



MYANMAR VOTES

by Gibson Haynes

For only the second time since the cessation of direct military rule in the 2008 constitution, Myanmar is holding general elections. On November 8, more than 90 registered parties fielded candidates competing for parliament seats in what are likely the most credible elections thus far. Whatever the outcome at the polling booths, the results will be a test for the nation's nascent democratic system. So how does the electoral system of Myanmar work? Who is competing? And what, precisely, is at stake?

In 2008, a military-drafted constitution set Myanmar on a path to transition out of six decades of military rule. Liberalizing the authoritarian system led to a set of elections in 2010, in which the Union Solidarity and Development Party (USDP), led by former general Thein Sein, established a civilian government nominally independent of the military. However, this election was boycotted by the largest opposition party, the National League for Democracy (NLD), as many of its leaders remained political prisoners at that time. Even today, its leader Nobel Laureate Aung San Suu Kyi remains barred from holding high office by an article in the constitution.¹ In the 2012 by-elections to fill vacant seats, NLD-affiliated politicians won four seats in the upper house of Myanmar's Parliament and thirty-seven in the lower house, and it seems likely that the party will make more gains after this week's election.²

This week's vote will determine the members of both houses of Parliament, in a first-past-the-post system, as well as legislatures in Myanmar's fourteen states and regions. As of early September, 93 parties were registered to participate, but only four parties have a national presence: the USDP, NLD, the Shan Nationalities Democratic Party (SNDP), and the National Unity Party (NUP).³ Most other parties are concerned primarily with a single state, region, or

¹ Nehru, Vikram. 2015. 'Myanmar: Mechanics Of The Elections'. *Carnegie Endowment For International Peace*. Accessed November 6 2015. <http://carnegieendowment.org/2015/09/10/myanmar-mechanics-of-elections/iklo>.

² Keane, Fergal. 2015. 'Myanmar's Aung San Suu Kyi: NLD Has Won Election Majority' *BBC News*. Accessed November 10 2015. <http://www.bbc.co.uk/news/world-asia-34773858>.

³ Nehru, Vikram. 2015. 'Myanmar: Mechanics Of The Elections'.

ethnic group, and their existence exemplifies the highly local and personalized nature of the country's political tradition.⁴

One notable flaw already marring the election is the widespread disenfranchisement of the Rohingya community - many members of the Muslim minority have been displaced due to violence in Rakhine state, and thus lack citizenship and identity documentation required to vote.⁵ Additionally, continuing armed conflict between the military and armed ethnic minority groups in several states - fragments of Myanmar's decades-long civil war - places limitations on the credibility of elections and can depress voter turnout, even though reports indicate that polling place violence was quite minimal.⁶ Concerns over fraud and corruption in vote counting and resolving close races, coupled with practical capacity restraints, are most likely to skew the final results. However, the Union Election Commission has made honest efforts, inviting advisors from the International Foundation for Electoral Systems alongside election monitors both foreign and domestic, to make this the most credible election yet.⁷

After votes are counted, a good deal of political horse-trading is likely to occur. Although projections for the NLD's performance are generally optimistic, the party faces an additional hurdle in acquiring a governing majority: the military directly controls one quarter of the seats in each house of Parliament.⁸ These seats are appointed by the commander in chief of the armed forces and offer a scenario where the military-friendly USDP, though receiving fewer seats than the NLD in absolute terms, may yet establish a majority coalition. With closer results, SNDP, NUP, and minority parties will play the role of kingmakers, and it will be very interesting indeed to watch the coalitions form.

The key question - which parties will recognize the election results when they are announced in the next two weeks? A landslide victory for the NLD will test the resolve of democratic reformers and challenge the military, which currently possesses the constitutional right to reclaim power and dissolve the constitution at its discretion. A too-rapid pace of reform likely

⁴ Roughneen, Simon. 2015. 'Myanmar's Economic Policy: Suu Kyi's Party Drops First Hints On Plans'. *Nikkei Asian Review*. Accessed November 6 2015. <http://asia.nikkei.com/Politics-Economy/Economy/Suu-Kyi-s-party-drops-first-hints-on-plans>.

⁵ Nehru, Vikram. 2015. 'Myanmar: Mechanics Of The Elections'.

⁶ Matsui, Motokazu. 2015. 'Myanmar's Civil War: End To Conflict Remains Elusive As Peace Talks Falter'. *Nikkei Asian Review*. Accessed November 7 2015. <http://asia.nikkei.com/Politics-Economy/Policy-Politics/End-to-conflict-remains-elusive-as-peace-talks-falter>.

⁷ Nehru, Vikram. 2015. 'Myanmar: Mechanics of the Elections'.

⁸ Nehru, Vikram. 2015. 'Myanmar's Military Keeps Firm Grip On Democratic Transition'. *Carnegie Endowment For International Peace*. Accessed November 07, 2015. <http://carnegieendowment.org/2015/06/02/myanmar-s-military-keeps-firm-grip-on-democratic-transition/i9d7>.

motivated the ouster of Parliament Speaker Shwe Mann from the USDP in August, which does not reflect well on the military's current feelings of tolerance to even supposedly allied voices.⁹ However, regardless of the outcome, the 25% of seats held by the military ensure it veto power over major votes, including constitutional amendments; this safety valve may be enough to reassure uneasy generals. A particularly strong showing for the USDP may provoke the opposite problem - should the NLD or particularly Aung San Suu Kyi denounce the results as illegitimate, it could severely impact the international perceptions of the new administration.¹⁰ And should ethnic minority parties receive particularly skewed results, the agonizingly slow process of agreeing to ceasefires, establishing federalism, and encouraging national integration could be set back yet again.¹¹

International recognition is no laughing matter for Myanmar. The country has engaged in an incredibly ambitious program of reform, attempting to liberalize both economically and politically while simultaneously bringing about a permanent end to the grinding civil war that has lasted more than sixty years.¹² As the process is dependent on the goodwill of the military, balancing competing priorities of reform and stability will often make progress appear slow and elliptical at best. All the same, the military does not hold all the cards; its leaders have prioritized the economic development and integration that come with opening up to the global economy and are leery of incurring sanctions so recently lifted. For many (though of course not all) nations, continued economic engagement with Myanmar is predicated on continuing political reform. Poverty and unemployment reduction can lend legitimacy to Myanmar's current path, a fact that should feature heavily in the military's thinking in the coming days.

⁹ Ibid.

¹⁰ Richburg, Keith B. 2015. 'Will Myanmar's Messy Reform Process Work? History Says Yes'. *Nikkei Asian Review*. Accessed November 6 2015. <http://asia.nikkei.com/magazine/20150219-India-s-got-the-bright-stuff/Viewpoints/Keith-B.-Richburg-Will-Myanmar-s-messy-reform-process-work-History-says-yes>.

¹¹ Matsui, Motokazu. 2015.

¹² Nehru, Vikram. 2015. 'Introducing Myanmar Votes 2015'. *Carnegie Endowment For International Peace*. Accessed November 10 2015. <http://carnegieendowment.org/2015/04/30/introducing-myanmar-votes-2015/i80r>.