. In 1990 the generals had merely cracked open the door. Today the door is off its hinges. There is no going back.

However, is the military prepared to allow reform to move forward? Explained historian Thant Myint-U: “This was not an election of a government. It was an election for a spot in a shared government with the army.” Governing necessarily will be a collaborative process.

Suu Kyi and the NLD face extraordinary challenges, made more difficult by people’s high expectations. People across Burma voted for The Lady, as Suu Kyi is known, more than any political program, which the NLD did not really offer. However, she has never held office. She has never participated in the give and take of politics and confronted the necessity of compromise.

Aung San Suu Kyi, Myanmar's opposition leader and chairperson of the National League for Democracy (NLD), center left, arrives at the party headquarters in Yangon, Myanmar, on Monday, Nov. 9, 2015. (Photographer: Dario Pignatelli/Bloomberg)

She faces what remains an authoritarian state. Human Rights Watch recently warned that "the reform process has stalled." Freedom House rates Burma as "Not Free" and downgraded its civil liberties status this year due to increased media restrictions. One journalist died in custody last year.

Amnesty International also noted continuing ethnic violence and attacks on the stateless Rohingya, reporting: "Freedoms of expression and peaceful assembly remained severely restricted, with scores of human rights defenders, journalists and political activists arrested and imprisoned." The military-dominated parliament approved legislation restricting religious liberty, targeting non-Buddhists, especially Muslims.

Thus, much must be done. Civil and political freedoms must be further expanded. All members of parliament should be elected. Peaceful protests should be protected. Judges must be made independent and fair criminal procedures need to be established. Journalists should be free to report and opine. Restrictions on online political activism should be eliminated. State favoritism toward Buddhism should be ended.

Moreover, power must be fully vested in civilians. Suu Kyi has called the 2008 constitution "very silly" given its transparent attempt to maintain military power. Today the Ministries of Defense, Border Affairs, and Home Affairs are formally under military control, while the army has seeded its personnel throughout the nominally civilian bureaucracy and judiciary. Suu Kyi realizes how sensitive this process is, having treated the military gingerly: "We are not going in for vengeance, and we are not going in for a series of Nurembergs," she insisted.

Fundamental economic reform also is necessary. The Economic Freedom of the World index places Burma at a dismal 146 of 157 nations. Serious problems include an unfair legal system and inadequate protection of property rights. Last year the country ranked 156 out of 175 on the Transparency International Corruption Perceptions Index. Burma badly lags with oppressive business and credit regulation and impediments to international trade.

Reforms began in 2012 but remain limited. Sean Turnell of Australia's Macquarie University argued that changes "are not, for the most part, liberal market reforms, but simply expanded permissions and concessions, often given to the crony firms that dominate parts of the economy." Thus, outside enthusiasm for the Burma market is waning. Opined Romain Caillaud of FTI

Consulting: “We are at the point where a lot of people are very negative.” The new government must make Burma attractive to domestic entrepreneurs and foreign investors alike.

Conflict continues with a number of ethnic groups, including the Kachin, Shan, and Wa, even though most groups have signed ceasefires with the government. In fact, noted David Scott Mathieson of Human Rights Watch, in this election more areas of Burma were “too unstable for polling to take place than areas cancelled in the 2010 elections and 2012’s by-elections.” Peace requires allowing substantial self-government, creating trust after decades of military atrocities, and reintegrating ethnic and religious minorities in Burmese institutions.

Riots and massacres have continued in Rakhine State targeting the Muslim Rohingya, encouraged by radical Buddhist nationalists. Tens of thousands of Rohingya have been displaced. In contrast to her heroic activism elsewhere, Suu Kyi has downplayed the violence and done little to disturb anti-Rohingya voters—for instance, the NLD fielded no Muslim candidates. The national government must protect vulnerable groups from organized violence. The new parliament must amend the 1982 Citizenship Law, which renders the Rohingya stateless. The Lady must face down violent nationalists, especially members of the odious Ma Ba Tha Buddhist movement, who have fomented widespread terror.

Standing in the way of real change is the military-drafted constitution, which requires a 75 percent vote in parliament to amend the constitution, while guaranteeing 25 percent of the seats to the military. Forging a relationship with the army while edging it aside will require extraordinary sensitivity. In Turkey civilians were able to eventually push the military back into its barracks. In Egypt the generals returned to seize formal control. No one knows how Burma will turn out.

Suu Kyi also must overcome her own limitations. She has become almost a secular saint for many. Once forced to engage in practical politics—labor, development, and ethnic disputes abound—disappointment for many is inevitable.

Moreover, though a heroic figure who has suffered much for the cause of democracy, she exhibits an authoritarian streak. Before the election she spent much of her time in isolated Naypyitaw, away from the population. She has failed to delegate and develop a broad leadership within the NLD. She tightly controlled her party’s choice of candidates. Even U.S. officials describe her style as imperious and her plan for governing sounds anything but inclusive.

Power apparently will not be shared: “The president will be told exactly what he can do. I make all the decisions, because I am the leader of the winning party.” Whoever Suu Kyi chooses, she added, will understand “perfectly well he will have no authority.” Yet no one of substance is likely to accept such conditions. And even a lightweight may tire of being treated as a puppet. Everyone should be accountable, including The Lady.

It has been more than a half century since the people of Burma have been able to rule themselves. They have many decisions to make. One of the first might be the name of their country. The junta formally changed it from Burma to Myanmar in 1989. But many Burmese, including Suu Kyi, opposed the switch. She now has an opportunity, with the new parliament, to change it back.

Far tougher will be questions of media freedom, political reform, economic liberalization, ethnic conflict, military accountability, and more. For too long the Burmese people could only look to the future and hope for change. Today they have a chance to enjoy the opportunities that the rest of us take for granted. Hopefully now, after decades of conflict, the future finally has arrived for Burma.

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