

Political Development in Myanmar since 2011

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Abstract

Since 2011, the new democratic government or semi-civilian government led by President U Thein Sein had conducted democratic reforms which ended fifty years of authoritarian rule. As a result, western countries lifted sanctions and provided economic assistance to Myanmar. Myanmar's relations with western countries also improved significantly. Besides, under the civilian government since March 2016, a more open democratic environment has emerged. Despite existing challenges, the government has tried hard for democratic transactions under the leadership of Daw Aung San Suu Kyi. So, this paper focuses on political development in Myanmar since 2011 under the two democratic governments.

Keywords: Myanmar, democracy, reforms, politics, development, relations

Research Questions

The research questions brought up for this paper are: How did Myanmar's political culture change from authoritarian rule to democratic one? What are the basic causes for development of cordial relations with western countries? How did the situation of politics under the two democratic governments develop? And what are the challenges for both governments in nation building and foreign policy processes?

Research Method

This research will be conducted through critical analytical method. Most of the analysis will mainly refer to the newspapers of Myanmar, prior researches, books, periodicals, journals, website & online sources.

Hypothesis

Since 2011, Myanmar's political culture peacefully changed from authoritarian rule to democratic one, and both the two democratic governments (USDP and NLD) tried to develop nation building, state building and foreign policy processes.

Introduction

Since early 2011, Myanmar has embarked on a remarkable path of political and economic reforms, departing from five decades of authoritarian rule. After the 2010 general elections, the winner Union Solidarity and Development Party (USDP) formed the government and had committed itself to introducing genuine democracy. But, due to ex-military and military personnel dominance in politics, it was the semi-civilian government. At the by-election in April 2012, the National League for Democracy (NLD) party won forty-three of forty five seats. Although it was small victory for NLD, it served as a symbolic victory for democracy. As a result of the general elections in 2015, Myanmar's political culture has changed from semi-civilian rule to civilian rule. The NLD government led by Daw Aung San

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Suu Kyi has conducted democratic reforms based on human right, democracy, rule of law and good governance.

Therefore, this paper discusses the political development in Myanmar since 2011 by highlighting the changing political dynamics emerging in the country with the reform agenda of the new democratic government. Besides, it analyses the transition from semi-civilian rule to civilian rule after the internationally recognized first free and fair elections in 2015 and democratic reforms of the government. It also evaluates the challenges faced by both governments in Myanmar's democratization process.

Background: Political Changes in Myanmar

Myanmar was one of the British colonies. After regaining her independence on 4th January 1948, Myanmar adopted the parliamentary democracy. But, Myanmar's politics changed from democratic rule to authoritarian one after the General Ne Win's military coup in 1962. During twenty-six years of Socialist regime, the resulting lack of economic and institutional growth led to uprisings around the country.

After military coup in the late 1988, the State Law and Order Restoration Council (SLORC) announced that multi-party democracy elections would be held and parties would be allowed registering. Two developments are the formation of the NLD as large party and the emergence of dozens of ethnic-based parties. The SLORC convened the democratic elections in 1990. Although the NLD party led by Daw Aung Sann Su Kyi won the landslide victory, the SLORC had denied the party victory during the election and had also taken action to imprison pro-democracy and NLD members. Being so, the military government continued to control power and the democratization process of Myanmar was hindered.

International sanctions forced Myanmar's military regime to launch tightly controlled reforms aimed primarily at rescuing a flailing economy. The United Nations (UN), led by western governments, was active in collective efforts to pressure harshly condemning Myanmar's military government's human rights record in the General Assembly each year, keeping Myanmar constantly on the Human Rights Council agenda in Geneva but, due to China's veto, failing to pass any meaningful resolutions in the UN Security Council.

The new constitution of Myanmar was approved in a nation-wide referendum in May 2008. The constitution created a strong presidency that has powers of appointment and removal, not only of the central government, but also of state and regional governments. Certain cabinet positions are reserved for military personnel. These include defence, home affairs, security, and border administration. The army is also fiscally and administratively autonomous and exists for both national defence and protection of the constitution. For example, 25 percent or one-third of the members of the Pyihtaungsu Hluttaw and its two chambers, Amyotha Hluttaw and Pyithu Hluttaw, and State or Regional Hluttaw must be serving army officers appointed by the Commander-in-Chief.

The convening of 2010 elections in Myanmar was the fifth step of the Seven-point "Roadmap to Democracy" as announced by the Sate Peace and Development Council (SPDC) in 2003. The election results paved the way for a transition from military rule to civilian administration and democratic opening in Myanmar. Among the thirty-seven political parties contesting the seats in the parliament, the USDP, led by the former SPDC's Prime Minister U Thein Sein, won over seventy-six percent of the total 1,154 seats in the House of Representatives (Pyithu Hluttaw), the House of Nationalities (Amyotha Hluttaw), and the fourteen sub-national level assemblies. Indeed, the 2008 constitution and 2010 general elections were designed to legitimize the entrenchment of the military in domestic politics. In

this context, the elections had created a new level of political power to reflect semi-civilian government and quasi-federal nature of Myanmar.

Political Development from 2011 to 2015

From authoritarian rule to semi-civilian government

As a result of the 2010 elections, on January 31, 2011, the first session of the Pyidaungsu Hluttaw (Assembly of the Union) was convened in Nay Pyi Taw, thus bringing the 2008 Constitution into effect. After that, the military government handed over power formally to the civilian government in March 2011. Myanmar's former Prime Minister U Thein Sein became new President and U Tin Aung Myint Oo (former SPDC Secretary-1, nominated by the military appointed parliamentarians) and Dr Sai Mauk Kham (representing the USDP, nominated by the Amyotha Hluttaw) as vice-presidents. Speakers of Pyithu Hluttaw and Amyotha Hluttaw were U Shwe Mann (SPDC's third highest ranking officer) and U Khin Aung Myint (former Minister of Culture). The majority of the 34 appointed ministers were former military officers. Therefore, since March 2011, the new semi-civilian government emerged and Myanmar reached on the track of new democratic era.

Democratic Reforms

In his inaugural address on March 31, 2011 President Thein Sein outlined plans for sweeping economic and political reforms: reducing poverty, responding to public opinion, encouraging political activity, and inviting exiles to return—all subjects that had been forbidden under the SPDC. President U Thein Sein also appointed three civilian experts as senior advisers for economic, political, and legal affairs and began acting on their advice. He empowered two ministers in his new government to take on major reform programs, one for structural economic reform and one to begin peace negotiations with the country's armed ethnic groups.

Under the direction of President U Thein Sein, the government had moved to institutionalize a more democratic system of governance, open up the economy, promote freedom of press and access to the internet, and consolidate peace agreements with ethnic insurgencies. The impact of informational changes came in September 2011 when U Thein Sein abruptly suspended construction of the Myitsone Dam.

In August 2011, in order to end international isolation, U Thein Sein approved the participation of NLD leader Daw Aung San Suu Kyi in politics. By October, he had reached agreement with parliamentary leaders and the election commission to amend the election laws as an inducement for the NLD to compete in by-elections for some forty-five seats in parliament. After that President U Thein Sein freed Daw Aung San Suu Kyi from nearly 15 years of house arrest and encouraged her to engage positively in the democratization effort. The new government had also released about 200 political prisoners along with more than 6,000 other inmates in October 2011 as a part of its amnesty scheme. This was followed by the announcement of the release of 651 political prisoners as an important step towards full release of all political prisoners and a factor in the national reconciliation process.

The NLD party won a landslide victory in April 2012 by-elections, became the largest opposition party in the national legislature with 43 seats and 6.4 percent of the overall seats in both chambers. In the parliament, Daw Aung San Suu Kyi chaired the Committee on Rule of Law and Tranquility. Since her release from house arrest, she had traveled to Thailand, Norway, England, the US and India advocating the cause of removal of restrictions and easing out sanctions on Myanmar. This had given the new government a degree of international

acceptance, reduction of sanctions and the possibility of aid from international financial institutions. On the other hand, the new government reform processes could lead the US and EU to drop sanctions and allow Myanmar to compete in the global economy instead of relying on China for support.

Positive impacts from international community

The US has taken a number of steps to reopen relations. The US also announced further steps for cooperation, including the reestablishment of a United States Agency for International Development (USAID) mission at its embassy in Yangon and beginning the process of lifting economic sanctions to ease the bans on US financial services and new investment in Myanmar. The US relations with Myanmar improved with landmark visits by President Obama to Yangon University in November 2012 and President U Thein Sein to Washington in May 2013. These visits demonstrated that the process of reforms have gained momentum and recognition. For the US, Myanmar is an opportunity to support a democratizing country, an opportunity for investment, and a means of containing China, Myanmar's greatest investor. In return, Myanmar's relationship to the US offers access to secure loans, improved financial assistance and greater development opportunities.

Indeed, the country's key geostrategic location between South and Southeast Asia, its seaborne trade outlets along the Bay of Bengal and its substantial economic potential make it a target' for both the People's Republic of China (PRC) and the US. Hence, the Obama administration had already made Myanmar one of its top foreign policy priorities, initiating a series of tentative steps to engage the country economically, diplomatically and even militarily. At the same time, Beijing, which for many years held considerable sway with the military government, has sought to retain its favored position while simultaneously seeking to check that of America.

The EU was also encouraged by the Myanmar government's commitment to releasing all political prisoners by the end of 2013, its ongoing efforts to review and reform legislation, its willingness to address ecological and economic concerns voiced by civil society, the easing of media censorship and the passage of legislation in the field of labour law. All these developments made the promises of reform more credible and had prompted the EU to normalize its overall relations with Myanmar. British Prime Minister David Cameron visited Myanmar as the first British Prime Minister in more than 60 years. In addition, the release of hundreds of political prisoners was seen as Myanmar's most significant step towards ending its isolation and securing the removal of European Union and US sanctions. The visit of President U Thein Sein to European countries was significant because it would trigger extensive economic partnership with European countries.

In this context, the EU Council Conclusions of 23 April 2012 on Myanmar set up the principles under which the Council planned to continue its engagement with Myanmar. The Council also welcomed European companies exploring trade and investment opportunities in Myanmar. The restrictive measures imposed by the EU on Myanmar were lifted in 2013 (apart from the arms embargo) in order to welcome and encourage the reform process. In July 2013, the EU reinstated Myanmar's access to the Generalized Scheme of Preferences (GSP), which provides for duty-free and quota-free access for the country's products to the European market. 'Everything But Arms' is part of the EU's GSP. For Myanmar, the government feared the rise of China and tried to balance the influence of China on Myanmar. Therefore, the new government of Myanmar tried to get closer relations with western countries. In addition, IMF, World Bank and other western countries eliminated the debts and gave foreign aid for

Myanmar's democratization process. Myanmar's ties with Japan had also increased under the new government.

Opportunities and Challenges for democratization

After the new government was seated, fighting broke out in Kachin State as a result of misguided SPDC efforts just before the elections to force the cease-fire groups to assimilate into the national army as Border Guard Forces. As it is a threat to the new government's stability, President U Thein Sein started peace process with all the cease-fire groups. Being so, in order to having internal peace and stability, an 11-member 'Union Peace-Making Central Committee' was subsequently formed, consisting of U Thein Sein (the chair), the two vice-presidents, speakers of the Pyidaungsu Hluttaw, the commanders-in-chief of the Ministry of Defence and security-related ministries, and the Attorney-General. This high-level body then delegated implementation tasks to a 52-member Union Peace-Making Work Committee headed by Dr Sai Mauk Kham and Transportation Minister U Aung Min. With the assistance of non-government interlocutors, this advocacy mission proved to be highly effective in stabilizing Myanmar's violent ethnic mosaic and within a year had secured deals with a dozen armed groups. After over six decades of civil war, this was a major achievement.

In response to domestic progress, in November 2011, ASEAN leaders decided to endorse Myanmar for ASEAN chairmanship in 2014. The ASEAN leaders had convinced about the significant changes and developments taking place in Myanmar and those changes had made it more conducive for Myanmar to carry out this responsibility. Thus, Myanmar chaired ASEAN for the first time in 2014, providing the government with an opportunity to lead the regional organization as normal member.

As a pragmatic attempt to end all hostilities, the Nationwide Ceasefire Agreement (NCA) was signed on 15 October 2015. Leaders of the ethnic armed organizations, national and international witnesses, diplomatic corps, representatives of government, parliament and political parties, representatives of civil society and special guests attended the signing ceremony. Although the sixteen ethnic armed groups received invitations for drafting the NCA, only eight ethnic armed groups including the Karean National Union (KNU) signed the agreement. NCA was achieved due to unity and trust between the negotiators, a desire to compromise, collectively solve issues and find answers to political issues through negotiations rather than force of arms. But, fighting continued to break out in Kachin State and some ethnic areas.

On the other hand, the government had faced some challenges while transforming the country to "the discipline flourishing modern democratic nation". Since 2011, the Chinese-operated Letpadaung Copper Mine in the Salingyi Township of Sagaing Region has been the site of contentious protest and come to symbolize the shortcomings of political reforms. Villagers contend that they have not received fair compensation while the company claims that it has been social responsible throughout the process. Villagers, international rights groups and Myanmar activists have contested the fairness of the compensation scheme. The investigation commission, chaired by Daw Aung San Suu Kyi and made up of ministers, members of parliament and company representatives, was established to investigate the problems at the mine. However, the commission did not recommend the closing of the mine and the problem continued to remain as unsolved issue.

Moreover, many challenges continued to confront Myanmar government. The main ones were widespread poverty and underdevelopment; a lack of administrative and institutional capacity; a governing system that continued to lack true accountability and transparency; a dangerous escalation of religious violence between Muslims and Buddhists; issues in Rakhine

State; and competing powers between China and the US. In fact, despite existing challenges and weaknesses, the President U Thein Sein government was able to open a new chapter in Myanmar's democratization processes.

Political Development since 2016

From semi-civilian rule to civilian rule

The second multi-party general elections were held on 8 November 2015 in accordance with the 2008 constitution and the NLD party won the 86 percent super majority seats in the two chambers (235 in the House of Representatives and 135 in the House of Nationalities). As a result, its preferred candidates were elected as president and second vice president in the Presidential Electoral College. The NLD also received a majority of total combined seats in the State and Regional Hluttaws, including 21 of 29 Ministers of Ethnic Affairs. Indeed, the NLD Party's victory was an important milestone in the history of elections in Myanmar and international community recognized it as free and fair victory.

U Htin Kyaw was elected as the ninth president of Myanmar and U Henry Van Thio as second vice president on 15 March 2016. Although Daw Aung San Suu Kyi is constitutionally barred from the presidency, after being appointed to a newly created office, she became State's Counsellor of Myanmar, a position similar to Prime Minister. In the light of regime change and transition in Myanmar, a new political system has emerged.

Democratic Reforms

In order to promote Myanmar's democratic transaction hand in hand with good governance, the newly elected civilian government has tried hard to shape good administrative machinery. Accordingly, the government ministries were reduced from thirty-six to twenty-one, eighteen ministers for NLD and three ministers for military which are Home Affairs, Defence and Border Affairs. The major reason for reducing the number of ministries is to reduce government expenses. In addition, the government has emphasized the fundamental rights of the citizens and the need for a clean and corruption free society.

The new government has a number of advantages that could allow it to overcome previous obstacles. It has a powerful electoral mandate, including many ethnic areas, and strong domestic and international legitimacy. The government enjoys considerable public trust and confidence. In her New Year speech on 18 April 2016, Daw Aung San Suu Kyi indicated five broad priorities: national reconciliation, internal peace, rule of law, constitutional amendment and further democratic development, among which, national reconciliation was most important.

Union Peace

The integration of ethnic minorities remains a key challenge to the goal of creating a unified Myanmar. Actually, the initial failure to create a democratic state in Myanmar following independence was partially due to unresolved conflicts with the country's ethnic minorities. Thus, the 21st Century Panglong Peace Conference was held in Naypyidaw on 31st August to 3rd September, 2016. This was the cornerstone effort of the NLD government towards union peace. The first Panglong Conference was held in the Panglong region of British Burma in 1947, and was negotiated between General Aung San and ethnic leaders. As a result, Panglong Agreement was signed on 12 February 1947.

At the 21st Century Peace Conference, eighteen ethnic insurgent groups attended except three ethnic insurgent groups (The Arakan Army, the Myanmar National Democratic Alliance Army, and The Ta'ang National Liberation Army). United Wa State Army had left the conference because they were allowed only as observer. It is planned to hold the conference in every six months until the agreement is reached. At this conference, ethnic armed groups called for federal system that guarantees justice, equality, self-administration and protection of racial, religious and political rights of ethnic minorities. The NLD campaigned heavily on the importance of 'national reconciliation', but the new government has also indicated that it sees the conference as only a starting point in an ongoing political dialogue with ethnic minority groups.

The Second 21st century Panglong Peace Conference was convened on 24th to 29th May 2017 in Naypyitaw. At this meeting, government, political parties and eight signatory groups discussed on the forty-one points prepared in advance by the Union Political Dialogue Joint Committee (UPDJC). Among them, the government and ethnic armed groups signed thirty-three agreements. But, they failed to reach an agreement on the issues of secession and self-determination. All the parties, however, agreed to continue the discussion on the issues of non-secession and self-determination during the next round of talks.

In political sectors, parties to the peace talks agreed on twelve points. The agreed points in the political sectors include "sovereignty and exercising sovereign power, which is composed of three pillars – legislative, executive and judiciary". On the issue of equality, the agreement said that it would guarantee the equal political and social status of all ethnic nationalities, and the protection, preservation and promotion of ethnic languages, literature, traditional and cultural heritages. For the composition and power sharing between the union and federal units, seven points were agreed. The agreements also include setting up an independent constitutional tribunal to resolve disputes concerning the constitution between the Union and its units. On the economic sector, the agreed points include sharing equitable amount of collected tax and financial resources between the Union and its units, economic decision-making power which would require the legitimizing of the Union's constitution.

Two years and four months after the first eight ethnic armed organizations (EAOs) signed the Nationwide Ceasefire Agreement, the number of signatories expanded to ten on 13th February as the New Mon State Party and Lahu Democratic Union signed the agreement. The development is a win for the NLD-led government's Peace Commission, among whose aims are to increase the number of signatories to the NCA, which is considered a gateway to political dialogue. Peace negotiations with the remaining ethnic armed groups in the northeast and north of the country still faced numerous challenges.

Foreign Policy Orientation

In order to clarify the trajectory of Myanmar's foreign policy, a formal foreign policy pronouncement was issued on 22 April 2016 where Daw Aung San Suu Kyi pledged that the government would adopt a people-centered policy, emphasizing the relations between peoples of different countries, creating friendly and cooperative relations between them. By adhering to the Myanmar's long-standing principle of "neutrality" in foreign policy, the government has tried to build strong relations with all major powers including China. But in practice, the most critical foreign policy challenge for the new government is how it balances China and US at a time when their rivalry is intensifying in the region.

Opportunities and Challenges for Myanmar

Under the NLD led government, some changes to the structure of government have been implemented. The changes have created opportunities for Myanmar's young people, and there has been some progress on rule of law reforms. Attempts to promote economic reforms have been only partly effective. The transfer of authority to fourteen states after 2011 remains incomplete and has not been accompanied by the necessary funding, staff or expertise. Finalising a national peace process became the political priority. But, differences among ethnic groups about power-sharing arrangements have not been adequately settled.

Another major problem for the government is Rakhine issue. The government has been working to resolve the situation in Rakhine State since soon after taking office. But, the criticism of its efforts by the international community is unfair. The United Nations Human Right Council at its session in Geneva on March 24, 2017 agreed to send an international fact-finding mission to Myanmar to investigate reports of widespread human rights abuses in northern Rakhine State. A resolution sponsored by the EU and approved by consensus called for "ensuring full accountability for perpetrators and justice for victims". The Myanmar delegation said that the resolution was not acceptable. The decision poses a huge problem for the government and will not help efforts to find a peaceful resolution to the situation in Rakhine.

Indeed, the problem of the Bangalis in Rakhine is an old one. There have long been tensions between the Muslims and Buddhists communities in Rakhine, and since they erupted into violence in 2012 that left scores dead, villages torched and more than 100,000 people confined to camps. Two months after assuming power, President U Htin Kyaw appointed State Counsellor Daw Aung San Suu Kyi to head the twenty-seven member Central Committee for Implementing Peace and Development in Rakhine. Under her leadership, the committee has worked to end human rights violations, foster harmony between the Buddhists and Muslim communities, promote economic development and raise living standards in Rakhine. In August 2016, the government appointed the Advisory Commission on Rakhine, headed by former UN secretary-general Mr Kofi Annan and tasked with proposing sustainable solutions to this issue. However, the problem still remains as a crucial concern for the government.

Conclusion

After more than five decades of authoritarian rule, the new democratic government emerged in Myanmar. Under the leadership of President U Thein Sein, the government had begun fundamental political, economic and social reforms in an effort to normalize the country's regional and international relations. Especially, the government's release of Daw Aung San Suu Kyi and democracy oppositions had promoted positive international responses. When she took her seat in parliament, Daw Aung San Suu Kyi was immediately elevated into the leadership of the new government by virtue of her status as the country's democracy leader. On the other hand, although political change emerged since 2011, military dominance in politics remains unchanged. Therefore, Myanmar still far from genuine democracy. Moreover, the new Myanmar also faced internal instabilities like ethnic conflicts and religious conflicts. Relationship with China played a major concern for the government.

After 2015 election, Myanmar started on a road to fundamental political reform through a peaceful transfer of power from the semi-civilian rule to civilian one. Since early 2016, the government has faced major issues such as political reforms, the peace process, the situation in Rakhine State, and the relationship with China. In order to end ethnic conflicts, the Panglong Peace Conferences have been held twice. Nevertheless, the federalism demanded by ethnic minorities has been continued under discussions. KIA still controlled territory along the country's northeast border with China. Similarly, fighting with some ethnic groups still remained in the country. Moreover, because of mismanagement, there still remained economic

challenges under the new civilian government. Due to the military's position in politics, Myanmar's democracy has remained as hybrid since 2011.

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