Myanmar and the Challenges of a Democracy

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India's ties with Myanmar have been enriched by their contiguous geography and the overlapping nature of history. In contemporary times, this special relationship has been a cornerstone in shaping their relationship. For the same reason, and at times more, this cornerstone has proved to be a millstone, throwing up occasional obstacles in taking forward that special relationship. In recent times, the impact of the 'seven-step roadmap to democracy' in Myanmar has been the defining aspect of India-Myanmar ties. The much talked-about democratisation process of the recent years in Myanmar, in turn, a neighbour of the world's largest and nosiest democracy, namely, India, is at a critical juncture. This is not limited to the process of democratisation but is also related to the impact and importance of democracy in a nation that has been ruled by the iron fist of the military for way too long. For India, in turn, its ties with the new democratic dispensation in Myanmar are most crucial in shaping not only bilateral ties with the government in Nay Pyi Taw but also in shaping

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New Delhi's 'Eastern Approach', especially in the immediate geopolitical context, time, and space. The process of democratisation of Myanmar is not only important for that nation but also in shaping its world view. This in itself is a major challenge for Myanmar. The future of Myanmar, its external relations and bilateral ties with India would be largely influenced by Nay Pyi Taw experience with democracy. For India, the success of the democratisation process in that country would be a vindication of New Delhi's perceived missteps of the 1990s.

Democracy as it is...

For a nation that has been closed to the outside world for much of its post-independence history, Myanmar's new opening up would have to outlive its past. A few issues that stick out as a sore thumb would be the challenges of addressing the nation's ethnic issues and cohabitation of the various institutions of the nation in the changed political environment, which are real and here to stay at one level, and surrealistic at best, and at times, in another sense. Taking the second issue first, Myanmar unlike most other nations, has a unique institutional structure. In most nations, irrespective of the type of government, the state machinery is dominated by an identifiable institution. For long, in Myanmar, the Army *(Tatmadaw)* was the sole repository of all authority. Unlike in other nations where the armed forces were eased out of governance after a time, in Myanmar, the Tatmadaw scripted its perceived exit from the affairs of governance and government. Efforts to this end were initiated in August 2003 when Myanmar's ruling junta unveiled its seven-step roadmap to democracy.[1] This Roadmap was first greeted with apprehension by much of the international community, which saw it as an eyewash, to suppress domestic dissent, on the one hand, and silence global opinion, on the other. This apprehension was largely substantiated by the events that unfolded in 2007 in the form of the Saffron Revolution and the crackdown that followed.

The Saffron Revolution was a mass protest by the people wherein members of the Buddhist clergy–hence, the description—too took part. The protest was against the mal-administration of the government

headed by Senior General Than Shwe. Even though the trigger for the protest comprised economic issues like a sharp increase in the prices of most commodities, especially fuel (following the removal of the fuel subsidy in August 2005), within a short span of time, political aspects like democracy, human rights, opposition to military dictatorship, and the role of the armed forces in the affairs of the state became the rallying calls for the people.[2]

This mass movement, like others in the past, was dealt with a heavy hand by the Than Shwe government. The brutal crackdown by the state revived memories of the repressive actions of the Tatmadaw from the past. Irrespective of the regional and global perception about Myanmar in the wake of the Saffron Revolution, Nay Pyi Taw rewrote the nation's Constitution in 2008 that provided for a democratic set-up. At the same time, the Constitution, which was written largely by the Tatmadaw, also has adequate provisions to safeguard the military and its interests from the unpleasant interference by a future civilian government. It is this aspect of the Constitution that could come into play if the existing politico-administrative 'equilibrium' is sought to be challenged, now that Myanmar has gained acceptance within the comity of nations as a democratic state. This is because the role of the international community has more or less ended after the 2015 democratic elections, which were seen as relatively free and fair, and pro-democracy forces also recorded a landslide victory. With that has also possibly ended the international community's scepticism about the junta's intention in implementing the seven step formula. Now, for the present-day pro-democracy rulers of Myanmar to whip up fresh interest in the affairs of the nation all over again, if, when and where required, could be a Herculean task.

It must be noted here that the roadmap to democracy was not without its fair share of challenges, roadblocks, and pitfalls. The first major challenge that the Nay Pyi Taw faced was in convincing the domestic constituency and the international community about its sincerity, and ensuring the credibility of the democratic process. Already, a section of the international community had denounced the initial efforts in reintroducing democracy in 2010 as a farce, as Nobel Peace Laureate Aung San Suu Kyi, the 'face

of democratic forces' in Myanmar to most and the 'poster-boy/girl of the West' to a few, and her National League for Democracy (NLD) did not contest the elections. The successful participation of both Aung San Suu Kyi and the NLD in the 2012 by-elections was seen as a first genuine step towards democracy.

The international community in particular welcomed the successful conclusion of the 2015 general elections and the subsequent conduct of the presidential polls in April 2016 as a landmark development in Myanmar's democratisation process. This is because the twin elections not only resulted in the NLD sweeping the polls, but also proved that the entire poll process came to be seen as the first genuine effort of the kind that was free, fair, and one that reflected the desires of the people of Myanmar. However, there are a few issues that can still derail the democratisation process. These flow from some of the provisions of the 2008 Constitution.

The unique feature of this Constitution relates to the role of the Tatmadaw in the affairs of the (democratic) state. A quarter of all seats in both Houses of Parliament are reserved for the Tatmadaw. According to Article 109(b) and Article 122 of the 2008 Constitution, these members are directly nominated by the Commander-in-Chief of the Defence Services and should all be serving members of the armed forces.[3] The Ministers for Defence, Interior and Border Management are appointed by the Commander-in-Chief of the Defence Services, even under an otherwise democratic political dispensation. The Defence Services also have the right to nominate one of the three candidates to run for the presidency while the other two candidates are respectively nominated by the two Houses of Parliament. The two losing candidates are made Vice-Presidents. Thus, in a system that has been nurtured by the Army for decades, such constitutional provisions are more likely to facilitate the armed forces to retain their influence over the government without the responsibility of governance.

Alternatively, in times of political crises of any kind, the democratically elected government could come under pressure from within the administration, in the form of military-appointed ministers and in the Parliament, where they would still hold a fourth of all seats even, in the

worst of times. After the poll debacle of 2015, the Army still holds those seats. And in the interim, the democratically elected leaders, ministers and Members of Parliament (MPs) would be under the eternal feeling that Big Brother was watching them and breathing down their necks. There is nothing to suggest that any or all of it is true just now, but the nation is still new to democracy, and so are the democratically elected leaders to the affairs of political administration. In an extension of any kind into the distant future, or the worst-case scenario, the picture could prove to be dismal.

Challenges of a Multi-Ethnic Society

Myanmar is a nation of multiple ethnic identities that have been at loggerheads for a considerable period of time. Since independence from the United Kingdom on 4 January 1948, only months after India obtained freedom in previous August—the question of ethnic identity has fuelled ethnic militancy and insurgency. These challenges, which have come to dominate Myanmarese affairs for nearly seven decades, have now grown. The mushrooming of ethnic militancy has only gone on to complicate the challenges that confront Naypyidaw. Both the military propped junta regimes of the past and the current democratic government have all invested considerable resources in addressing the ethnic issue, challenges and militant groups. Among the notable initiatives in the past is the Nationwide Ceasefire Agreement (NCA) of October 2015, between the government and most of the ethnic groups. The NCA was signed on the eve of the nation's first democratic elections in more than two and a half decades, and was one of the last major and positive acts of the military junta. Beyond a point, the NCA in itself was not a path-breaking initiative of the outgoing junta but was by and large keeping in with the efforts of the military-led regimes of the past. Yet, the NCA also laid the foundation for the democratic leadership to carry forward piecemeal ethnic peace process to the next level.

The civilian government, within months of entering office, too set the ball rolling further. The efforts of the NLD government came to be dubbed the twenty-first century/Second Panglong process. It was held between 21

August and 3 September 2016, in the capital city of Naypyidaw. It derived the name from the first Panglong Conference of February 1947. Suu Kyi's father, General Aung San, representing the then provisional government of Burma (which was still a colony of Great Britain) met the representatives of the Kachin, Shan, and Chin ethnicity in the town of Panglong. This meeting was aimed at ironing out issues regarding ethnic identity, and also at resolving differences between the various ethnic groups and the then soon to be sovereign government of Burma. For a number of reasons, including the assassination of General Aung San, the Panglong process of the 1948 did not resolve the ethnic question and the nation had to live with multiple militancy, targeting the state, mostly independent of one another, and with specific ethnic demands in focus.

The Second Panglong Conference under the NLD government generated a lot of interest for reasons that were both logical and otherwise. On a sentimental note, the efforts of General Aung San in 1947 are deeply engraved in the Myanmarese psyche, now as then. His daughter, the beacon of the democracy, initiating a peace conference was of great symbolic value. A civilian government initiating a peace process in a nation that has been under military rule for long also generated a degree of optimism. The NLD government, being the first civilian administration in half a century, also carried the burden of its image as the 'champion of the democratic values, human rights and civil liberties', and could not be seen as faulting or faltering. If it could hit it off, it also meant that democracy had answers for Myanmar's ethnic problems that could not be resolved through military means of the past. If the new rulers failed to either address the issue or resolve it, it could mean that the nation could well slip back into the past. In the past, it would have rendered at least part-justification for the military rule of the previous decades.

The twenty-first century Panglong Conference was scheduled for 5 days, but ended abruptly in three-and-half days. The Conference could not boast of any concrete outcome. Yet, it has put in place, at least in principle, mechanisms that would not only allow interaction among all stakeholders but also ensure that this process is continuous. Such an outcome, an inconclusive peace conference, was natural, given the fact

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that Myanmar's ethnic woes have become more complicated and complex over the years and decades since the days of General Aung San.

For the new civilian government, the questions of ethnicity are no longer limited to a linear equation between the Bamar-dominant Myanmar government and establishment and the galaxy of minority ethnic identities and the multiplicity of militia groups that represent them. For the present administration, under President Htin Kyaw, the challenge is in presenting a political package that addresses the basic demands of the militant groups and at the same time does not deviate from the past diktats of the Tatmadaw. At the same time, the civilian government would also have to recognise the ground realities, which has not undergone any great tectonic-shifts either, over these many decades.

Therefore, the biggest stumbling block for any government on the ethnic front is in not only engaging the various warring parties but also in proposing a peace formula that takes into account the multiplicity of interests of multiple stakeholders. Unlike in near similar, though not very similar, circumstances in other countries, the armed force in Myanmar are also (semi-independent) stakeholder, whose concerns would also have to be placated by the government. It's another matter that in case of implementation of any peace pact, or otherwise, the military would have to play a role, and should be at the disposal of the government of the day.

Rohingyas, The New Flash Point

One issue that has come to become the face of Myanmar's domestics difficulties, more so in the last months and years of the junta and of the democratic dispensation since, has been that of the Rohingyas, a marginalised community of Bengali-speaking Muslims, who, for all practical purposes, are 'stateless people'. Unlike other identity-based challenges of Myanmar, the Rohingyas are a creation of the Myanmar state. In 1982, Myanmar, then Burma, revisited its citizenship law. Under the

new legislation, the state disenfranchised the Rohingyas, claiming them to be illegal immigrants from British-India (modern day Bangladesh).

The Rohingya question, old though it may be, has now taken the centrestage of highlighting the poor human rights record of Myanmar. Despite the human rights woes highlighted by the present-day democracy leaders in power while in the opposition, they too have not done much to find an amicable solution. There are inherent issues and problems at hand. This has been a result of the changing internal dynamics of the nation over the past few years. But what brought the Rohingya question to international focus was the series of communal riots and targeted violence over the past decade. The evolving democracy situation meant that the global focus was already on Myanmar. Looking inside for reasons for 'global terrorism' of the religious kind, the West in particular also saw Myanmar as a possibility. Unlike in the past, this time round, the plight of the Rohingyas became international news and drew the attention of the United Nations and the rest more than it had earlier. In recent times, the targeted violence against the Rohingyas has not only been orchestrated by extremist Buddhist Bamar chauvinistic elements but the state machinery also has been accused of being an accomplice. Tales of the difficulties that this community has been facing have flooded the media spaces from time-to-time.

However, unlike the other domestic, identity challenges of Myanmar, the Rohingya question has also come to colour the nation's engagement with nations in its neighbourhood. Bangladesh, for one, has not taken lightly to the developments in Rakhine state of Myanmar, which has the largest concentration of the Rohingya Muslims. The constant flood of refugees from Rakhine has already been fuelling tensions between Bangladesh and Myanmar. Bangladesh, on its part, has already appealed to the international community to intervene and resolve the Rohingya crisis. Dhaka hopes that they would help Myanmar '…in all possible ways—from addressing its security concern to contributing in the social reconciliation and economic uplift of people in Rakhine State'. For Bangladesh, its primary concern is to 'improve security for the Rohingyas so the refugees in Bangladesh can return home.'[4]Going beyond Bangladesh, Malaysia, in

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December 2016, said that the plight of Rohingya Muslims in Myanmar was a regional concern and that the regional bloc, the Association of South-East Asian Nations (ASEAN), should not only coordinate humanitarian aid but also investigate alleged atrocities against them.[5] A Muslim-majority nation, Malaysia is of the view that this situation is a regional concern and has to be resolved together by the nations of the region. For Aung San Suu Kyi, the leader of the ruling NLD in Myanmar, and holding the office of Senior Counsellor and Foreign Minister, and her government, the Rohingya issue could become their Achilles' heel. A dozen fellow Nobel Laureates have criticised Suu Kyi and the government for the atrocities that the Rohingyas continue to face at the hands of the Myanmar state and its agencies. In an open letter to the United Nations Security Council, they have decried the developments in Rakhine state as 'amounting to ethnic-cleansing and crimes against humanity'.[6]

Where From Here

For Myanmar, especially the present democracy government, the Rohingya issue is a litmus test of sorts. It not only tests the resolve of the state and the Noble Laureate Aung San Suu Kyi, but is also a reflection of the ground realities in the country. This is because the situation in Rakhine state is not as serious a challenge confronting Myanmar as is being made out. The Rohingya question sticks out as an example of much of the challenges that confront the civilian government of President Htin Kyaw and Suu Kyi's political leadership. For finding a lasting solution, they would have to overcome the deep animosity and xenophobic attitude of a significant section of the local population, especially the Barmar majority, overcome the opposition of the Tatmadaw, which was ensured that this community was disenfranchised and also placate a number of other stakeholders and interest groups, including the international community.

Years of indifferent military rule has left the nation with deep fissures. Without filling and bridging them effectively, the country cannot hope to resolve the decades of ethnic strife. At the same time, the civilian

government would also have to win over the military, a military which enjoys considerable influence in dictating the way the government functions without the responsibility of governing the nation. And, finally, Aung San Suu Kyi as the nation's unquestioned leader and inspiration would also have to reach out to a large section of the nation's population which elected her party with an overwhelming majority. The fact that the Noble Laureate, from the earliest days of the civilian government or even during the run-up to the 2015 parliamentary elections, has refused to use the term Rohingyas to describe the Muslims of Rakhine state, is a reflection of the attitude of the society and the state machinery, and the anticipated impediments facing a political leadership of whatever hue and power.[7] For Suu Kyi, to cross the unwritten red-lines would not only invite the displeasure of the still powerful Tatmadaw but would also invite the displeasure of the masses.

Come May 2017, the NLD government would be completing its first year in office. With a few months to go, it would not be out of place to say that the NLD would have to be seen as governing the nation according to the wishes (both stated and unstated) of the people, whose outlook towards the various challenges that confronts Myanmar has not undergone any drastic change. For both the NLD government and its leadership, the need of the hour would not only be to do the right thing on all issues but also be seen as doing the right thing in the eyes of the both the common man and the powers to be. Having waited for long for democracy to deliver them from all their miseries–free speech being only one of them–the aspirations of the Myanmarese population and their expectations from the civilian government remained undefined at the outset, and unmet, as yet.

Myanmar, in 2017, would not be the Myanmar of the past, or even that of *circa* 2016. The carefully nurtured, semi-guided democracy has taken roots. Like all democracies, however imperfect they may be, the elected government would also have to factor in the unpredictability of democratic politics and the complexities of electoral politics. For the Myanmar, by the time the Htin Kyaw presidency marks its first anniversary in office in May 2017, the nation would be slowly moving away from the euphoria

of democratisation and drifting into the era of competitive politics, with all its limitations and imperfections. In such a scenario, Myanmar would have the difficult task of balancing principles and politics. As such, the NLD government seems to have already abandoned the high principles at the altar of political expediency. It is to be seen whether political prudence would ensure that the party and leadership would be able to guide this complex country with its difficult past, into a bright future in the years to come–and how early it would be is also the question the average Myanmarese would soon begin asking himself and of his new leaders. Translated, it would mean, 'How long will I have to wait?'

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