

## Problems and Prospects of Democratic Transition in Myanmar

M. Kamlianlal Zou, Ph.D Candidate

Centre for East Asian Studies, School of International Studies, Jawaharlal Nehru University, New Delhi, India

### Abstract

For decades, democracy has always been a dream to almost all the citizens of Myanmar. The road to achieve democracy seems to have no destination. However, democratic transition in Myanmar has finally taken place under the military set up and general election was held under the new constitution in 2010. The Union Solidarity and Development Party (USDP), a party backed by the military secured 80 percent of the valid votes polled in the election. The subsequent election held in 2015 has been a historic landmark in the path of Myanmar democracy, ending almost 50 years of military rule. Despite the NLD came into power, redressing the grievances of the ethnic minorities and power sharing with the military remained the greatest challenges lying ahead.

**Keywords:** military junta, democracy, ethnic minorities, constitution, National League for Democracy.

### Introduction:

For about half a century, the people of Myanmar endures high handed military rule and yelled for the restoration of democracy in Myanmar. In fact, democracy has always been a dream to almost all the citizens of Myanmar for decades<sup>1</sup>. Nevertheless, the road to achieve democracy seems to have no destination. Protests and tussles between the people and military became a regular fashion. This democratic movement in Myanmar was marred with sporadic protest against the military government in between 1974 to 1977. The military in return proved equal to the challenges posed by the people, and violently suppressed the movement by overwhelming force. The voice of the people could be undermined for a short period of time and the un-arm protesters could also be suppressed by the might of military power. However, the desire for democracy is fertile among the people and the heart that burns to drive the goal of democracy cannot be subsided by any existing forces in Myanmar. Thousands of innocent people were killed and numbers of people were sentenced to life imprisonment in the process of democratic movement. In 1988, the tsunami of political demonstrations initiated by students, monks and activists, also known as 8888 uprising once again swept the country prompting the State Law and Order Restoration Council (SLORC) to declare martial law, paving the way for free and fair election in 1990 (RRT 2009).

Considering the trend of military junta response to the voice of pro-democracy demonstrators and drawing the attention of the military government requires extensive protest not only for a decade; but multiple of decades. Furthermore, the method of transitions of power may also differ from one period to another. Democratic movement that began in 1962 was responded in 1990 to conduct free and fair election. Similarly, after the military Junta refused to cede power to National League for Democracy (NLD) in 1990, it took another three decades to conduct an election in 2010. Subsequently, democratic transition in Myanmar has finally taken place under the military set up and general election was held under the new constitution in 2010. The Union Solidarity and Development Party (USDP), a party backed by the military secured 80 percent of the valid votes polled in the election. Similarly, the National League for Democracy came out with a thumping victory by securing 80 percent in 2015 election. One of the oldest dictatorial regimes have shown to the world that Myanmar transformed into a democratic country. This paper will examine the power-play of the military junta in pursuance of democratic transition in 2010, unfair power distribution between the military and civil government, challenges for ethnic minorities and meaning of democracy as interpreted by several governments. It will also analyze how Myanmar refugees settled in New Delhi viewed the restoration of democracy in Myanmar and disillusioned by the cosmetic democratic transitions.

### Military Junta- Political power play

The 2010 general election in Myanmar is rather a political power play in favor of the Military Junta, in an aggressive attempt to compel acquiescence to the people. Having been suffered from international isolation and mounting pressure from United Nations Organization (UNO), Association of South East Asian Nations (ASEAN), North Atlantic Treaty Organization (NATO) and European Union (EU) members, the Military junta was desperately looking for eyewash to rebuild its devastated economy. Series of reforms has been introduced to realize Myanmar's transition from military dictatorship to democracy. The military drafted constitution was approved in a referendum in May 2008. The official turnout of voters in this referendum was 99% which is 22 million in numerical number. The approval rate of 92.4% and its official turnout was considered as a fraud by the international observers (Hlaing 2010).

Under article 59 (f) of the constitution, it barred the country's presidency to anyone with foreign spouse or children. The Constitution has also made the provision for legislatures known as Pyidaungsu Hluttaw,

which consists of 224 Upper House seats- Amyotha Hluttaw (House of Nationalities) and 440 Lower House seats- Pyithu Hluttaaw (House of Representatives). The military attempted to ensure that the government is run by the elected representatives of the people. However, the method of nominations in the legislatures as drafted by the military junta has its defects and ambiguities. It guarantees 25% of the seat in Pyidaungsu Hluttaw to the nominees of Military Junta, and also requires more than 75% of votes in the legislature to amend the constitution (BTI 2012).

The road map of democracy prepared by the military has pointed out that hangover of fear psychosis within the military coterie is still inherent in its democratic set up. Democracy without people's participation is a sham, but the power play exercised by the military was well crafted, in such a way that the people of Myanmar and international communities were made to believe that transition of democracy in Myanmar could only be achieved through road map prepared by Military Junta. But the constitution of 2008 was drafted to ensure that the NLD could be marginalized in national politics. While the constitution empowers the military retires to take over the civilian government, it directly hinders the NLD participation in the electoral process. The NLD under the leadership of Myanmar democratic icon Aung San Suu Kyi boycotted 2010 election as 2000 political prisoners were barred from contesting election and also the government failure to release Aung San Suu Kyi from house arrest/detention (ALTSEAN 2010).

Under the new constitution, the military Junta capitalizes their presence in the legislatures. Under no circumstances, no political party other than USDP or military backed political party can obtain more than 75% of seats in the legislature as 25% of the seats are already reserved for the military. This provision has given the NLD and other civilian political party the power to govern if they attain majority in the legislature, but without amending power to the constitution. The method of amending the constitution can only be possible if the military backed political party is in the fray. In addition to 25% of seats reserved for military, military backed-USDP requires to obtain only 25% of seats to form the government. In such a way, the road map to democracy was engineered by the military to retain power and position by shedding their military camouflage.

Setting the house in order, the military junta conducted Pyithu Hluttaw election in 2010. Out of the 330 unreserved seats in the House of Representatives, the USDP comfortably won 259 seats. Along with the reserved seat, the USDP obtained 369 seats which proved to be an absolute majority in the House of Representatives (Burma Fund UN Office Report, 31 January 2011). The landslide victory of the military backed USDP is an indication that the way people rendered support to NLD in 1990 election by obtaining 392 of 492 seats in the House of Representatives, the support of electorates after two decades swing in favor of the USDP. Domestic and international outcry did not deter the USDP to rule and govern the country. In fact, it is also believe to be the only option the military junta clinches toward democracy.

Democracy not only stood with its contextual meaning of rule of the people. It is bounded by the principle of political freedom, freedom of speech, press, free and fair election, and the ability to choose the representative of our choice. Nevertheless, the 2010 election in Myanmar was far from fulfilling the basic principle of democracy. While barring some selected members from NLD and political prisoners could be understood in terms of national security, resorting to intimidation, fraud and switch over of ballot box signifies the undemocratic nature of the military junta. To elect 440 members in the House of Representatives for the first time in 30 years, international observers were not only denied but also completely restricted in 2010 election (Burma Fund UN Office Report, 31 January 2011). The ground reality in 2010 election was far from the propaganda professed to the international community.

Interestingly, Myanmar government invited international observers to observe the process of by-election in 2012 for 46 vacant seats, which is almost 1/10 of seat in the Lower House. International election observers from Canada, United States, European Union, China, North Korea and ASEAN dialogue partners (India, Japan, New Zealand, South Korea, Russia and Australia) witnessed the election where the NLD won 43 of the 44 seats contested (IFES Report 2012). The free and fair election ensured by the government in the presence of international observers was paramount to the seats they have lost in the by-election. Furthermore, the 46 seats would have no impact in the business of the House.

Myanmar path to democracy is thorny and steep, making complicated for the people who were dreaming for democracy. However, people witnessed wind of change in policies and electoral politics of the military junta. The change that has taken place in the form of military to civilian administration gave optimism to the people. Though the present set up has some contingent effects, the people expect gradual structural changes in future. In comparison to the past 58 years of military rule, military junta has also made flexibility in their policy. The first policy shift comes in the form of establishing Union Solidarity and Development Party (USDP). It is an indication that, though political power was loosening from the grip of military, military junta used domestic and external factor as the principle of USDP. They grab political power in the name of 'solidarity' for the country and 'development' for the people.

Military Junta made policy turn over in 2010 in the language of legitimacy and principle but the logic, interest, position and power of the governing authority remained the same. Unlike the past 30 years where the

country was directly administered by Military junta in the name of national security, the year 2010 witnessed the military to rule and govern in the name of democracy. Whether the military junta betrayed the principle of democracy or set up another model of democracy can be considered for further research. However, the transition of Myanmar from military to democracy is an act of political power play engineered by the military junta, by using ‘solidarity’ and ‘development’ as their political weapon.

### **Response to democracy after 2010 election- Myanmar refugees’ perspective**

After the 8888 uprising in Myanmar, scores of people crossed the international boundary as a result of rampant human right violations, widespread and persistent ethnic, political and religious persecution by Burmese military regime. They take great risks, endure extreme hardships and confront dangerous challenges in the hope of finding refuge (Alexander 2010). Any citizens associated with democratic movement or suspicious of aligning with students’ activists were persecuted. Security of lives rather than attaining liberty became the priority for the activists and their families. As a result, countries like Thailand, Malaysia and India are flooded with Myanmar refugees. For the past 22 years, Myanmar refugees in India unwearingly yearned for democratic transition in their motherland. They endure discriminatory treatment, rape, physical and sexual assault, economic hardship and low wages of earning in the third country. Living the lives of adversity and despair thousands of miles away from homeland is not their priority, but the necessity to secure their lives. Similarly, they choose and struggle to endure the lives of distress and destitutions in refugees’ centers than curtailing individual’s liberty in their homeland.



(Protest at Jantar Mantar, New Delhi under the aegis of Chin Refugee Committee on 30<sup>th</sup> October 2013. Photo by Author)

Under the aegis of Burma Centre Delhi (BCD) and Chin Refugee Committee (CRC) in New Delhi, thousands of Burmese refugees in India protest against Myanmar military government for the past 18 years. The dimensions of discontentment toward Myanmar government remained the same even after the acclaimed restoration of democracy in 2010. About 10,000 Burmese refugees in Delhi spreading across different ethnicities and background failed to believe in cosmetic political changes in Myanmar in the name of democracy<sup>ii</sup>. President Thein Sien further made an appeal to Burmese refugees spreading across different countries to return to their country and also ensure immunity. Though the number of refugees arriving in New Delhi decreased in recent years, it makes no changes in the existing numbers. Most of them felt that the political condition in Myanmar is not favorable for repatriation<sup>iii</sup>.

In an interview conducted to four leaders of Burmese refugees from different community, the ways and means of perceiving political development in Myanmar differs; nevertheless, the nature of suspicion toward military junta remained the same. They opined that democracy in Myanmar is a wolf in sheep’s clothing. Changes in the system takes place arising out of international pressure, but the power and position of the military never make any changes. It is also suspected to be the ploy of the military for retribution to democratic activists, who tarnished the image of the government to the international community. The civilian government under USDP could not defy the dictated terms of the military, as the former were selected by the latter. The statistics of refugees settled in New Delhi after four years of democratic transitions also indicates the attitudes of Burmese refugees toward the new government<sup>iv</sup>. As long as the military junta was behind the scene of political power, democracy is still a far cry for Myanmar refugees settled in New Delhi.



Surprisingly, the present civilian government is more vulnerable to the minorities than the military junta. Under the dictatorial government, there is equality of victimization and sufferings. Whosoever opposed the military regime- such as religions, ethnic minorities or majority Burman became the victims of democratic movement. Majority of refugees settled in India are the ethnic minorities who are well aware of the policy of this marginalization. There is suspicion that after 2012, the policy of Burmanization propagated by General Ne Win after 1962 military coup has been repeated. Democratic transition did not ensure security to lives and no lasting peace agreement is concluded with the ethnic armed group. Military assault escalated in Laiza town, Kachin between Kachin Independence Army (KIA) and military Junta, where the latter used helicopter, Jet fighter and mortal shell (N Kipgen 2013). The Rohingyas were not only mercilessly persecuted by the military, but also the icon of democracy Aung San Suu Kyi could not guarantee citizenship to Myanmar. Forced labour, rape and illegal extortion committed by the military and government designate officials among the minorities were still rampant.

Under such circumstances, repatriation to Myanmar for the refugees who made narrow escape from the clutches of military is impractical. Nevertheless, they still hope and dream that democratic transition will take place under the leadership of Aung San Suu Kyi led National League for Democracy (NLD). For instance, out of 147 questionnaires who were asked what democracy in Myanmar means to them, 87% of the respondents opined that the government run by National league for Democracy would ensure the true spirit of democracy in Myanmar. Majority of the respondents were not in favor of USA and Indian systems of democracy, but dream for another form of democracy suited to the people of Myanmar<sup>v</sup>. The system of democracy as sought by Myanmar refugees in India is vague; yet practically it is understandable as the discourse is from victim's perspective, confusing democracy with security of lives. Democracy in Myanmar in the present scenario is not the goal Burmese refugees ought to achieve, but it can serve as the means to realize the end.

#### **Myanmar election 2015- unfair division of power**

The 8 November election in Myanmar has been a historic landmark in the path of Myanmar democracy, ending almost 50 years of military rule. The National League for Democracy gave a crushing defeat to the military backed Union Solidarity and Development Party (USDP). The NLD also obtained a large number of seats in the ethnic minority dominated areas where the ethnic political parties fiercely contested and expected to do well. Aung San Suu Kyi led National League for Democracy got landslide victory and obtained a majority in both the House of Nationalities (Amyotha Hluttaw), House of Representatives (Pyithu Hluttaw) and State and Regional Hluttaws with an exception in Rakhine State Hluttaw and Shan State Hluttaw (Kyaw Sein and Nicholas 2016). Almost all the candidates of USDP who had served in the cabinet of President Thein Sein including Speaker of the lower house and Chairman of USDP had been defeated by NLD. Even at Naypyidaw where soldiers are heavily populated, the former general and defense minister lost to a poet from National League for Democracy. The NLD is in a position to control the parliaments and local government on its own or with the support of ethnic parties (Thomas Fuller 2015). Obtaining almost 80% of the seats in the Assembly of the Union has guaranteed the NLD to control the national legislation as well as elect its nominees as President and first Vice President in the Presidential Electoral College. A huge mandate given to Aung San Suu Kyi and National League for Democracy comes equally with high expectations and challenges, which she needs to deliver economically and politically. Meeting these expectations is not going to be an easy task.

Despite thumping victory of the NLD, the military still retain considerable power in the parliament. Aung San Suu Kyi and National League for Democracy have to make power sharing arrangement with the military which kept them under house arrest for almost two decades. The 25% of seats in the parliament retained by the military has given legislative power to the military, though it may not be effective as long as the NLD acquire two-third majority in the parliament (Kyaw Sein and Nicholas 2016).. Besides, the military still control the management of home affairs and border affairs ministries which enabled them to exercise the executive power without even obtaining majority in the election. The terms of the constitution drafted by the military has provided the latter to control a large and powerful bureaucracy such as issuing passport and maintaining national security apparatus that spy on Myanmar citizens. According to the Stockholm International Peace Research Institute, Myanmar defense expense in 2014 was amounted to 13 percent of the government spending and it constituted 4.3 percent of the gross domestic product. However, the civilian government will have little oversight of the military expenses. Defense budgets are to be approved by the parliament but under a special law, the parliament has no control over the off-budget military spending from the sale of natural resources (Chris Blake and Kyaw Thu 2015). Unlike other democratic countries of the world, Myanmar military is a highly politicized institution which role extends well even beyond politics. Almost three decades of military rule has created a centralized bureaucracy commonly known as General Administrative Department or backbone of all local administration led by former military officers. Besides, the military are also engaged in business in tobacco, banks, ruby mines, textile, bus line and brewery.

Unlike 1990 general election where the military were not ready to cede power to civilian government,

the military were well prepared to hand over power to the NLD in 2015. The military Junta are aware of the fact that, the wave of democracy will bounce back with much more powerful forces supported by the international communities. Therefore, the military spend a good number of 25 years to decide the honorable transfer of power to the civilian without effecting the status and prestige of the military. As such, they took steps to ensure that the military make a strong presence in the parliament, legal system, and economy by redrafting the constitution in 2008. Myanmar constitution re-written in 2008 has given the military the right to seize power under certain condition, a role of choosing the president, 25 percent of seat to the military and a clause that ban Aung San Suu Kyi from becoming the president. There is also a provision that amendment of the constitution can only be made with the approval of 75 percent of the parliament (Chris Blake and Kyaw Thu 2015). This provision effectively gave the military the power to veto the bill of amending the constitution, and makes the military leaders comfortable with the transition of power. Under such arrangement, the transition of power from military to civilian government is to ensure a system known as ‘disciplined democracy’. As such, it is imperative for the NLD government to build a constructive and working relationship with Min Aung Hlaing, the Commander-in-Chief of Myanmar. The success of Myanmar longstanding issue of peace process with the ethnic group, maintenance of law and order or political liberalization depends on how far the government and the military give cooperation to each other.

### **Challenges for Ethnic minorities**

The dawn of democracy in Myanmar and power sharing between the civil government and the military has dramatically changed the political environment for the dominant Burman population. But the dreams of democracy that the ethnic minorities aspires to achieve for decades have not been fulfilled. The landslide victory of the NLD in the national and state assembly adds more wounds to the dreams of autonomy and power sharing between the centre and federating units. With high expectation, the ethnic minorities voted for NLD in the parliamentary election and parties form by the ethnic groups in the state legislatures. Likewise, majority of the seat in Shan and Arakan state legislature are won by ethnic parties in 2015 election. However, without consulting and negotiating with the ethnic parties such as Shan National League for Democracy and Arakan National Party (ANP), the NLD appointed their member for the post of Chief Minister in Arakan and Shan State (Nang Seng Nom 2016). This form of marginalizing the ethnic minorities by the NLD is not the only case but one of a few among multiple of cases. Furthermore, on 9 May 2016, the Speaker of the Lower House, Win Myint rejected the proposal made by ANP legislator to provide government assistance or aid to more than 2000 displaced Arakanese. As such the Arakan and Shan people are disappointed with the leadership of Daw Aung San Suu Kyi in dealing with the ethnic minorities which is opposite to their expectation, and eroded their trust to the National League for Democracy.

Despite the ethnic nationalities struggle in dismay for the past almost 70 years under military rule, the undying principle of General Aung San at 1947 Panglong Conference- “if Burma receives one kyat, you will also get one kyat” motivated them to sought for democratic transition in Myanmar. The conference was attended by leaders and representatives from only the Frontier Areas such as Shan States, Chin Hills, Kachin Hill track of Myitkyina, Bhamo and Katha district. The first Panglong Conference sought to incorporate the Ministerial Burma and ethnic minority states which are governed by British Governor into the Union of Burma. General Aung San guaranteed every citizen within the Union of Burma to get equal treatment (Ye Htut 2016). However, the 21<sup>st</sup> Century Panglong Conference held in September 2016 could not emulate the first Panglong Conference in terms of size, structures and representation. Altogether, 18 ethnic non-state actors or ethnic armed groups consisting of more than 2000 delegates attended the 21<sup>st</sup> Century Panglong Conference.

After decades of armed conflict between the ethnic groups and the military, the response given to the 21st Century Panglong Conference is both impressive and challenging as well. The political landscape of Myanmar has been changed after 70 years of its independence. Unlike 1947, now the Mon, Kayah, Rakhine and Kayin have their own parliament and government. The Wa, Danu, Naga, Kokang and PaO region has been given autonomous with limited administrative power. Furthermore, the Wa have been demanding Wa state having the same status with the Shan and other states. The Shan and Bamar in Kachin state strive to achieve autonomous region within the Union of Myanmar (Ye Htut 2016). Finding an acceptable solution to resolve almost two dozens of ethnic adversaries with different ideology and ethnic background requires mutual trust between the government and ethnic groups, and several rounds of peace talk.

To add more complication to the ongoing peace initiative, seven of the 15 armed groups declined to sign Nationwide Ceasefire Agreement (NCA) with Myanmar government in 2015. The two largest and best equipped armed ethnic groups such as United Wa State Army and Kachin Independence Organization (KIO) did not take part in the historic Nationwide Ceasefire Agreement due to the ongoing distrust of the semi-civilian and powerful military government (Kyaw Sein and Nicholas 2016). Ever since the 17-year ceasefire between the Kachin Independence Organization and the government broke down in 2011, regular military clashes and confrontation occurred between the military and KIO, resulting to the displaced of thousands of Kachin civilian

(N Kipgen 2013). Resolving the age old conflict in Myanmar and restoring lasting peace require consulting and involving all the stakeholders among the ethnic nationalities. The greatest challenge arises whether the unitary government in Myanmar is willing to give autonomy to all the ethnic nationalities, share resources equitably, withdraw the military from the territories of ethnic minorities and establish federal army in its place.

Another challenge that lies ahead is resolving the status and problems of the Rohingyas. The Rohingyas are an ethnic group predominantly living in Myanmar's Rakhine State. However, the newly enacted nationality law of 1982 denied Myanmar citizenship to the Rohingya, which makes them technically stateless citizens. As per 1982 nationality law, more than one million Rohingya in Myanmar were denied citizenship (Farhaan 2017). They were refrained from exercising franchise or contesting election in 2015 election due to unavailability of adequate identity papers to register in electoral roll. The status of Rohingya in Myanmar as stateless citizens has restricted their movement in northern Rakhine state, and they were also curtail basic from public services, access to work and religious freedom. The outbreak of communal violence in 2012 between the Muslim and Buddhist communities of Rakhine torn apart the worsening conditions of the Rohingya, making 120,000 Rohingya people displaced within the state (The New York Times, 16 January 2017).

The Rohingya suffered another blow in in October 2016, when the Rohingya militants attacked and killed nine members of the Border Guard Police along Myanmar border. The Myanmar military retaliated with brutal counter-insurgency operation, killing 80 people, torching more than 1500 building in Maungdaw Township and the number of Muslim fled to Bangladesh is estimated to be 65,000 (Katja Dombrowski 2017). As an icon of international human rights, Aung San Suu Kyi is increasingly condemned for refusing to speak against the atrocities committed to the Rohingya by the military and Buddhist in Myanmar. Under international pressure, Suu Kyi has formed a special committee to investigate the matter. But the Special Committee was headed by an army general who carried out mass killings and gang rape. Aung San Suu Kyi fought for the restoration of democracy appears to be one of the greatest challenges of her life which was applauded in and outside the country. However, the fiercest challenge as a State Councillor and leader of NLD is to meet the expectation of the people without tarnishing her credibility. Suu Kyi has to fall in line with Burmese proverb "you have to make big problems small and small problems disappear", which technically means to bridge the gap between the military and civil government; and resolve the problem faced by ethnic minorities including the Rohingya.

### **Problems of Democracy and its implication in Myanmar**

The ideal of democracy and its application differs from one country to another. There is no strict rule or similar model of democracy practiced in the world. Various scholars gave different meanings to democracy; but 'rule of the people' is generally accepted as center to its definitions. Abraham Lincoln's definition of democracy as 'a government of the people, for the people and by the people' became an inherent objective to all who attempted to achieve democracy. However, it is a misconception on the part of the people from dictatorial countries to adopt and strive for one model of democracy by ignoring the other existing models in the world. Hence, it should be accepted that, democracy in Myanmar prevails as long as the voice of the people is supreme and the people enjoy civil and political rights.

Democracy is a government of the people which have different method of functioning in each country. As long as the country constituted judiciary, constitution and conduct election, the genuineness of democracy can neither be measured nor questioned. Under democracy, the government can function through single party, two party system or multi-party system. The word 'democracy' or 'democratic' became desirable in some communist country to get legitimacy of the government and free from international condemnation. For instances, Deutsch Democratic Republic or formerly known as East Germany used 'Democratic' in the country's title although it followed communist ideology. Similarly in Africa, Democratic Republic of the Congo appears to be following the principle of democracy, but the people have limited role in the governance. The oldest totalitarian regime- Democratic People's Republic of Korea or refer to as North Korea called themselves democratic, even though the country has been ruled by a single family since 1948. Democracy in this country is manipulated by single or group of people, thereby monopolizing the organs of state power and means of productions. Nevertheless, they acquired legitimacy to govern the country in the form of conducting periodical election.

The problems of democracy emanates from the absence of uniformity in its application. The meaning and terms of democracy is distorted to suit different political environment. Literally, George Orwell's novel '1984' can be compared with the usage of the term democracy. Orwell depicted a future of totalitarian society whose government included 'The Ministry of Peace', however, the actual purpose of the Peace Ministry is to wage a war. The purpose of 'The Ministry of Truth' is to continually change official history to suit the dictates of the government (Orwell 1949). In case of India, which is the largest democratic country in the world, the working of democracy has its shortcomings. Despite the constitution guaranteed all forms of freedoms and equality, the same right cannot be practically ensured. Capturing of votes, intimidations of voters and electoral frauds were committed in the pretext of free and fair election. Likewise, democracy in Myanmar at this stage is overwhelmed by military representations, thereby setting a new democratic system. As the greatest happiness of

the greatest number cannot be ensured in every society, so is with democracy.

Democracy in Myanmar originates from the models practiced by some communist countries, which attained legitimacy to the international community. Despite some flaws in the constitution and its failure to conduct free and fair election in 2010 House of Representatives elections, the 2012 by-election conducted in the presence of international observers have shown that representatives were democratically elected. In 2011, the government introduced a sweeping political and economic reform. Most political prisoners were released and media censorship was abolished. The opposition leader Aung San Suu Kyi was also released and elected to the House of Representatives in 2012 by-election (Yoon *et al* 2014). The power sharing arrangement in Myanmar may differ from other democratic set up or discontentment arises from the ethnic groups in Myanmar. Nevertheless, 2015 general election in Myanmar is a manifestation of restoring democracy in the country.

In response to the political reform in Myanmar, the United States of America (USA) lifted its long-standing economic sanctions and easing most of its ban on imports from their country. Japan has made a swift announcement to provide a bridge loan for Myanmar's JPY 326 billion debt to Japan, USD 900 million in loans and arrears owed to the World Bank and ADB, and its plan to provide JPY 600 billion of ODA over three years to all the Mekong region countries including Myanmar (Yoon *et al* 2014). Similarly, the European Union Foreign Ministers in its meeting at Luxembourg permanently ended sanctions against Myanmar on 22<sup>nd</sup> April 2013 in recognitions of the country transition from military dictatorship to a civilian rule (The Wall Street Journal, April 22, 2013). Myanmar path to democracy is acknowledge and rewarded by the international communities beyond their imaginations. It is also the interest of the military to handover the administration to the civilian, but retains the power relating to maintaining law and order in the country. In this way, Myanmar will cease to be in the realm of international condemnation which inadvertently became the barrier for international funding. It is the responsibilities of Myanmar government to make healthy relation with the military and take necessary steps to deliver the democratic dream of the people.

### Conclusion

Democratic transition in Myanmar can be viewed from two different perspectives- problems emanating from the democratic set up and the transition from military dictatorship to civilian government. Similarly, it is a struggle for political power between the military junta and the people who were indoctrinated to the ideology of the National League for Democracy. After 58 years of exercising despotic power in Myanmar, military junta changed the rule of the political game in 2010. However, a change in the system of government is not likely to effect the change of power and position of the military. Unlike military or dictatorial government, democracy stands for 'rule of the people', where exercising political power required its legitimacy. As such, the method of conducting referendum to 2008 constitution may be marred up with fraud, intimidation and proxy, but it is the requisite necessity for the military to change the language of legitimacy. The constitution of 2008 forbade Aung San Suu Kyi to hold the post of President of Myanmar and also more than 2000 political prisoner were restricted to contest the election. However, the military released the political prisoners and the NLD came to power after 2015 election. No doubt there is a flaw in the constitution, yet, the participation of 91 political parties in the election justifies the outcome of the election. Contemplating the recent political development in Myanmar, despite rampant human rights violations, atrocities and military power play, international communities and agencies recognized the democratic transition in Myanmar and rewarded by lifting its ageing economic sanction.

### References

- Alexander, Amy (2010), *Without refuge: Chin refugees in India and Malaysia*, Oxford: Refugee Studies Centre.
- Ahmed, Farhaan Uddin (2017), "Diplomatic protection for the stateless Rohingya-The UN'S capability to defend citizens of the world". *Asia & the Pacific Policy Society*. [Online] Available:<https://www.policyforum.net/diplomatic-protection-for-the-stateless-rohingya/> ( March 22, 2017).
- Ah Oh, Yoon *et al* (2014), *International Responses to Myanmar's Transformation*, Korea Institute for International Economic Policy: World Economy, January 29, 2014.
- ALTSEAN Burma (2010), *Burma's 2010 Elections: The Story so far*, Paris: *International Federation for Human Rights*.
- Bertelsmann Stiftung, BTI (2012), *Myanmar Country Report*, Gütersloh: Bertelsmann Stiftung.
- "Burma's 2010 Elections: A comprehensive report", *The Burma Fund UN Office publication*, January 31, 2010.
- Blake, Chris and Thu, Kyaw (2015), *Suu Kyi's Election Victory Masks Lingering Power of Myanmar Army*, Live Mint, 13 November 2015 [Online] Available: <http://www.livemint.com/Politics/hn6H3ZQRBgfgSSf13tjAXK/Suu-Kyis-election-victory-masks-lingering-power-of-Myanmar.html>, (August 8, 2016).
- Dombrowski, Katja (2017), "Ethnic Cleansing". *Development and Cooperation*, 12 January 2017, [Online]



- Available: <https://www.dandc.eu/en/article/covert-genocide-myanmars-new-government-fails-regard-ethnic-minorities> (March 17, 2017).
- Eckert, Paul (2013), "Sanctions Lifted Against Myanmar -Europe Rewards the Country for Sweeping Reforms, but Continues Arms Embargo", *The Wall Street Journal*, New York, 22 April 2013.
- Fuller, Thomas (2015), Myanmar Military Still Big Power despite Opposition Victory, *The New York Times*, 10 November 2015. [Online] Available: <https://www.nytimes.com/2015/11/11/world/asia/myanmar-military-aung-san-su-kyi-election.html> (March 15, 2017).
- Hlaing, Kyaw Yin (2010), "Daw Aung San Suu Kyi: A Burmese Dissident Democrat", in Lowell Dittmer (eds.) *Burma or Myanmar? The Struggle for National Identity*, Singapore: World Scientific Publishing Co. Pvt. Ltd.
- Htut, Ye (2016), Myanmar's long journey to peace starts in Panglong. *The Strait Times*, 31 August 2016.
- International Foundation for Electoral System Report *Burma's April 1 Parliamentary By-Elections*, June 7, 2012.
- Kipgen, Nehginpao (2013), Myanmar's Kachin problem needs political touch, *The Hindu*, 29 January 2013, [Online] Available: <http://www.thehindu.com/opinion/op-ed/myanmars-kachin-problem-needs-political-touch/article4354510.ece>. (March 15, 2017).
- Kipgen, Nehginpao (2013), "Challenges to Myanmarese reconciliation", *The Hindu*, 8 November 2013 [Online] Available: <http://www.thehindu.com/opinion/op-ed/challenges-to-myanmarese-reconciliation/article5326493.ece> (March 15, 2017).
- Nom, Nang Seng (2016), *Have ethnic groups lost faith in the NLD?*. *The Irrawaddy*. 14 May 2016 [Online] Available: <https://www.irrawaddy.com/opinion/commentary/have-ethnic-groups-lost-faith-in-the-nld.html>, (March 15, 2017).
- Orwell, George (1949), "*Nineteen Eighty Four*", London: Secker and Warburg.
- Refugee Review Tribunal (RRT) (2009), "*Research Response number MMR35154 on Myanmar*", Australia: RRT Research & Information Service Section, 29 July 2009.
- Sein, Kyaw and Farrelly, Nicholas (2016), "Myanmar's Evolving Relations: The NLD in the Government". Stockholm: *Institute of Security and Development Policy*.

# The author conducted an Interview with Mr. Kim, Director of Burma Centre Delhi, Dr Tint Swe former MP of Myanmar, Dr Alana Golmei, Founder Burma Centre Delhi at Burma Centre Delhi office, New Delhi on September 14, 2014.

# The author conducted an Interview with Mr Bonaing, Director, Chin Refugee Centre (CRC), New Delhi at CRC office on September 15, 2014.

#### Notes:

<sup>i</sup> In March 2, 1962, General Ne Win successfully attempted political coup in Myanmar and continuously rule the country for 28 years. Democratically, election was conducted in 1990, but there was no transition of power to the civilian government. In pursuance of democracy, the military junta conducted general election in 2010, after the gap of 58 years of coup de 'tat in 1962.

<sup>ii</sup> In 2012, UNHCR estimated that the number of Burmese refugees settled in India is over 10,000 in population.

<sup>iii</sup> Under the aegis of Chin Refugees Committee (CRC) around 600 refugees protest in Jantar Mantar and march toward parliament street on 30<sup>th</sup> October 2013, protesting against military junta discriminatory policies to the minorities, seeking justice, peace and reconciliation in Myanmar.

<sup>iv</sup> Though the number of refugees arriving in New Delhi is minimal for the past 2 years, number of Myanmar refugees returning to Myanmar is not known.

<sup>v</sup> Mention may also be made that, in an interview conducted to some Myanmar educated refugees, they did not believe in Indian system of democracy as discriminations and the gap between the rich and poor is so high. American system of democracy is also said to be impractical in their country due to their pathetic economic conditions. Response to the questionnaire can be obtained from the author within 4 months from the date of publication.