



# CANADA-ASIA AGENDA

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## A Nation at Cross-Roads: Myanmar's 2010 National Election

by *Bruce Matthews*

As November 7th nears, international attention turns to Myanmar as its people go to the polls for the first time in over 20 years. Skepticism abounds as the so-called 'faulty' elections get underway, but could these elections possibly see the emergence of a new political dynamic? As the international community is obliged to come to terms with a 'new' government, the opportunity may be ripe for Canada to also re-consider its engagement pattern with Myanmar.

Myanmar goes to the polls on 7 November 2010 to elect a parliament that has not functioned, even as a rubber-stamp legislature, for twenty years. Only two significant elections (1960, 1990) have been held since Independence in 1947. The upcoming elections are ostensibly a crucial part of the seven-stage "road-map to discipline-flourishing genuine multi-party democracy" set out in the May 2008 Constitution. The Constitution, ratified in a national referendum under appalling conditions days after Cyclone Nargis hit, guarantees one-quarter of the seats in the legislature's chambers to non-elected military-appointed personnel. It also guarantees that after the election, the name for the key government executive (junta) would change from State Peace and Development Council (SPDC) to National Defense and Security Council (NDSC).



On October 21, 2010 a new national flag was adopted (right side). One star replaces the previous fourteen (representative of ethnic diversity), and three colors (indicating peace, solidarity and valour). Accessed through the Open Clip Art Library at: <http://creativecommons.org/licenses/by-sa/3.0/>.

Is a flawed election better than continuing stasis? Though recognized as a sham, the elections may provide for the emergence of a new political dynamic. Unfortunately the democratic 'opposition' appears to be deeply divided with the absolute refusal of the National League for Democracy (NLD) to participate due to the long-term house arrest



### About The Author

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of its leader Daw Aung San Suu Kyi (age 65) and the incarceration of over 2000 of the party's supporters and potential candidates.

Nonetheless, the elections bring Myanmar firmly back into international focus. Although the outcome will not likely contain any surprises, results will produce a new polity and will oblige the international community, including Canada, to consider reengagement with Myanmar under new terms of reference, including the continuance of economic sanctions imposed to persuade the Myanmar regime to remedy its human rights abuses.

## A Fraught Political History

Myanmar has a population around 59 million and growth rate of 2.02% per year. One third is ethnic or non-Bamar (Burman). The ethnically complex population is roughly 70% Burman with the remainder in diverse communities of up to 3 million - Shan, Karen, Kachin, Karenni, Chin, Mon and Rohingya, all of them in one way or another troubled societies.<sup>1</sup> There are over one million Muslims and substantial communities of Christians and Hindus, but close to 90% of the nation is Theravada Buddhist.

Myanmar's simmering ethnic conflicts are



Map of Myanmar.  
(CIA - The World Factbook, 2010.)

the most serious challenge to the stability of the state, arguably even more than political repression of civil rights among the majority BaMa people. A promising start was brought to an abrupt end in 1947 with the assassination of Aung San – Burma's founding father and father of Aung San Suu Kyi. After a brief experience of democracy, the military (Tatmadaw) under Ne Win took over the state in 1962 and have remained in power ever since. Ne Win's

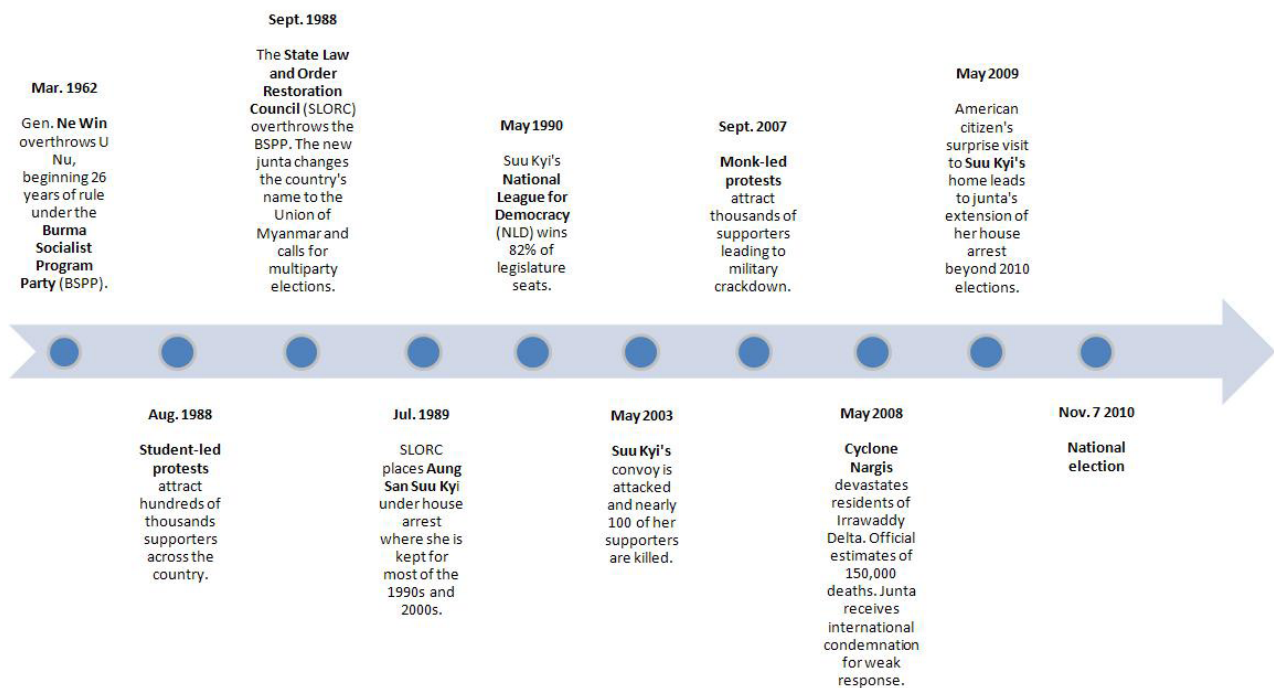
1974 Constitution essentially sealed the already ruined political and economic landscape of Burma, as it was then known, introducing one-party rule (Burma Socialist Program Party).

By 1987, once-prosperous Myanmar was placed on the UN Least-Developed Country list. Under insufferable living conditions, the momentous 1988 uprising spontaneously erupted, only to be brutally terminated by a state caught off-guard. A series of changes took place including the resignation of dictator Ne Win, the introduction of the new State Law and Order Restoration Council (SLORC), and the subsequent 1990 national election. Faced with a victory by the National League for Democracy (NLD) led by Aung San Suu Kyi (albeit already under house arrest) with 82% of the vote, SLORC invalidated the election results. The regime has remained in power since, under the leadership since 1992 of Than Shwe and changing its name in 1989 to the State Peace and Development Council (SPDC). Over the last two decades, various cease-fire agreements between the state and armed ethnic groups have been brokered, though restless ethnic discord never abated.

## Economic Constraints, Political Uprisings

The economic situation in Myanmar also has political consequences as evidenced in the periodic uprisings (1988, 2007) with roots in widespread urban poverty. Unlike farmers and the rural poor, the urban poor are more politically conscious, better informed and organized, and are prone to instigate civil violence under the right conditions. Access to foodstuffs in the cities is a special concern, particularly the affordable availability of rice and cooking oil, the Achilles Heel of the military government.<sup>2</sup>

Traditionally, rice has been vital to Myanmar's export economy. In 2003, the system of government-imposed low prices for rice farmers and compulsory delivery of subsidized rice was terminated. The private sector stepped in, but no meaningful improvement in access to rice was achieved. The matter remains dangerous because Myanmar's principle agricultural economy is stunted in its growth due to long-term inept state management. Mechanization is a fraction to that found in neighbouring states, land reform is urgently needed, and credit access for items like fertilizer is very limited, with loans at 15-20%. Exports have been declining for decades, from pre-WW2 exports of 3.3 million tons per year (then the world's top exporter), to the 1990's, when rice exports were as low as 250,000 tons per year (they are currently still feeble at 840,000 tons in 2009/10).



Despite opening up in the early 1990s, very little from the privatization of certain state-operated industries has trickled down to the nascent middle class, and none to the working class. The shortfall between living costs and wages requires most to hold multiple jobs and suffer serious constraints.<sup>3</sup> This makes little sense given the national budget is a robust US\$6.5 billion with a further US\$6 billion in cash reserves. Yet the budget's disposition is wildly askew with 30% spent on defense, and only 1.8% on public health, even less for education.<sup>4</sup> The state control of every conceivable aspect of modern communication, from expensively priced cell phones at over US\$230,000 to restricted internet access, also holds back development. Not unexpectedly, a large amount of unmeasured, smuggled trade and black market commerce exists, without which civil privations would be even worse.

### Monks, Students and the Tatmadaw: An Uneasy Relationship

Traditionally in Myanmar three groups are recognized as honourable sectors of society: paya-tha (sons of the Buddha, monks, sangha), kyaung-tha (sons of the school, students), and sit-tha ('sons of war', military, Tatmadaw).

For the last half century an uneasy relationship has emerged between the first two and the military, something which accelerated to fevered pitch as recently as the sangha-led 2007 'safran revolution', where monks (pongyi, sayadaw) peacefully but massively agitated on behalf of a society unable to cope with inflation, declining standards of living and corruption. Although ruthlessly

put down by the armed forces, the event showed that the 400,000-strong sangha maintains a decisive symbiotic relationship with the community, providing religious advice and support, as well as a safe place for devotions and basic social services and education. Though thousands of monks were arrested and imprisoned with excessive sentences in remote jails, the sangha has never lost its moral authority in incidents of confrontation. It remains the only social force that can stand up to the Tatmadaw. The sangha also demonstrated a critical role during and after Cyclone Nargis in May 2008, when state services failed to materialize.<sup>5</sup> Although the sangha cannot be leaders in political change, its members will continue to be catalysts.

For Myanmar's millions of students, with the exception of the military institutions, the quality of education is seriously imperiled by constrained funding and rigorous program control by the state. The government has banned nearly all humanities courses at universities, limiting access to philosophy and political science, regarded as incendiary subjects. Universities remain physically isolated for crowd control purposes.

The Tatmadaw (Sit tha) or armed forces is touted as a bulwark against putative outside aggressors; yet, its primary role is to subdue any gesture of protest through massive policing, intelligence surveillance, and physical repression. The military establishment is not a monolith and contains hardliners and soft-liners, but there is no evidence of dangerous schisms or mutinous cliques. Attempts have been made to curb the embarrassment of being an unrepresentative national armed force by



absorbing the many ethnic militias left standing from cease-fire agreements in the 1990s.<sup>6</sup> Not surprisingly, this arrangement has not been accepted. The 20,000 strong Chinese-speaking United Wa State Army, with its own extensive outreach to the lucrative drug trade, has refused cooperation with this model, as have the Kachin Independence Organization, the Kokang (another force of 25,000), Karen National Union, Karenni National Progressive Front, the Democratic Karen Buddhist Army and Shan State Army (South).

Paranoia about outside intervention has fostered infatuation with the North Korean model of autarky and isolationism, and even dreams of nuclear weapons power. Myanmar's ambitions received international attention when a clandestine visit to North Korea by Secretary No. 2, Gen. Shwe Mann was revealed in January 2010 and photographs taken by a defecting defense engineer in June 2010 indicated that advances had been made in uranium enrichment technology at the Thabeikkyin facility. Myanmar's links with North Korean supply networks were also identified in a much publicized high seas incident involving the US Navy.<sup>7</sup> The prospect of a nuclear Myanmar has major implications for the region's security dynamics, ASEAN, for instance, having established itself as a nuclear weapons free zone. Moreover, these idiosyncrasies evidently lie behind the notorious construction of army chief and head of state Than Shwe's new capital at Naypyitaw in 2005 on a remote seismically-sensitive site carved out of malarial scrub jungle not far from Pyinmana 320 kms north of the former capital Rangoon.

### Murky Elections Underway

The widening communication gap between democracy leader Daw Suu Kyi (also known as Aung San Suu Kyi) and the junta form an important background to the elections. Under various forms of arrest for fourteen years since 1996, Daw Suu Kyi remains under in-house arrest and barred from participating in the upcoming election. In a controversial move, Daw Suu Kyi disbanded the beleaguered National League for Democracy (NLD). She was widely supported by those who argued that the elections will only prolong the feudal military dictatorship, or, as the Arakan political leader U Aye Thar Aung put it, "watering the poison ivy." However, some argue that it would have been possible for the NLD to contest the election and await her eventual release. A rump group of former NLD members have decided to contest anyway under the name National Democratic Force (NDF).

With the NLD dissolved, Suu Kyi needs to define her role

in the democratic movement and engage in a process of reconciliation with its fractured constituency. But first, she must be free to take on a more public profile. Her release one week after the elections is not entirely assured. The regime's concerns may only intensify. Maung Zarni notes: "As long as Daw Suu Kyi walks the streets of Burmese cities, she can mobilize public opinion against the regime. They are afraid of her popular appeal. And when you (combine) Suu Kyi and massive discontent, you've got an explosive situation."<sup>8</sup>



A portrait of Daw Suu Kyi. (The Burma Campaign UK, 2010)

The 7 November election (an auspicious date chosen by junta astrologers) to the Union Parliament (Pyidaungsu Hluttaw) will be a first-past-the-post system with 42 registered parties, 25 being specifically ethnic ones, "reflective of deep longstanding divisions between the Burman heartland and the ethnic periphery."<sup>9</sup> The elections include civilians contesting in a National Assembly, with polls for the People's House, the National Assembly, and regional or state legislatures.<sup>10</sup> Citing "security concerns," the Election Commission cancelled voting in many rural villages disenfranchising an estimated 1.5 million people. Where party competition is permitted, bribery and voter intimidation is likely. The junta has reminded its citizens that the 1996 Law on the Transfer of State Responsibility mandates 20-year prison sentences for anyone making statements seen to undermine the stability of the state, something that puts an immediate damper on any real political dialogue or overt campaigning.

Because of the high election 'registration fee' (the equivalent of US\$500 per candidate), only four parties are contesting more than ten percent of the 1163 constituencies in the various legislatures. This includes two pro-junta parties, the Union Solidarity and Development Party (USDP) and the National Unity Party (NUP, a remnant of Ne Win's former Burma Socialist Programme Party). They will incongruously compete

against each other, many of their candidates former army officers forced to resign from the forces in order to participate as civilians. However, democratic options are represented by the break-away National Democratic Force (NDF), the small Union Democracy Party (UDP), and the 88 Generation Party. The last has been infiltrated by the state. It is not the original party, most of whose members are in jail.

Quite apart from the Parliament (Hluttaw), there is the all-important 'new' National Defense and Security Council (NDSC or junta) consisting of eleven persons, including a President (chosen from among an initial three vice-presidents), two remaining vice-presidents, the Speakers from both Parliamentary chambers, the Commander-in-Chief of Defense Services, a Deputy Commander-in-Chief, and Ministers for Defense, Home Affairs, Foreign Affairs and Border Affairs. They will not be competing for the public vote, but will be 'nominated' by members of the Parliament. Because it is purportedly a civilian government, three of Myanmar's senior generals resigned from the Tatmadaw to seek appointment to the new 'executive branch' Council. This include: Senior General Than Shwe, 77, the colourless but master manipulator head of state since 1992; Vice-Senior General Maung Aye, 72, presumed heir to the Senior General rank and role; and Secretary No. 2 Gen. Thura Shwe Mann, 62. The offices they seek are President and two Vice-presidencies.



Portrait of General Than Shwe. Accessed through the Creative Commons Attribution 2.0 Generic at <http://creativecommons.org/licenses/by-sa/3.0/>

The executive is separate from the Hluttaw, and all executive powers of the state are vested in the President, who cannot be removed, even by a legislative vote of non-confidence. Apart from the accumulated powers of the President, the Tatmadaw also protects itself by also

ensuring that the Commander-in-Chief could assume all executive, legislative and judicial power under a prescribed state-of-emergency for one year or even longer.<sup>11</sup>

### Optimism Beyond the Elections?

The 7 November Myanmar national election, though defective in so many ways, will at least provide a partial new political landscape which in time may evolve into a less autocratic polity. In a cogent piece, the International Crisis Group cites reasons for optimism, including the promise of a generational change, general political awareness, development of civil society, and access to media and information technology.<sup>12</sup> The generation now coming of political age has little understanding of the complexities and anxieties of democratization or civil liberties. A half-century of suffocating measures to suppress awareness of the attributes of a liberal society has been ruthlessly imposed by every means available, from media censorship to banning of assembly for political purposes, control and diminishment of university education. Nonetheless, civil society and university students and the all-crucial vast Buddhist sangha are important redoubts of muted resistance and bastions of hope in an otherwise blighted social and political landscape. They can only assist in bringing about change, however, if the polity is willing to cooperate and devolve power, albeit slowly and incrementally.



The landscape of Myanmar (ASEAN Vietnam 2010).

This raises the issue of whether external nations will serve as agents of change in the political destiny of Myanmar. The country's neighbours, notably China, India and Thailand, are deeply caught up in gaining access to Myanmar's fabled natural resources. China and India are

ving for regional influence, especially given Myanmar's key geographical location. India's active courting of the Than Shwe regime is especially discouraging. ASEAN claims that it has tried to make Myanmar more responsible, though critics aver that the body's one-year old Intergovernmental Commission on Human Rights is window-dressing.<sup>13</sup> In a similar vein, the so-called Mekong countries (Thailand, Laos, Cambodia, Vietnam) plus Japan issued a joint statement on 29 October 2010 calling for a free and fair election in Myanmar, but "indicated that the call was not intended as a criticism of the actual preparations by the junta." This has prompted questions about whether anyone in the region really cares whether Myanmar succeeds in turning a political corner.<sup>14</sup>

Elsewhere, thirteen countries, including the US, UK and Canada, are pushing for a UN Commission of Inquiry into war crimes in Myanmar. Though chances of negotiating a successful conclusion appear weak, the initiative is based on the "ground-breaking" March 2010 Report of Tomas Ojea Quintana, the UN Special Rapporteur on the Situation of Human Rights in Burma and is supported by prominent NGOs such as Human Rights Watch, Amnesty International and the ICRC.<sup>15</sup>

A further key feature of the international response to Myanmar's despotic polity has been economic sanctions. Initially called for by Daw Suu Kyi in June 1989, they have subsequently been imposed by many foreign countries, including Canada which touts as having the most onerous of any country. Given the utter disregard for such strictures by prosperous neighbouring states, notably India, Thailand and China, such sanctions have arguably had little effect in persuading the Myanmar government to introduce needed political reforms. Any punitive impact of sanctions has also been bypassed by companies such as Total, Chevron and Thailand's PPT Exploration and Production Public Co. that have continued presence in Myanmar.<sup>16</sup>

Increasingly the viability of the sanctions is being questioned. David Steinberg argues that imposing additional sanctions "will only salve our consciences" and hinder negotiations.<sup>17</sup> Others argue sanctions "freeze" a bad situation, dealing a huge penalty paid to the thousands of marginally poor people working in textiles and the service industry thrown out of work. Former

British ambassador to Myanmar Derek Tonkin calls for a 'parallel strategy' involving direct contact with the emerging government on key matters such as narcotics, spread of AIDS, and industrial promotion. This is akin to a 'Third Force' policy, advocating for 'constructive engagement' as a catalyst for domestic change with a business-friendly junta. This includes avoiding confrontational politics, and advising the NLD to serve as chief opposition in an elected parliament to help introduce democracy in a non-threatening way. Such proponents, importantly including US Sen. Jim Webb, Chairman of the US Senate Foreign Relations Subcommittee on East Asia and Pacific Affairs, claim engagement does not prop up a regime, but helps bring forward regime 'soft-liners', and even to prevent Myanmar "from becoming a province of China".<sup>18</sup> Webb has had a key role in helping formulate US policy towards Myanmar, which applied particularly heavy sanctions in September 2007 following 'saffron revolution'. Those remain in place in lieu of alternative strategies, but the State Department acknowledges that the sanctions have failed and needs to search for another approach.<sup>19</sup>

As Canada comes to grips with the new government in Myanmar, it could be argued that Ottawa should likewise consider alternatives to its harsh sanctions policy and uncompromising rhetoric. This locks Canada out of any official dialogue or participation in possible future opportunities to communicate with a new generation of Myanmar leaders. It would be more prudent to endorse so-called 'smart' or targeted sanctions against particularly egregious individuals, especially specific enterprises and junta business cronies.

All of these issues will come to the forefront as the elections unfold on November 7. Chief among these is the self-evident inadequacy of the polity in dealing with conflict resolution and the ability to deal with those who hold opinions contrary to the official line. A new Parliament and executive council will not likely be agents of constructive change by themselves. But the end of the Than Shwe khit (era), which cannot be far away, could spark an internal scramble for patronage and power. Will some officers, young or old, change their minds and support meaningful political and economic change? The chances for this are only moderately stronger with the new polity, but more so than they were before.



<sup>1</sup> This is apparent from the large number of Myanmar citizens (up to five million) estimated to have fled the country into exile since 1962. There are an estimated 2 million such people in Thailand, many without appropriate documentation and open to predation and arbitrary expulsion. 150,000 live in border camps in Thailand along the Myanmar border. Another estimated 150,000 exiles are in Malaysia under similar shaky circumstances, 50,000 in India's Mizoram state, and about 200,000 Rohingya (a disadvantaged Arakan Muslim community, largely disenfranchised) still reside in generally squalid conditions in Bangladesh. <http://irinnews.org/Report.aspx?ReportID=90955>. Last accessed 3 November 2010.

<sup>2</sup> In May 2010, the cost of one bag of emata middle quality rice, which could feed four people for ten days (24 pyi or 40 kilos), was Kyats25,000 in Yangon (US\$1=Kyats 1000), up from K19,000 in 2009 (one bag can suffice for). Ground nut oil (pae see) had become twice as expensive in one year (now K2,500 per viss or 1.5 kilos), as was the much less desired palm oil (sar ohn see). Noted economist U Myint points out that the real burden of the rice saga falls on the vast masses of the urban poor. "Second Development Partnership: Roundtable and Development Forum", Naypyitaw, 15 December 2009, personal copy provided at an interview in Yangon, 23 April 2010, p.17).

<sup>3</sup> In May 2010, the cost of living in Yangon for a family of four was estimated at K100,000 (US\$100.00) rent per month, and K300,000 for food. A superior salary only generates K130,000 per month. A labourer receives approximately K20,000 per month and mid-level teacher, K50-80,000.

<sup>4</sup> Lex Rieffel, "The Economy of Burma on the Eve of the 2010 Elections", *US Institute of Peace*, 2010, <http://www.usip.org/publications/the-economy-burmayanmar-the-eve-the-2010-elections>. Last accessed 25 October 2010.

<sup>5</sup> These events are well documented by Bertil Lintner's extensive report for Human Rights Watch 'Burma: End of Repression of Buddhist Monks', 22 September 2009, [www.hrw.org/en/reports/2009/09/22/resistance-monks](http://www.hrw.org/en/reports/2009/09/22/resistance-monks). Last accessed 27 October 2010.

<sup>6</sup> The ethnic militias were suggested to transform themselves into Border Guard Forces (BGF), with their rank and file paid the same as regular forces, but with Bamar officers in key posts.

<sup>7</sup> See DVD by Democratic Voice of Burma, "Burma's Nuclear Ambitions", <http://www.dvb.no/dvb-tv/burmas-nuclear-ambitions/10073>. If this is so, it has major implications for the region's security dynamics. Nuclear weapons ambitions are certainly not acceptable to the regional Bangkok Treaty, establishing as it has a nuclear weapons free zone in ASEAN.

<sup>8</sup> *Associated Press*, 26 October 2010.

<sup>9</sup> Richard Horsey, "Overview of Registered Political parties in Myanmar", *SSRC Conflict and Peace Forum*, 15 June 2010. Accessed through [www.irrawaddy.org/election/component/filecabinet/?task](http://www.irrawaddy.org/election/component/filecabinet/?task). Last accessed 27 October 2010.

<sup>10</sup> The People's House includes 440 seats, 110 reserved for unelected military appointees. The National Assembly, formerly the 'House of Nationalities' includes 224 seats, 56 for the military.

<sup>11</sup> Burma Lawyers' Council, *LawKa PaLa*, No. 36, August 2010, Tak, Thailand: p.14. Apart from Maung Aye and Thura Shwe Mann, competitors for a vice-presidential role are Aung Thaung (current Minister of Industry, known for vitriolic anti-Western rhetoric), and Aung Kham Hti (a Pa-O, an important token ethnic minority leader). For the all-important Commander-in-Chief, Defense Services, favorites are known hard-line Secretary No. 1 Thiha Thura Tin Aung Myint Oo, personally promoted by Than Shwe to counter-balance other aspirants, and LGen. Myint Swe who carried out the removal of Ne Win in 1988 and Khin Nyunt in 2005. The President and the VP's will be chosen by a small so-called Presidential Electoral College (PEC), including one member from each of the two chambers of parliament, and a military person appointed by the Commander-in Chief. The names for these Presidential-VP positions will of course be carefully vetted by the current Senior General (and head-of-state) Than Shwe. The new President (and it may well be Than Shwe himself!) will then appoint ministers by selecting them personally from the representatives elected in both those parliamentary houses. Further, six of the eleven seats on the Presidential Electoral College must be military personnel, thus guaranteeing control by the Tatmadaw.

<sup>12</sup> International Crisis Group, "The Myanmar Elections," *Asia Briefing No. 105*, 27 May 2010. Last accessed 1 November 2010.

<sup>13</sup> *Bangkok Post*, 28 October 2010.

<sup>14</sup> *Deutsche Press Agentur*, 29 October 2010.

<sup>15</sup> As one commentator observes, "There's a whole generation of military elites in Burma who will be making choices in the next few years...and this is aimed at them." Harvard Law School "Crimes in Burma", <http://uscampaignforburma.org/crimesagainsthumanityin-burma> 18 August 2010. Last accessed 27 October 2010.

<sup>16</sup> Earthrights International, *Energy Insecurity: How Total, Chevron, and PTTEP Contribute to Human Rights Violations, Financial Secrecy, and Nuclear Proliferation in Burma (Myanmar)*, July 2010. Last accessed 1 November 2010.

<sup>17</sup> *Washington Post*, 21 August 2010.

<sup>18</sup> US Sen. Jim Webb, *Reuters*, 27 October 2010.

<sup>19</sup> Jayshree Bajoria, "Understanding Myanmar," *Council on Foreign Relations Background*, 29 September 2010. Last accessed 3 November 2010.

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