1: Overview

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The military government in Myanmar, operating as the State Peace and Development Council (SPDC), maintains a firm, but increasingly contested hold on power and the country continues to stagnate economically and politically, while its social infrastructure deteriorates. The regime manages to hold out against various campaigns by its political opponents inside and outside the country, and in particular has been successful in expanding its presence into areas where it negotiated cease-fires in the 1990s and in consolidating its control over much of Karen State in eastern Myanmar. It also survived a UN Security Council vote in January 2007, but achieved this only through continued repression and abuse of power, and through loyal support from its UN Security Council backers, China and Russia.

There was little movement in the political situation between the end of 2005, when the government relocated to a new capital, Naypyitaw near Pyinmana in the centre of the country, and the end of 2007, when the military regime finally began work on a new constitution. No plausible reason has ever been given for the move to the new capital, although judging by official statements and behaviour, a primary reason seems to be to provide the security-obsessed regime with greater security and to present a more dignified and impressive 'front' to the Burmese people and to the outside world. The move to a new government/military headquarters in a remote site where access by the ordinary population can be controlled symbolises the extent to which the regime has become isolated from the people and the extent to which its priorities diverge from pursuing the wellbeing of its people.

Not surprisingly, international and media attention has focused on Myanmar in the past year, and in particular on the widespread non-violent mass street protests that occurred in towns and cities across the country without warning between late August and early October 2007, and the savage crackdown against protesters eventually authorised by the military regime. Nominally, and initially, these protests were in response to excessive price increases for fuel imposed by the SPDC, but in reality they were the result of longstanding, pent-up frustration on the part of the people with what they generally saw as the hopeless situation of their country and the reckless economic mismanagement of the military. The protests provided the world with unmistakable 'live-to-air' evidence of the extent to which the military had lost the support of the normally submissive population. It also demonstrated the extent to which ordinary people were now

willing to express their opposition to the military regime without resorting to violence while knowing the likely cost to their personal liberty. In this volume, chapters by Richard Horsey (Chapter 2) and Win Min (Chapter 3) provide in-depth analyses of these events, and of the attitudes and actions of the military leadership in response to these developments.

The 2007 protests were not isolated events, although they were larger than any protests before or after the nationwide pro-democracy uprising in 1988. They were not just a momentary explosion of pent-up frustration; they reflected the accumulated animosity of the people, and now the Buddhist *Sangha*, towards the economic mismanagement of their military rulers. During the previous two years, new political groups, such as the '88 Generation Students Group, had been increasingly occupying the centre ground of opposition to the military regime, as the National League for Democracy (NLD) slipped into decline with Aung San Suu Kyi's prolonged detention and the continuing campaign of harassment of NLD members by the security forces.

On a political level, lacking any alternative strategy, the SPDC persevered with what it described as its national reconciliation 'road-map'. The National Convention, resuming in May 2004 after being suspended for eight years, concluded in September 2007 after adopting guidelines for a new constitution. A constitutional drafting commission was set up by the SPDC in October 2007, comprising 54 members nominated by the SPDC. These members represented a highly selective cross-section of the population, including several lawyers. It was by no means an 'independent' body and was even less democratic in its membership and processes than the earlier National Convention. In February 2008, before the text of the constitution had even been made public, the SPDC announced that a referendum on the new constitution would be held the next May. When it finally appeared, the text of the constitution ran to 300 pages, but was not made widely available, and voters were expected to endorse it without seeing it.

Free campaigning and debate were not permitted ahead of the referendum, with detention, arrest and incarceration instead for any public opposition to it. This did not stop opposition groups from making their views known and calling for a 'no' vote or, in some cases, a boycott. The vote was initially scheduled for 10 May 2008 and voting in most of the country occurred on that day. In some areas devastated by Cyclone Nargis (which made landfall in the Irrawaddy Delta on 2 May), voting was postponed until 24 May. International condemnation of the military regime ensued when it became clear that the referendum and not immediate and widespread disaster relief was the top priority for the ruling council.¹

The Myanmar Government refused to allow independent election monitors to witness and verify the voting process, and few international observers (such as

journalists or other experts) were present. Not surprisingly, there were widespread and plausible reports of intimidation of voters and of pre-stamped 'yes' votes being handed to voters. It is also alleged that considerable electoral fraud occurred, but this has not been independently confirmed. According to the Myanmar authorities, the final vote resulted in 92.9 per cent support for the constitution from 90 per cent of eligible voters—neither figure being credible nor adding any legitimacy to the process.

The National Convention and the referendum were seen as fundamentally flawed by opposition groups and the international community alike. The SPDC ignored pleas from the UN Secretary-General to make the process more inclusive, by including legally registered leading opposition groups, such as the NLD, the Shan Nationalities League for Democracy and the Karen National Union. The main opposition groups and Western governments dismissed the process as a sham. As the only path towards political change permitted by the military, the SPDC's national reconciliation process is still reluctantly supported (or not actively obstructed) by some Myanmar citizens as being at least a way forward. It is, however, being met by increasingly high levels of cynicism from a population that does not expect any real transfer of power to occur or any improvement in its situation. In view of the widespread and undisguised use of intimidation employed in the conduct of the referendum, however, the SPDC's national reconciliation road-map lacks credibility more than ever before—inside the country and internationally.

As for the constitution, the text contains no surprises and enshrines military control of the State through the head of state, who has the power to dismiss the parliament and appoint the chief justice. Through the military holding 25 per cent of the seats in the parliament, it can block amendment of the constitution, which is, in some ways, the most important power of all. Not surprisingly, the consensus of expert opinion seems to be that the greater formal concentration of authority in the head of state, with no apparent checks or balances on this power, represents a greater predisposition to dictatorial power than any previous Myanmar constitution. While this might reflect a historical pattern for former Myanmar monarchical rulers, it in no sense reflects the greater diversity and democratically inclined attitudes that are increasingly evident in modern Myanmar society, however suppressed they might often be. Indeed, the special status conferred on the military in national and regional assemblies, when the military is neither a pluralistic nor a transparent institution, legitimises a perpetuation of de facto military control of the affairs of state. Concerns focus on the fact that the head of state can be selected only with the support of the military (constituting one-third of the 'electoral college') and that the head of state, once chosen, can then unilaterally declare a state of emergency, suspend the parliament and dismiss the chief justice.

Always a major obsession of the SPDC, internal security remains somewhat fragile but no real threats to the State are evident. After the abolition of the military intelligence organisation in 2004, the regime's political controls under the special branch of the police and Military Affairs Security (MAS) remain tight. In the first few years of the MAS, Myanmar citizens, especially in Yangon, reported less overt pressure from the authorities. This has changed since the 2007 street protests, and the security forces have reverted to knee-jerk arrests and detention whenever any sign of dissent is detected. If anything, the number of political prisoners who have only ever protested peacefully is larger than for many years, even though token releases are occasionally made. More importantly, the regime still stops short of bringing formal charges against its main opponents, Aung San Suu Kyi and leaders of the '88 Generation Students Group, illustrating just how insecure and unsure of its political ground it remains.

It goes without saying that there is little sign of opening up or genuine relaxation of government policies of any kind. Government practice alternates between familiar repression and occasional relaxation, without any clear indication of a strategy for the future. Although it continues a half-hearted relationship with the UN Special Envoy Ibrahim Gambari, its overall relations with the United Nations deteriorated after Cyclone Nargis, when it initially refused and then delayed permission for UN agencies to undertake normal relief efforts. The SPDC's curmudgeonly attitude over these matters has seriously alienated public opinion everywhere: even the Association of South-East Asian Nations (ASEAN) and Myanmar's neighbours felt moved to criticise the regime's unwarranted negative approach to relief. Its own people felt so disgusted that they took to the road themselves to take relief supplies to cyclone victims in the affected areas. How the military authorities envisage managing such challenges under a new political arrangement after the promised 2010 elections is not clear.

Myanmar's economy continues its slow decline, saved only by a few resource projects and only partially regulated exports of raw materials. There is evidence that poverty has increased (World Food Program 2007) and employment prospects remain extremely limited. There are still no signs of badly needed, meaningful economic reforms even though the International Monetary Fund (IMF) continues its consultation processes with the SPDC. The SPDC's tight control and exploitation of all national economic assets, despite a growing private sector, are made more essential as Western financial sanctions curtail trade, tourism and investment levels and significantly complicate the country's international economic transactions. U Myint (Chapter 4) illustrates how erroneous data are used to create a false sense of progress, while Sean Turnell, Alison Vicary and Wylie Bradford (Chapter 5) offer a case study of the informal remittance system as evidence of how the majority of the population has abandoned (and in many cases has never been a part of) the conventional banking system. They argue compellingly that the growth of the remittances system is a direct result of the

lack of trust and confidence in the official financial system, which is essentially dysfunctional for these purposes. Denied access to normal multilateral assistance, the SPDC has increasingly been forced to rely on China and other neighbours for investment and trade. In Chapter 6, Toshihiro Kudo explains the impacts of Myanmar's growing economic dependence on China, and how it has been blocked from receiving more beneficial and more sustainable outcomes from international assistance.

While the country still lacks the volume of international assistance going to other least-developed countries, levels of assistance to Myanmar have increased significantly since the European Union and other donors relaxed their approaches to assistance. Concerns are growing about the cumulative effect of years of neglect of Myanmar's education and health sectors. More than 30 per cent of children under five suffer from malnutrition; the HIV/AIDS epidemic has spread from high-risk groups into the general population, affecting at least 1.3 per cent of the adult population and claiming an estimated 37 000 lives in 2005 alone; and morbidity and mortality rates for malaria and tuberculosis remain very high, with incidences of drug resistance rising for both diseases.² Life expectancy in Myanmar is lower than most countries in South-East Asia. Clearly, a comprehensive system of public welfare and health care is urgently needed (Duffield 2008). How serious is the crisis affecting the public health system? What are the prospects for improving if not eliminating the main diseases undermining people's health and for a normal healthy lifestyle? Will the military government's 2010 health plan have an effect on the health statistics of the nation? What effect will the 'Three Diseases Fund' have on the statistics?

Although universities have remained open more or less continuously since 2000, and many new institutions of higher education have been set up, the quality of learning and teaching and overall academic standards have declined noticeably. Primary education is beset by problems of poor attendance rates, lack of educational materials, increased costs for parents and poorly trained, unmotivated teachers. Nearly half the school-age children never enrol and about only 30 per cent complete five years of primary education. In addition, there is still considerable discrimination in education against minority groups. Han Tin (Chapter 7) explains how the drive for better education can be a vehicle for change and identifies the frustrations that are leading parents and students to go outside the public system in their quest for quality learning. While he sees advantages in this as far as it adds to the diversity of education, he nevertheless calls for specific international assistance to overcome some of Myanmar's educational deficits. Will restoring ethical values to an important place in the education system bring other badly needed societal improvements, as he claims?

Many Myanmar citizens seeking a decent education still find other countries far more attractive, so the country's 'brain drain' continues. This phenomenon

clearly has implications for the nation's education system, as well as for the fostering of the important capacities needed for national development. One visible impact is that many secondary students are moving to alternatives to the government schools (private or monastic education), as the chapters by Marie Lall (Chapter 8) and Jasmin Lorch (Chapter 9) outline. Lall describes a rather chaotic situation as commercially driven schools proliferate, because the state system no longer provides for basic needs. She outlines how this happens with government controls and regulation often quite unclear. Lall demonstrates that while the regime has allowed educational institutions to decay by denying resources to the state education system, this has had the perverse effect of loosening the regime's control over society.

Lorch describes the decline of the state system and attempts by civil-society groups such as the monastic networks to step into the gap. She highlights the capacity shortfalls that persist. She argues that, from the perspective of increased demands imposed on monastic education, the September 2007 uprising can be seen as 'the outcome of an overstrain of community self-help networks to cope with the pervasive failure of the welfare state'. She demonstrates how civil society is emerging where the State is weak or failing for all its authoritarian characteristics, namely in welfare-support institutions and in cease-fire areas generally, but she does not see Myanmar as a unique case. Her chapter also explains how young monks from monastic institutions came to lead the protests in 2007. In areas outside the formal system, however, such as extra tuition, early childhood development, specialised community-based schools and Christian seminaries, Lorch describes a highly confused situation as communities struggle to bridge gaps. Surprisingly, this confusion extends into the policy and regulatory frameworks that govern the operation of non-government education, where an unexpected degree of tolerance of different approaches exists alongside considerable uncertainty. In Lorch's words, 'The rigidity of the regime's educational policies certainly does not reflect the [blurred] reality on the ground.'

A consistent theme across the non-government education system is the strong push for access to international education and international recognition of qualifications. This is, of course, one of the major deficiencies in the current state-run system. The same pressure is evident in Mohammed Moyuddin Mohammed Sulaimon's chapter (10) on Islamic education, which presents a comprehensive picture of that little-known sector. He also shows how little effort is being made to allow Muslims to find a meaningful role in Myanmar society without seeking higher educational qualifications overseas. Madrasah learning seems to exist in isolation of any practical goals it could achieve either for its students or for Myanmar society. He claims that the Myanmar regime 'has never made any serious attempt either to reform madrasahs or to incorporate them into the mainstream of the present national education system', despite their constant security concerns about Muslims. Somewhat surprisingly, he paints a regulatory

picture of considerable disarray and asserts that there are 'no clear-cut rules and regulations as to what a madrasah could do or not do'.

Monique Skidmore (Chapter 11) portrays a confusing array of health options available as many of the population seek alternatives to the over-stretched public health system. She highlights the ethical dilemmas faced by international donors obliged to work with an omnipresent, but often ineffectual government apparatus that deals out retribution rather than effective health services. Even before the advent of Cyclone Nargis in May 2008, Skidmore drew attention to the comprehensive inadequacy of the government's emergency health mechanisms. She points out how, as with education, affordability is limiting access to a great deal of health care and placing it beyond the reach of ordinary people. Worse, she catalogues the lack of trauma and psychological care, and makes a case that massive abuses against humanity are occurring through the deliberate withholding of health care.

Mahn Mahn and his colleagues Katherine C. Teela, Catherine I. Lee and Cara O'Connor (Chapter 12) provide empirical evidence of the widespread adverse impact on health-service delivery of chronic insurgency, authoritarian administration, increased militarisation and the abuse of human rights in Myanmar's eastern border area with Thailand. The Back Pack Health Workers' Team represents a significant alternative approach, based on grassroots operations working to a clear and effective strategy, but without any government direction or regulation. In other words, it is an approach that succeeded in a situation in which a central government role was entirely absent. Of course, the backpack system exists alongside the chaos of the country's continuing civil war.

These were among the main themes covered in the 2007 Myanmar/Burma Update conference. The chapters in this publication provide an analysis of recent developments and some examine more closely the policy implications of these developments. One striking feature of the conference was the parallel phenomena of a population increasingly opting out of participation in government-backed services. Just as people have abandoned the banking system, preferring informal mechanisms, they have been observed leaving the public education and public health sectors in favour of more reliable alternatives. This does not foreshadow the disappearance of 'the State' by any means, but it represents the spread of alternatives that are generally less susceptible to state control and orthodoxy.

The final significant development is the clearly demonstrated inability of the military regime to control media coverage of unfavourable events inside the country. This is occurring even though no foreign journalists are permanently stationed inside the country, and journalists based in neighbouring countries are refused visas to cover events such as the 2007 demonstrations or Cyclone Nargis. The phenomenon of 'citizen journalists' using mobile-phone and web-based technologies (such as 'twittering' and 'blogging') brought Myanmar

citizens and international audiences some of the most frightening and inspiring images of the 2007 popular street protests. The image of detained NLD leader, Aung San Suu Kyi, appearing from her compound to greet protesting monks who had marched to her house shows the power of political persuasion that ordinary Myanmar citizens can create through their use of these outlawed technologies. Who can predict where these trends might lead? As we have seen in other countries, such transforming technologies can be immensely valuable for desperate and frustrated citizens determined to oppose excessive and inhuman authoritarian controls.

While we can expect the years 2009–10 to bring significant political developments in Myanmar at a superficial level, it is by no means clear that these will bring any substantive change. Most observers doubt that this so-called ‘reconciliation’ will achieve any satisfactory accommodation between the regime and its opponents, with protests and other forms of resistance inevitably continuing. The appointment of a minister for relations with the NLD could have presaged a new approach, but the complete inactivity in this role by Major-General Aung Kyi suggests that in reality the military leadership has no intention of engaging directly with the NLD, or for that matter with any of the other opposition groups. The refusal of Aung San Suu Kyi to meet with the UN Special Envoy in August 2008 shows the lack of credibility the reconciliation process has for the main opposition party. There continues to be almost no political ‘space’, and virtually no meaningful or credible public space or process, within which differing views might be tolerated by the authorities or some form of political negotiations attempted.

What kind of accommodation can be forged between the military leadership, cease-fire groups and non-military elements, as is now being advocated in some quarters? Can some continuing relationship be formed that acknowledges the reality of the military’s intention to continue to control the country, while allowing greater freedom for individuals to improve their socioeconomic conditions? With the continued inability of the United Nations to play a meaningful reconciliation role, can the international community have any influence over the Myanmar authorities and, more importantly, can any alternative way emerge from inside the country? Although the new constitution (on paper) provides for something close to a federal system, with regional assemblies deciding local matters—which would appeal to many of the cease-fire groups such as the Wa, the Kokang, the Mon and the Kachin—unparalleled scepticism prevails about whether the military will really allow the regional dispersal of real power in this way. If it does not, tensions between the SPDC and minority populations will continue and could escalate, as expectations for genuine power sharing on the part of cease-fire groups are unfulfilled.

Finally, there is little or no evidence of long overdue policy reforms for the economy being foreshadowed. In critical sectors such as health and education, as increasing numbers of citizens flee the state-run systems, state capabilities and policies are becoming increasingly irrelevant. As young Burmese leave the country in growing numbers because of the lack of career or professional opportunities, or alternatively turn to working with international non-governmental organisations (NGOs), state institutions and mechanisms are again being marginalised. As long as these alternatives to state institutions remain, even if they are not palatable to all, any incentives or pressures at work to reform failing state institutions will continue to diminish, making true reform all that more difficult to achieve, especially in the absence of effective international pressure for such reforms. The comprehensive failure of the State, however, and therefore its abandonment by a justifiably cynical population cannot be ignored indefinitely. Moreover, the increasing poverty and depressing lack of economic and social opportunities for its citizens are sources of concern even for Myanmar's neighbours. Fundamental to the task of creating a better life for the people and the country is political reform that should be enshrined in the constitution. Unfortunately, the continued ineffectiveness of the United Nations and the international community to press for change, and the continuing repression of all peaceful protest within the country, mean that there continues to be no progress in efforts to improve the lives of Myanmar people.

References

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- Safman, Rachel 2007, Presentation, 2007 Myanmar/Burma Update Conference, Canberra.
- World Food Program 2007, Press release, 18 October 2007, <www.wfp/English>

Endnotes

¹ The SPDC eventually yielded to some of the demands of the international community for better access as a trade-off for increased assistance, but the international community committed little such assistance. See the Post-Nargis Joint Assessment (<www.asean.org/21765>), which, 'in addition to being the first post-disaster assessment to be led by a regional organization, is also the first assessment to attempt to provide an integrated and sequenced approach to humanitarian, including relief and early recovery, and medium and long term recovery needs, closely focused on providing direct assistance to families and communities.'

² For comprehensive health-indicator data, see the World Health Organisation web site (<www.who.org/int/eng>), although some figures are dated. For recent data on HIV/AIDS, see Safman (2007).