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## The Significance of Burma/Myanmar's By-Elections

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**David I. Steinberg**, Distinguished Professor of Asian Studies, School of Foreign Service, Georgetown University, explains that regarding civil society reforms in Burma/Myanmar, “Progress is evident, but the processes are likely to be sporadic and uneven. The Burmese will proceed at their own pace and foreign observers can assist, but not control that process.”

The drumbeat against the process and the potential results of the Burma/Myanmar by-elections of April 1, 2012 for 45 seats (37, or 11 percent in the Lower House of the bicameral legislature; 6, or 4 percent in the Upper House, and 2 in regional bodies) started before the polling began and the votes were counted. Human Rights Watch said they were a step forward, but not real reform. Campaign Burma UK wrote that it was impossible for them to be free and fair. And Aung San Suu Kyi, running for a seat, said they would be neither free nor fair. The plan to undercut their significance before they took place was evident.

The ambiguous vagueness of “free and fair” is open to interpretation by participants, as well as to Burmese and foreign observers, but the elections are highly significant for all concerned. Will the Burmese population feel that there is significant political progress that could enable the administration of President Thein Sein to push forward his economic and social reforms that could help improve the sorry state of that society? Will his powerful military skeptics and the Union Solidarity and Development Party (USDP) feel threatened by the results or join in the push for positive change?

Will Aung San Suu Kyi, elected in her constituency, enter the Burmese legislature with an attitude of “reconciliation” (her term) and productive engagement in spite of her charges that the constitution, under which she ran and was elected, needs to be amended? And will outside observers, especially the United States, see sufficient progress to significantly modify its sanctions regimen?

Aung San Suu Kyi’s party, the National League for Democracy (NLD), according to early results, has won 40 of the 45 contested seats. This is an indication of the pervasive desire for change in that society, and that Aung San Suu Kyi, by her own eloquence, history, and that of her heritage, has led her party to a victory few might earlier have imagined.

That problems would occur with any elections in Myanmar was evident. Past political manipulation, outdated voter registration lists (the last complete census was in 1983), the ubiquitous government-endorsed USDP attitudes toward power and authority and its extensive influence and resources, along with the question of how authoritatively and extensively the writ of the President’s administration extends to local officials and military all exacerbate problems in the election process. But progress since the manipulated elections of November 2010 is evident—less censorship, more open debate, less fear, even more transparency. For the first time, foreign observers were allowed in—too late to observe the campaign, but still for the first time in Burmese history.



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“regime change” in Myanmar, the breadth and pace of the proposed changes mandated by President Thein Sein in his inaugural speech in March, 2011, have amazed both Burmese and foreign specialists. His positive, personal approach to Aung San Suu Kyi was a welcome contrast to the icy attitudes toward her by his predecessor, Senior General Than Shwe. Although many of the policy reforms are incomplete and need to be legislated, implemented, and then respected, the portents are all positive. Furthermore, the interest of the Burmese administration in seeing the sanctions modified, and ultimately removed, is real and evident.

President Thein Sein, by all credible accounts, has been personally committed to the effectiveness of these by-elections. So local problems of freedom and fairness in the elections are not only important in themselves, but they may also be surrogate indicators of something more basic. The new central government of the Republic of the Union of Myanmar, since 2011, has been trying to promote changes over a large country with multi-cultural societies in which draconian military rule has effectively existed for half a century. It is evident that the new administration’s control is tenuous, even in some government-controlled areas, such as in the north among ethnic Kachin areas.

In spite of orders from the top that elections were to be free and fair, some local military, government party, and regional administration officials may have disobeyed these directives. If this is the case, where only 45 constituencies were the focus out of over 600, then what are the implications for the institution of the other, major reforms that the administration has proposed and started? The implementation of positive changes, however well intentioned, may meet incompetent administration or even positive resistance.

The by-elections are thus important, but the real focus is on the next general election in 2015. President Thein Sein is older, and is said not to be in good health. It is unlikely he will run for that office. We are likely to witness a scramble for that position, and there are many possible interested actors, including the vice president, the speaker of the legislature, the administrator of the USDP, the commander of the armed forces, along with others.

The popular international press continuously mentions the potential presidential role of Aung San Suu Kyi. Under present constitutional provisions, she is not eligible to be president. So an amendment to the constitution would be necessary, which requires a 75 percent legislative majority. Since the active-duty military have 25 percent of the seats, and the USDP controls 80 percent of the remainder, military acquiescence to any amendment would be required. The next three years—which include Myanmar hosting the Southeast Asian Games in 2013 and the ASEAN Summit in 2014—will be critical in determining whether the government is prepared for such a *volte-face*. It will in part depend on whether the military believes Aung San Suu Kyi will protect its role and perquisites. In the past, the NLD has called for civilian control over the military—anathema to the armed forces.

Those who believed the by-elections would be a sham have been proven wrong. Those who thought they would bring instant, unadjectively modified democracy are also wrong. The Burmese military have devised a system of governance in which their control over those socio-political elements they regard as critical (military autonomy, national unity, national sovereignty, etc.) will remain in their hands. However, this does not mean that reforms may not take place, that economic rationality may not become evident, that the lives and freedoms of the diverse citizenry may not be improved, and that international respectability may not be increased. Progress is evident, but the processes are likely to be sporadic and uneven. The Burmese will proceed at their own pace and foreign observers can assist, but not control that process. That assistance should begin by understanding and respecting the unique dynamics of that society.

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