

High Risk of Electoral Violence in Myanmar

With reference to studies of electoral violence in India, we assess the risk of violence in the run-up to Myanmar's 2015 general elections – the litmus test for the country's democratic transition.

This policy brief explains Myanmar's increasing problems of religious and ethnic violence and anti-Muslim agitation as aspects of competition for political power. Underlying distrust between religious and ethnic groups is exploited by powerful political actors to stir up violence for the purpose of winning swing votes. There is therefore good reason to alert policy makers and local communities to the risk of renewed violence in connection with the elections in 2015, particularly if groups within the Myanmar Army involve themselves in the struggle for political power. There is an added risk of violence if ethnic-minority parties fail to win political representation at the Union level. Ethnic militias could then initiate armed confrontation with the government. The brief concludes by suggesting measures to reduce the risk of renewed violence before, during and after the elections.

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Much is at stake in the general elections planned for November 2015. The party of the former regime, the Union Solidarity and Development Party (USDP), in alliance with the twenty-five percent of MPs appointed by the military to keep control of the transition, is eager to prevent the National League for Democracy (NLD) from winning an overwhelming majority of elected seats, and to deny the presidency to Aung San Suu Kyi. This strategy would accord with the former junta's seven-step roadmap to 'discipline flourishing democracy', which dates from 2003, and with the contested 2008 constitution: a multi-party system with statutory guarantees of military influence and the right of the military to intervene should it apprehend threats to national security.

The main opposition party, the NLD, has called for amending the constitution to enable its popular leader, Aung San Suu Kyi, to become president, and to reduce the role of the military in the Union parliament, the State and Region assemblies, and in the government. While most ethnic-minority parties share the aim of reducing the power of the military, their main goal is to change the structure of the state from a unitary to a federal system, ensuring self-government for the States or autonomous areas. This question will also be the focal point of a national trilateral political dialogue of the government, ethnic armed groups, and political parties once a national ceasefire has been achieved.

In this uncertain political landscape many criss-crossing lines of conflict may lead powerful people within the system to think that violent incidents might secure their power. Marginalised ethnic groups may be similarly persuaded.

Reforms and Violence

Four years have passed since Myanmar's military junta started the democratic transition by holding multi-party elections to the bicameral Union assembly and the State and Region assemblies. Those elections were strictly controlled by the junta and therefore boycotted by many political parties, including the NLD. If the 2015 elections are held as planned, they will be the first opportunity in decades for a genuinely free expression of the popular will. In April 2012, after talks between Aung San Suu Kyi and President Thein Sein

of the USDP, the NLD decided to field candidates in by-elections; it won 43 of the 45 seats at stake. Nine weeks later, ethnic riots erupted in Rakhine State between Rakhine Buddhists and Rohingya Muslims. Riots broke out again in October the same year, leaving almost two hundred dead and more than 100,000 people – mainly Rohingya Muslims – displaced.

The conflict in Rakhine State is deeply-rooted in ethnic disputes dating back to colonial times, but there is every reason to believe that the surge of violence in 2012 was the culmination of heightened jockeying for power since 2010. Not only was the violence in June and October 2012 directed towards an ethnic group – the Rohingya – but it also echoed anti-Muslim undertones widespread in Myanmar; in 2013 and 2014, anti-Muslim violence was instigated in a number of places, including Meiktila, Okkan, Lashio, Kanbalu, Thandwe and Mandalay. Anti-Muslim lobbying by the Buddhist nationalist Committee for the Protection of Nationality and Religion (Ma Ba Tha) and the so-called 969 movement has injected religious cleavages into Union-level politics. After receiving a petition with more than 1.3 million signatures in July 2013 – demanding protection of the 'national race and religion' – President Thein Sein announced four draft bills in May 2014 that are still awaiting presentation to the Pyidaungsu Hluttaw (Union parliament). Among other things, these would restrict religious conversion and prevent women from marrying men of a different religion, and are all aimed at the Muslim population.

The focus on religion has turned political debate away from issues like employment, education, health care, land rights, democratisation, power-sharing and constitutional amendments. It is not unlikely that the ruling party, the USDP, as well as the Tatmadaw (the armed forces), both of which lack credibility on these issues, would benefit from a shift of focus to religion and security, while the NLD, which enjoys high credibility on the same issues, would suffer. In light of the widespread anti-Muslim sentiment among Bamar Buddhists in Myanmar, the NLD risks losing votes if it is perceived as 'soft on Muslims'.

Electoral competition

Rising anti-Muslim sentiment and violence are no doubt related to the 2015 elections. As

in other ethnically and religiously divided countries, underlying religious suspicions can be easily exploited.

Steven I. Wilkinson has concluded, for example, that most religious violence in India has resulted directly from electoral competition, rather than, as might otherwise be expected, from socioeconomic or demographic factors. Latent enmity towards a minority group in an electoral constituency is exploited by politicians to win over pivotal swing votes (Wilkinson, *Votes and Violence: Electoral Violence and Ethnic Riots in India*, 2004: 4)

Indeed, Wilkinson finds that communal violence is most frequent in competitive constituencies, where a close result in a previous election creates the expectation of a close result in the future. Politicians play the religious card in order to reduce the appeal of parties that highlight other identities or socioeconomic interests such as poverty alleviation. On the other hand he finds that State governments can prevent religious polarization from leading to large-scale violence, if it is in their interest to do so. Where more than three parties compete, there is greater incentive to appeal to a religious minority and to eschew the instigation of violence. In most cases where violence has escalated, those who control the police or armed forces have deliberately allowed it (Wilkinson 2004: 139-140).

Although there are great differences between the two countries, Wilkinson's findings from India seem relevant in the case of Myanmar. Bipolar competition is to be expected in many constituencies – between the NLD and the USDP in Bamar-dominated constituencies, and between the NLD and the leading ethnic party in some constituencies in which an ethnic minority is dominant. This is likely to tempt some actors to emphasise religious or ethnic cleavages in election campaigns.

We also know that the Tatmadaw and Myanmar police have been slow to act in some cases of ethnic or religious violence. While the authorities have blamed this on difficult circumstances, unless there are deep divisions between various branches or factions of the armed forces (the Myanmar police come under the Ministry of Home Affairs, controlled by the Tatmadaw) there is no reason to think that they lack the capability to prevent or stop communal violence. While the inner

dynamics of the Tatmadaw remain obscure, there is little indication of serious infighting. On the contrary, over the past decade the Tatmadaw has operated with a high degree of unity and increased professionalization, and should have the required capability to prevent ethnic and religious violence (Croissant & Kamerling, “Why Do Military Regimes Institutionalize?”, 2013: 118).

NLD vs. USDP

Despite numerous political parties, the election campaign in Bamar-dominated constituencies is likely to become a bipolar competition between the NLD – which could win by a landslide – and the ruling USDP, which will be looking for ways to prevent that from happening. With the democracy icon Aung San Suu Kyi as chairperson, the NLD is by far the most popular political party among the Bamar majority. Although the party is controlled by a closed circle and has yet to develop democratic processes for recruiting candidates and leaders, it nonetheless has the unique advantage of a strong grassroots organisation with active members in most of the country. The NLD is the only party to enjoy this advantage.

The USDP has nothing of the kind. It is the successor to the former junta’s mass organisation the Union Solidarity and Development Association (USDA), and is primarily an elite organisation with a strong presence in the Union, State and Region parliaments (Hluttaws), but with little local activity. And although Thein Sein and his government command respect for a certain level of decency and achievement, the USDP is too firmly associated with Myanmar’s long military dictatorship to compete with the NLD in a fair election. All the USDP leaders were senior Tatmadaw officers before entering politics in 2010. Some were even members of General Than Shwe’s junta, the State Peace and Development Council (SPDC). With substantial resources and the backing of powerful people, the party may be able to mobilize a well-funded election campaign, but it will fear the same fate as the elite parties in 1990, when the NLD won by a landslide in the election for the proposed constitutional assembly. Party leaders will also have noticed how the military’s candidate lost the recent presidential election in Indonesia to the charismatic democrat Joko Widodo.

In this volatile situation it might be wise to watch for factions within the ruling party that might seek to shift the focus from political issues towards nationalist rhetoric, hate speech or religious agitation. This in turn could pave the way for nasty tactics in a desperate attempt to prevent the NLD from making a clean sweep. The party won all but one of the seats it contested in 2012.

A national census, which included sensitive questions about ethnicity and religion, was undertaken in April 2014. Except for total population figures, no results have yet been published. The number of Muslims in Myanmar has long been claimed by the authorities to be much lower than independent analysts’ estimates – about 4 percent in the 1983 census, versus almost 12 percent. We can expect the real number to be considerably higher than most people anticipate, thus seeming to confirm the Buddhist nationalist conception of an exploding Muslim population. If the census results on religious adherence are released in May 2015 as planned, they could be used to stir up religious tension.

The Army

The transition to constitutional rule during 2010-11 was initiated by the military junta itself, under Than Shwe’s leadership. Ever since the 2003 launch of the seven-step roadmap to democracy it has been clear that the Tatmadaw sees this process as a means to enhance its legitimacy in Myanmar politics. The military does not intend to withdraw from its political role. It dominates the government and the USDP. Under the current constitution it has the right to disobey government orders if national security is threatened, and even to seize power if necessary. The commander-in-chief appoints one-fourth of the representatives in the Union, State and Region parliaments. A serious challenge by the NLD and some of the ethnic minorities to the Tatmadaw’s prerogatives could easily be depicted as a threat to national security. From the Army’s perspective it is therefore desirable to prevent democratic or liberal parties from gaining a large majority of the 75 percent freely elected members of parliament.

Religious violence or renewed ethnic conflicts might tend to confirm the need for a strong military with a continuing political role. Instead of preventing violence, the Army would

intervene to restore order after it has occurred. As of today it seems unlikely that the military will stage a coup d’état in the style of Thailand, but the Tatmadaw may look for ways to influence the 2015 elections so that parties intent on removing the military from politics do not become too powerful.

Rakhine State

Rakhine State may be particularly vulnerable to electoral violence because of the conflict between Rakhine Buddhists and Rohingya Muslims and a possible bipolar competition between the NLD and the Rakhine National Party (RNP) – itself a merger of the Rakhine Nationalities Development Party (RNDP) and the Arakan League for Democracy (ALD). RNP is a predominantly ethno-nationalist party, which might be tempted to exploit anti-Rohingya sentiments in its rivalry with the NLD. In light of the brutality of recent violence in Rakhine State and the vulnerability of displaced Rohingya, this is a serious concern.

There is, however, much uncertainty as to where Rohingya and other Muslim votes will go. In 2010 the USDP sought to attract Muslim voters, and stateless Rohingya people were granted temporary registration cards (“white cards”) enabling them to vote. It is unclear how many Rohingya will have voting rights in 2015 and if any political parties will campaign for their votes (A possible contender is the National Democratic Party for Development (NDPD) which today holds two seats in the Rakhine State Hluttaw). In September 2014 President Thein Sein signed an amendment to the Political Parties Registration Law that bans people with temporary registration cards from forming or joining political parties, and more bills restricting the voting rights of non-citizens are expected to come before the Union parliament. Any of these developments might affect the risk of electoral violence in Rakhine State.

Given current tensions, it is unlikely that either the USDP or the NLD will openly campaign for Muslim votes. The first-past-the-post British-inspired electoral system also means that any Muslim party is unlikely to be represented in the Union Hluttaw. A Muslim party would, however, stand a good chance of gaining several seats in the Rakhine State Hluttaw – if the Rohingya are given voting rights, and this no doubt increases Rakhine nationalist

anxieties. A decision by the central government to give the Rohingya voting rights would be perceived as a deliberate attempt to undermine the RNP. But a Muslim party to be reckoned with could increase the political competition for Muslim votes, something that in India has reduced the risk of communal violence.

Ethnic Minorities

While there may be hope that the Buddhist-Muslim religious cleavage will not be allowed to play a major role in the 2015 electoral campaign, ethnicity certainly will, at least in the ethnic minority States (Shan, Kayin, Rakhine, Mon, Chin, Kachin, Kayah). It will also play a certain role among the smaller ethnic minorities in those States, and among the ethnic minorities in the seven predominantly Bamar Regions. In their “home areas”, the ethnic political parties will play on ethnic identity during their election campaigns. In areas with a Bamar majority they may unite with other minority groups under the umbrella of the Federated Union Party or with the Federal Democracy Alliance.

While Myanmar could perhaps in the future overcome some of its sharp ethnic divisions and create a national political culture, this will not be possible before implementation of a long-term peace agreement providing a high degree of self-government in the ethnic minority States. In the meantime, ethnic political parties will be the main outlets for ethnic grievances and guarantors for a continued focus on ethnic minority rights in the parliaments and the Bamar-dominated political debate at the Union level. There are, however, many ethnic parties and few of them are likely to obtain any political representation.

Owing to Myanmar’s first-past-the-post electoral system and the popularity of Aung San

Suu Kyi, the NLD is likely to win a huge majority of elected seats in 2015. Yet it will still not have a majority in the assembly because of the Army’s appointed twenty-five percent. A grave concern on the part of ethnic minorities is a Bamar-dominated parliament in which the NLD and the USDP/appointed MPs define Myanmar politics, leaving ethnic-minority parties marginalised. This could strengthen non-state armed groups and jeopardize the entire peace process. If the leaders of the ethnic armed groups fail to see a chance to transform their long fight against the Tatmadaw into a political struggle within official institutions, they might return to the use of arms. It is therefore desirable that the NLD and other Bamar-dominated parties establish electoral alliances with ethnic minority parties so that the latter can be assured representation. A direct competition in the heartlands of the ethnic minority parties could well have a damaging effect.

Recommendations

Short-term recommendations

- The national census results on ethnic affiliation should be released as soon as possible, in cooperation with ethnic minority groups, not shortly before the elections.
- The release of the national census results on religious adherence should be postponed until after the 2015 elections.
- The parliamentary discussions of the so-called Ma Ba Tha bills on religious conversion and interfaith marriages should be shelved.
- The government should give a clear, public message to Myanmar’s population that it will not accept religious or ethnic violence.
- The police and armed forces should be

instructed not to tolerate any religious or ethnic violence. Any law-enforcement officer who encourages, takes sides in, or stands aside when such violence occurs, should be dismissed.

- Bamar-dominated political parties should build alliances with ethnic minority parties and agree to refrain from fielding candidates in the heartlands of these parties.

Long-term recommendations

- A gradual, but steady, shift to civilian control over Myanmar’s armed forces should take place.
- The electoral system should be changed to institute proportional representation or a mixture of proportional representation and the existing first-past-the-post system, in order to lessen religious and ethnic cleavages and move political contestation into the elected assemblies by allowing small and medium-sized parties to be represented.
- A federal structure with decentralisation of power might help to lessen religious and ethnic cleavages by allowing self-government for those ethnic minorities who have their own State or autonomous area. This can be achieved by allocating more decision-making power and increased funding to the State assemblies, and by making democratically elected Chief Ministers accountable to State assemblies.
- Constitutional amendments ensuring more power sharing at the Union level might help to build trust in the Union among ethnic minorities and inspire them to engage in Union-level politics.■

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