



Myanmar: election boycotts and democracy?

by David I. Steinberg

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For many years, we have learned about cryptic events in Burma/Myanmar from rumors. We had hoped that this would change with the elimination of censorship, and there has been much progress. But rumors still abound and decision-making is often still opaque.

According to some reports, Aung San Suu Kyi has said that if the 2008 Myanmar constitution is not changed to allow her to compete for the presidency, her party – the National League for Democracy (NLD) – will boycott the 2015 elections. Others in the party say this is not true. She is currently prohibited from being (indirectly) elected by the Burmese Parliament (*Hluttaw*) for the presidency or vice presidency because family members hold foreign passports.

During her many recent trips abroad, she stated that she wanted to become president, and sought foreign support for her aspirations, which under current conditions means amending the 2008 constitution – a no small consideration as it involved a 75 percent vote in the Parliament and a national referendum – effectively, military approval. Although it seems evident that she would be elected to the *Hluttaw*, there is little doubt that if she is prohibited from being elected to leadership there will be an outcry from foreign elements, especially the United States. How strong an outcry, if the elections are otherwise deemed free and fair, is unclear, and potentially an important US policy decision.

It might be prudent to remember two Myanmar precedents concerning foreign family citizenship and high public office: Gen. Khin Nyunt (Secretary One and head of military intelligence) in the 1990s disowned a son because he married a foreigner, and the first choice for vice president under President Thein Sein could not take that position because of an Australian citizenship in his family.

Boycotting elections is problematic: they are an essential element of the democratic process. The sad state of Thailand illustrates the dilemmas involved. There, anti-government forces decided that since they could not beat the incumbents, they prevented elections from having any legitimacy by boycotting them. That drama may take long to be resolved.

A democratic process exists on two levels – in the state and inside the parties. National by-elections held April 1, 2012 were considered free and fair, reflected by the fact that they were swept by the opposition NLD, while the general elections of November 2010 were evidently broadly

manipulated, giving the government an implausible majority. How will the NLD internally determine whether boycotting would be in their interests, in the interests of democracy that they espouse, or in the interests of the state as a whole?

In the past, Aung San Suu Kyi has determined NLD policies, and many leaders of that party have publicly said that if she wanted something, they would follow. A few who have not agreed have had to leave the party to have their voices heard. So one issue that will be closely followed is, how democratic are internal NLD processes?

Whether Aung San Suu Kyi is allowed to run for high office with a constitutional amendment, the internal actions of the NLD are not inconsequential. The population as a whole is just beginning to understand what democracy means, as for years they were denied access to such concepts except through illicit communications, such as foreign radio broadcasts. As the democratic opposition, the NLD needs to set an example.

The NLD may be in a dilemma. If it boycotts the elections because of a refusal to change the constitution, then the government can easily afford to make them free and fair, and expect a favorable result, at least in majority Burman areas (in minority areas ethnic political parties may dominate). And if they are free and fair, then the new government will have a legitimacy that the NLD will not be able to challenge. If the constitution is not changed, and the NLD does not boycott the election, then Aung San Suu Kyi would effectively be cut out of the presidential race, but the NLD would still lend legitimacy to the new president, and another elected NLD member could pick up a vice presidency.

The participation of the NLD, other opposition groups, and minority-affiliated parties in the 2015 general elections would be an important indicator of political progress. We can only hope that the government will understand that it is in the interests of the people to have free and fair choices of their representatives, and that a broad spectrum of views may be present. The constitution needs amending in a variety of provisions to ensure greater pluralism and progress. But the elections themselves will be a landmark, and if the campaigning and the elections are conducted under democratic principles, that will be progress, and the Burmese peoples could be proud of that result. Constitutional changes will come as greater confidence is built into the new political process – as the military recognizes that civilian leadership is not the anathema they have long postulated. But it would be unwise to prejudge these elections only on the basis of whether one person has been denied the chance for national leadership.

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