Practiced at the Art of Deception: How the Regime Has Controlled Elections in Modern Burma

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This paper emerges from an underlying question that has not found a satisfactory answer in scholarship on authoritarianism and transitions to democracy: why do authoritarian regimes hold elections? This paper analyses the connection between mass movements, popular elections, and constitutional reform, in authoritarian Burma.

The essay will consider November 2010’s elections in Burma as one such data point in a historical timeline amidst numerous social and political factors. Moreover, it will consider the elections as indicative of two overlapping processes: on the one hand, authoritarian elections are a way to contest the powers that be and open up political power to other parties (access to power); on the other hand, the authoritarian regime controls rules of the electoral process (exercise of power). The rules surrounding power and how people perceive them thereby change during and through the electoral process.¹

I argue that the 2010 elections was a highly ordered process of regime consolidation vis-à-vis partial military withdrawal from political power, and that the shift to a new political apparatus represented elite collective action that was non-threatening to those with a concentration of power and resources at the state center. The 1990 elections left an indelible mark on state-society relations in Burma, and the outright NLD victory was a mistake the military was unwilling to repeat by allowing the political opposition genuine space. Moreover, the enduring institutional links created by nearly half a century of military rule had a large impact on the process and outcome of the 2010 elections.

¹ Burma’s military regime withheld the dissemination of election laws until March and closely managed the registration of political parties and media coverage, thereby creating favorable conditions for the incumbents (South 2010, 27).

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If there is one lesson that has emerged from the decade and a half since the early 1990s, it is that regular elections do not of themselves bring political stability, or even greater accountability.


For the student of political history, elections, along with wars, revolutions, and coups, provide the divisions in history that allow us to distinguish one epoch from another. Little may have changed, but we think things should have or might have.


This paper emerges from an underlying question that has yet to find a satisfactory answer in scholarship on authoritarianism and transitions to democracy: why do authoritarian regimes hold elections? This paper seeks to analyze—rather than take for granted—the connection between mass movements against the authoritarian regime in Burma, popular elections, and constitutional reform, in the process of democratization.

In November of 2010, Burma’s long-ruling military junta held the first multiparty elections in two decades. The previous elections in 1990 witnessed a roughly two-thirds vote in favor of the National League for Democracy (NLD), led by Daw Aung San Suu Kyi and leaders of the 1988 student demonstrations opposed to the previous regime of General Ne Win’s Burmese Socialist Programme Party (BSPP). The State Law and Order Restoration Council (SLORC), then in power in Burma, denied the NLD a transfer of power and imprisoned countless opposition leaders. The ruling State Peace and Development Council (SPDC, formerly SLORC) hailed the 2010 elections as a path forward to “discipline flourishing democracy” under a civilian government, though Western observers and Burmese exile groups largely decried the elections as a ruse to keep Senior General Than Shwe in power (BBC 2010).

How can we explain the recent political transformation to parliamentary government under a new constitution in light of the failure of massive demonstrations in 1988 and democratic elections in 1990 to bring about a new administration two decades earlier?

Every now and then we observe what appear to be “rupture moments” in Burma’s political history. Ruptures here refer to pivotal, historical moments in which shifting coalitions either threaten the powers that be, emerge on the political stage, solidify their grasp on power, or cede political authority. Examples include the 1962 military coup, the 1988 protests, and the 2003 Depayin Massacre, in which a government mob attacked and killed members of the opposition party. These moments seem to break the normal trajectory of authoritarianism by signaling subtle power shifts (who has access to power), overt regime destabilization or state consolidation (exercise of power and who rules how). These ruptures inform the contemporary social and political environment in Burma. Tempting though it might be to point out and to qualify such ruptures, we must question their validity as data points and situate them in their historically conditioned spaces in light of authoritarianism’s continuity.

This essay will consider the recent November 2010 elections in Burma as one such data point in a historical timeline amidst numerous social and political factors. Moreover, it will consider the elections as indicative of two overlapping processes: on the one hand, authoritarian elections are a way to contest the powers that be and open up a degree of power sharing to other political parties (access to power); on the other hand, the authoritarian regime strictly controls the electoral process and the rules of the game (exercise of power). The rules surrounding power and the conception of power itself thereby change during and through the electoral process.

I will argue that the 2010 elections were a highly ordered process of regime consolidation vis-à-vis a partial withdrawal of military officers from direct political power, and that the shift to a new political apparatus

2 Conversely, China and Russia (not surprisingly) abstained from a UN resolution to condemn Burma’s elections as unfair, and ASEAN Secretary General Surin Pitsuwan defended the elections as “credible and transparent” (Naing, 2010).

3 The SPDC held a constitution referendum in May 2008. Previously, the Burma Socialist Programme Party (BSPP) wrote its own constitution upon coming to power in 1974, when it also held one-party elections.

4 Schedler delineates the two—‘exercise of power’ versus ‘access to power’. He stresses that, while conventional scholarship on authoritarian regimes has looked at the former, his theory of electoral authoritarianism (EA) focuses decidedly on the latter. On the history and role of elections in Burma, also see Taylor, “Elections in Burma/Myanmar” (Schedler 2006, 6).

5 Burma’s military regime withheld the dissemination of election laws until March and closely managed the registration of political parties and media coverage, thereby creating favorable conditions for the incumbents (South 2010, 27).
represented an “elite collective action,” to borrow Dan Slater’s phrase, most importantly one that was non-threatening to those with a concentration of power and resources at the state center. The 1990 elections left an indelible mark on state-society relations in Burma, and the outright NLD victory was a mistake the military was unwilling to repeat by allowing any genuine space for political opposition. Moreover, the enduring institutional links created by nearly half a century of military rule had a large impact on the process and outcome of the 2010 elections.

**Burma Studies**

In the absence of observable data confirmed by independent media and unimpeded academic inquiry, Burma scholars must rely on an odd amalgam of sources in the diplomatic circuit, domestic media, the community of Burmese activists in exile, and limited academic research based in Burma. As such, Burma studies suffer from an abundance of speculation and a dearth of comparative political science, jeopardizing the project of trying to make sense of rupture moments in Burma's current political landscape (Bonura 2007, 205-242). Andrew Selth pursues this academic quandary and attempts to rescue Burma studies—and area studies more broadly—from accusations that it lacks scientific rigor and any significant comparative implication (Selth 2007). Within Burma studies, there is a strong tendency to bracket the modern nation's history into distinct eras: 1948 independence from the British and the subsequent parliamentary government under Prime Minister U Nu; General Ne Win's 1962 coup that initiated nearly half a century of military dictatorship; the Burmese socialist period (1974-1988); 1988 to present. Selth pays homage to scholars that have questioned this linear historical perspective by pointing to lasting currents in Burma's society, economy and political power, but he resorts to bracketing for the sake of convenience: “The essentially arbitrary nature of the standard periodisation model and its limitations are recognised, but this structure still has a certain heuristic value” (Selth 2007, 4).

Selth argues that Burma studies has always been an essentially interdisciplinary field, especially since 1988 when historians and political scientists who engaged with issues such as economics and democracy set out to apply their academic specializations to Burma's context. Such an interdisciplinary approach “stems in part from a wish to reflect the totality of developments taking place in Burma,” says Selth, “but it also springs from the inter-related nature of many of the problems the country currently faces (emphasis added)” (Selth 2007, 23). That is, the current political course on which Burma finds itself is host to a range of issues, from ethnic conflict to electoral politics, and from religious differences to a weak civil society, all of which have affected Burma's socio-politics.

**Electoral Authoritarianism**

This paper seeks to bridge Burma studies with comparative political science theory in the emerging field of electoral authoritarianism by looking at Burma's most recent elections in light of its historical precedents and unique socio-political setting in the intervening years (c. 1990-2010). Schedler argues that electoral authoritarian regimes share many structural similarities with democracies (Schedler 2006, 8). Where they converge in form, however, they differ greatly in quality:

Electoral authoritarian regimes, just like their democratic counterparts, hold multiparty elections for presidents and legislative assemblies. Yet, as they subject these processes to systematic authoritarian controls, they deprive them of their democratic substance. (Schedler 2006, 8)

That is, they make elections “instruments of authoritarian rule” rather than “instruments of democracy” (Schedler 2006, 3). As such, the regime controls the election process in such a way to guarantee an outcome in its favor. The opposition, while allowed to contest the incumbent party, is competing in an unfair game and is caught in a moral dilemma: to participate in sham elections legitimates the regime's rules de facto but also holds out hope of a slight electoral victory that could allow some access to political representation in the new government; on the other hand, to boycott the elections may draw attention to electoral fraud, but a loss at the polls could mean zero representation if the results of the election take hold.

Schedler’s model rightly points to the opposition’s problematic stance at this point, but her theory falls short of answering how and why some opposition parties
participate. “As a simple rule,” explains Schedler, “incumbents try to sell their regime as democratic (or at least democratizing), while opposition actors denounce it as authoritarian” (Schedler 2006, 7). This rule fails to account for a repressive political environment in which the incumbent regime silences the ability of the opposition to broadcast its message. As the regime sets the parameters of political behavior during the run-up to elections, the opposition is bound to act in a constrained way. Moreover, Schedler lumps boycotters and participating candidates together. While opposition parties contesting the authoritarian election seek to win positions in the new government, they may mobilize public support for their anti-regime cause, but they are bound to do so carefully and in such a way that they are allowed to continue their campaign free of interference or outright obstruction.

Burma’s Electoral Precedent

Burma has had numerous elections of different types at different times in its political history. To say that Burma does not have a strong historical precedent for free and fair elections would be simplistic and dismissive of past examples. To point to a trend line—have elections gradually become more transparent? have they extended access to power to more people? or have they concentrated power in the hands of a few?—is more complicated, however, especially considering the more uneven political terrain in Burma under military dictatorship since 1962.

Burma’s first mass elections took place in 1922, and they did not attract great participation; voter turnout was less than seven percent of eligible citizens.8 Robert Taylor argues that the concept of government accountability was not widely accepted prior to this and that electoral participation was mainly confined to the urban middle classes (Taylor 1996, 166). The British were content when voter turnout improved slightly in subsequent elections held in 1925 and 1928 (sixteen and eighteen percent respectively) (Taylor 2009, 185). By this time, alliances and rivalries, what Taylor calls “the party game,” had come to dominate national elections, at least in the press (Taylor 2009, 167). Although urban elites took to the election arena, the wider context showed “a broader disaffection from the state” on the part of nationalist leaders outside Rangoon:

To these people, elections fell into the same category as taxes, censuses, and public health or educational measures: attempts by the modern state to assert an unwelcome degree of control over the lives of individuals (Taylor 1990, 66).

Similarly, Dan Slater has argued that electoral ballots can serve as tools of social control by providing data on a state’s subjects (Slater 2003, 81-101).

While the elections of the 1920s were largely a new and foreign system of governance which the colonizing power imposed, the 1932 election centered on a critical piece of domestic legislation: whether British-administered Burma would remain provincially a part of India or gain a semi-autonomous, separate administrative status (Taylor 2009, 176). Despite a majority vote in favor of adhering to India, the British separated the two. According to the British governor of Burma’s written communications, a record forty percent of voters cast ballots (Taylor 1996, 176). Burma demonstrated higher participation rates in 1936 (fifty-two percent), according to the British Burma Press (Gangha 1940, 341-61). However, there is no official record of total voter turnout across the country for 1947’s independence election (Taylor 1996, 172). Lieutenant Colonel Ne Win (later named General, he would seize power from the “caretaker government” in a 1962 military coup) sent troops out to ensure order during polling while the British prepared for formal independence (Taylor 1996, 171).

Voter participation declined significantly in the first post-independence elections of 1951 (under twenty percent of the electorate). Whatever momentum of electoral activism had gathered in the decades leading up to independence had receded.9 Taylor attributes low voter turnout to intimidation by military presence, nominally there to quell ongoing conflict with ethnic insurgents and communists: “If elections provide legitimacy for governments, the 1951 election in Burma provided a mere fig leaf” (Taylor 1996, 173).10 Prime Minister U Nu’s united front, the Anti-Fascist People’s Freedom League (AFPFL), won a majority of seats.

The next national elections in 1956 demonstrated roughly double the voter rate as in 1951, and though the AFPFL lost a degree of popularity, it maintained its majority in the national assembly (Taylor 1996, 173).


9 Again, it is not so much my intention to point out a trend or continuity between elections in Burma’s history as to demonstrate that Burma has had many elections as well as gleaned lessons from the electoral process.

10 For more on the 1951 elections, see Tinker, 67-72.
Finally, 1960 saw Burma's last multiparty elections until 1990. Again, voter participation increased sixty-five percent from the previous elections in 1956 (Taylor 1996, 174). The campaign gave way to a factional split in the AFPFL, and U Nu's camp won the election. The opposition later became associated with the military "caretaker government" which was in charge between 1958-1960. Part of the caretaker government's program had been to weaken the influence of local patrons in the frontier regions, which had been growing for some time by regional leaders' efforts to build networks throughout the 1950s elections (Taylor 1996, 175).

In 1962 General Ne Win and the army under his command seized political power, ostensibly for the security and non-dissolution of the nation. The army saw its role as a pacifier and unifier in the face of democratic functions threatening to destabilize national unity. Taylor perceives the post-independence parliamentary government of 1948-1962 as a weak state and the 1962 coup as a consolidation "reasserting" a strong state (Taylor 2009, 293). The result of the coup was a strictly closed society led by a military discipline which decapitated the civilian bureaucracy, the banning of political parties in 1963, and an increasingly isolationist foreign policy. Mary Callahan has argued against Taylor's rather stark periodization and pushes back the roots of political transition from decentralized power in the hands of local chieftains to a Rangoon-based strengthened authority closer to 1957, prior to the caretaker government of 1958-1960 (Callahan 1998, 32).

While Taylor's summary acknowledges the momentousness of events in 1962, it misses the military-political developments that made strong, centralized authority possible. Callahan dismisses political savvy or personal charisma as crucial factors behind the military regime's survival and instead calls attention to CIA support for anti-communist forces such as the Kuomintang (KMT) in Burma, the resulting instability and lawlessness of which prompted military buildup (Callahan 2003).

Since the years leading up to independence, regional rebellions had challenged the legitimacy of Burma's urban political center, Rangoon. Slater sees a pattern between regional rebellions and militarization in authoritarian states in Southeast Asia.

Regional rebellions generally present less of a direct physical threat to economic elites, middle classes, and communal elites, who in postcolonial settings largely huddle in major cities. If such peripheral violence sparks increased collective action among any elite group, it is most likely to be military leaders, who typically shoulder the actual responsibility of quelling regional unrest.

Regional rebellions should thus tend to exhibit a unifying effect on the national military, but not upon the other elite groups who can potentially constitute a protection pact. The most likely institutional result is a highly unified but militarized state with weak links to societal elites (emphasis added) and...weak administrative capacity to boot (Slater 2010, 25).

Slater's theory accounts for the origins of Burma's military rule but not its durability. A combination of the army's institutional penetration of society, a "politics of survival" mentality and the "dirty tricks" which it has used to stay in power, will explain its endurance in the sections that follow.

In January 1974, a one-party constitutional referendum resoundingly approved a new national constitution. One-party elections followed later that year. As the Burmese Socialist Programme Party (BSPP) made a series of damaging economic blunders and continued to neglect the welfare of Burmese people, citizen unrest eventually spilled out in 1988, and popular student-led demonstrations demanded the overthrow of Ne Win's BSPP state in August of that year.

The 1990 Elections

Popular protests demanding reform, which emerged in 1987-1988, led to a military coup on September 18, 1988, in which General Saw Maung and army officers took power and established the State Law and Order Restoration Council (SLORC), ending protests and restoring quiet to the streets of Rangoon.

While we must be aware of our assumption of a linear trajectory in Burma's history, it appears plain that there is a direct causal relation between these mass protests and the 1990 elections, which can be seen as a conciliatory and progressive gesture. Scholarship has not questioned this rational-choice theory despite the imminent...
return to military domination. The 1990 elections and continued military rule will form the centerpiece of this analysis, for as the immediate electoral precedent and political apparatus, they represent the clearest indices of the SPDC’s decision to hold a constitutional referendum and multiparty elections nearly two decades later.

One of SLORC’s first measures after the military coup in September of 1988 was to promise multiparty elections, which would lead to the creation of a new National Assembly and the drafting of a new constitution. As such, we can infer that SLORC intended to negate the 1974 BSPP Constitution, but we cannot assume that democracy was the desired outcome. Elections in an authoritarian regime serve different ends, and the military establishment may have understood elections in a variety of ways, from a vehicle for consolidation of power in its hands to a simple distraction in order to end protests. Over three hundred political parties registered at first, though only ninety-three would compete in the election (Taylor 1990, 66). A frenzy of campaigning and speech making ensued, though it seems none of the political parties was clear on what was supposed to take place immediately after the election (Tonkin 2007, 37). Between September 1988 and May 1990, when the elections were held, one observes an elusive and backpeddling series of public proclamations by SLORC.

The May 1989 Electoral Law spelled out the bureaucratic guidelines for the election, but it mysteriously left out any indication of when and how the National Assembly would form and function (Tonkin 2007, 39). The next month SLORC let out a puzzling press statement, recanting any hopes for a swift handover of political power:

We cannot transfer power as soon as the elections are held…The elected representatives are to draw up the constitution. If the people approve the constitution, we will transfer power as soon as possible to the government which emerged according to that constitution (SLORC in Tonkin 2007, 39).

Daw Aung Suu Kyi, General Secretary of the winning NLD party, expressed her confusion at this SLORC statement:

Whoever is elected will first have to draw up a constitution that will have to be adopted before the transfer of power. They haven’t said how the constitution will be adopted. It could be through a referendum, but that could be months and months, if not years (Asia Weekly in Tonkin 2007, 33).

Less than three weeks after this interview, Daw Suu Kyi would be under house arrest along with other NLD leaders. Nonetheless, the NLD won an overwhelming majority of votes in the National Assembly (sixty percent), with the closest competitor, the National Unity Party, gaining only twenty-one percent of votes (Tonkin 2007, 34). Gen. Saw Maung made it clear in a May 30, 1990 statement that SLORC would hold onto power as long as duty demanded, and that it perceived the army to be the sole arbiter of “enforcing the rule of law and order” (Tonkin 2007, 45). When the NLD demanded a transfer of power in the summer of 1990, SLORC responded with a final and chilling confirmation that they maintained exclusive power as shown by statements before the elections, and that, should a “parallel government” form itself, they would “not look on with folded arms” (Tonkin 2007, 46).

Bertil Lintner and Derek Tonkin take divergent understandings of the above SLORC Declaration No. 1/90. While Lintner sees the statement as an unexpected and unequivocal bid to secure power, Tonkin rationalizes it by reference to the 1989-1990 policy statements. For this reason, while he does a better job of explaining the shift, Tonkin lays too much blame on the NLD for not bending to SLORC’s constraints (Tonkin 2007, 51; more generally, see Lintner 1990). It is difficult to see how the NLD and SLORC would have managed a power transition successfully even if the NLD had been less critical and more accommodating of SLORC intransigence.

The following section will look at the political machinery at the state center in the years between 1990 and 2010 with the aim of explaining the SPDC’s durability, but it will question that durability based on empirical evidence of its desire for political transition and modest efforts at state building.

The SLORC/SPDC Years

Callahan has argued that the military regime, rather than the “political movement in military garb” that Dorothy Guyot paints it to be, is comprised of “war fighters who are not adept at politics” (Callahan 2003, 2; more generally, see Guyot 1966, 51). Nonetheless, the generals have balanced “stalling tactic[s],” elite level purges, violent repression (as seen in 1988 and 2007) and ambiguous promises of democratic state-building, in such a way that they held onto power with virtually no viable challenge (Taylor 1990, 68). With Daw Suu Kyi under house arrest for nearly fifteen of the past twenty-one years, the
generals had in effect nullified the leadership of the largest opposition political party of the last twenty years. 14

SLORC invited members of its choosing to a National Convention to begin drafting a constitution in January 1993, less than a year after Than Shwe had become Prime Minister and SPDC Chairman, replacing Senior General Saw Maung as Commander in Chief. The roughly 700 National Convention delegates, including some NLD leaders, continued to meet off and on for several years, despite complaints of severe limitations imposed by the generals (Holliday 2008, 1046). Soon after the regime released Daw Suu Kyi from house arrest in July 1995, however, the NLD walked out on the convention in a boycott, and in April 1996, the generals suspended talks (Holliday 2008, 1046).15 Tonkin blames the breakdown of negotiations on the NLD's refusal to participate in the constitutional convention rather than on SLORC's inflexibility in the process (Tonkin 2007, 51).

When Khin Nyunt replaced Than Shwe as Prime Minister in August 2003, he proposed a roadmap to democracy and reconvened constitutional draft discussions in May the next year, expanding membership (Holliday 2008, 1046). Because he favored involving Daw Aung San Suu Kyi in talks and was more willing to compromise than his predecessor, he quickly provoked Senior General Than Shwe's strong distrust (Jagan 2006, 30-31). At the same time, Larry Jagan confirms that Foreign Minister Win Aung told ASEAN leaders elections would follow a new constitution within seven years (Jagan 2006, 31). A military purge landed Khin Nyunt under house arrest in October 2004, and hundreds of his Military Intelligence officers and supporters went to jail.

The tactics employed by the junta resemble what Joel Migdal has called “politics of survival.” That is, regimes use the power of appointment, “the big shuffle” and “dirty tricks,” to ensure their own hold on power (Migdal 1988, 212). The power of appointment places loyal supporters in positions of power to entrench patron-client relations and protect leaders’ factions while (temporarily) guaranteeing safety nets to their underlings. The “big shuffle” is evident in Than Shwe’s purge of Khin Nyunt and his followers. Dirty tricks include such habits of overt violence as the attack that took place on Suu Kyi in her tour of northern Burma in May 2003, which can serve to intimidate opposition candidates.

The question strikes the contemporary reader: did Than Shwe exhaust his options when it came to the politics of survival, or was he ready to settle into semi-retirement in 2010? His actions invite so much internal media observation as well as outside speculation that one thinks of V.S. Naipul’s description of Zaire’s former dictator, Mobutu Sese Seko: “In Zaire, Mobutu is the news (Naipul 1975, 206)”.

The deeply disturbing crackdown on the September 2007 demonstrations solidified the regime’s unpopular image. At this point, if they hadn’t already, they had lost all legitimacy in the eyes of most citizens. In May 2008, Cyclone Nargis wreaked havoc on the Irrawaddy Division, killing and displacing many thousands (“Listening to Voices” 2009, 15). Nevertheless, the SPDC claimed that ninety-eight percent of people participated in the constitutional referendum that month with a ninety-two percent vote in favor of ratification.16 The regime was making efforts to expedite their roadmap to democracy.

The 2010 Elections

Burma studies often revolves around problem solving despite a lack of evidence. For example, scholars have yet to resolve Khin Nyunt’s purge or the capital’s sudden move to Naypyidaw in 2005 (Selth 2007, 30-31). This paper sets out not so much to resolve all the loose ends surrounding the 2010 elections, but to situate them in their proper socio-political and historical context.

The regime navigated the 2010 elections along with a forced constitutional referendum in such a way that neither event would pose a serious challenge to the authority of the state elites, whose security remains more or less guaranteed by enduring political loyalties and economic links to key power holders. At the same time, the generals had to put on just enough airs of democratic intentions to gather a degree—however slight—of international credibility. In the most cynical sense, it appears they succeeded brilliantly in this guided political transition.

The 1990 election laws gave the opposition far more time to mount organized political campaigns (Seekins 2010, 201). This time around, it appears the regime had learned its lesson. It announced electoral laws on March 8, 2010, just seven months before the election took place (South 2010, 27-28). By November, when elections were held, thirty-seven parties were registered to compete, well under half the number in the 1990 election (South 2010 30). The state-backed Union and Solidarity Development Party (USDP) had a monopoly of resources, which it had inherited from the preceding mass proxy organization

14 Clearly, her symbolic authority remained strong despite her imprisonment.

15 It is doubtful whether meaningful compromise would have emerged from the constrained talks, especially as the regime was busily launching an assault against the insurgent Karen National Union (KNU) near the Thai border (Callahan 1996, 162-163).

16 The accuracy of high participation and approval rates boasted by the SPDC is doubtful (Holliday 2008, 1046).
of the SPDC, the Union Solidarity and Development Association (USDA). Moreover, the 2008 Constitution reserved a quarter of parliamentary seats for military officers, and the Election Commission, overseen by the military, stipulated that anyone currently serving a prison sentence could not participate in the elections, thus barring NLD leader Aung San Suu Kyi (BBC 2010). As a result, military personnel now occupy 110 of 440 seats in the Lower House (Pyithu Hluttaw) and 56 of 224 seats in the National House (Amyotha Hluttaw). The USDP won around eighty percent of civilian seats (Harvey 2011). The parliament then selected former Prime Minister and General Thein Sein as Burma’s new President.17

The thorough electoral provisions in 2010 along with the guidelines for the selection of the new president and the convening of the parliament indicate a more cautious and self-serving political transition process than that SLORC had prepared in the run up to the 1990 elections. While the 2010 elections drew sharp criticism from western critics, they elicited enough participation and dialogue within Burma to give some political parties hope for gradual reform. The National Democratic Force (NDF) splintered off the NLD when followers in that party loyal to Daw Suu Kyi heeded her call to boycott the elections. These rifts both played into the regime’s hand by weakening potential rivals but also afforded some limited opportunities for opposition electoral campaigning.18

The Elections Revisited: A Comparison of 1990 and 2010

There are several notable parallels between the 1990 and 2010 elections: namely, each followed a popular uprising that met with bloody military reprisals. In the 1988 student-led demonstrations, SLORC reported 440 killed, though some claim the toll to be upwards of 3,000 (Steinberg 2010, 79). Moreover, both elections were organized by the military, which exercised varying degrees of control over the process. Finally, both emerged from decades of preceding authoritarian rule and in the wake of concerted efforts to rein in ethnic rebel groups.20

There are significant distinctions to draw between the two elections, however, which are telling of the SPDC’s attempt to get 2010 right where they failed to steer the 1990 election in a direction favorable to their own political interests. Despite international condemnation of SLORC’s heavy-handed suppression of the 1988 uprising, the 1990 elections offered somewhat of a blank slate as steps following the electoral process were not clearly spelled out in SLORC’s announcements between 1988 and 1990.21 The inherent ambiguity of the state edicts and election laws that SLORC promulgated showed a lack of genuine desire for reform and it allowed a space within which it could steer the political process away from a transition to the NLD, while ensuring that the NLD lacked the capacity to mobilize resources and participate meaningfully in the political dialogue.

A second distinction between the 1990 and 2010 elections was that the 2008 constitution governed the latter, while the former should have led to a new constitutional draft and undercut the 1974 constitution. So if we were to look at a structural timeline of each election, which highlights three components—election, constitution, and transfer of political power—it would look like the following:

- 1990: election, then SLORC’s insistence that a constitution had to be written before any transfer of political power, leading to failed constitutional talks beginning in 1993 and continued authoritarian rule;
- 2010: 2008 constitution, then 2010 election, the results of which legalized the constitution upon the formal transfer of power to parliamentary government22

Again, the constitutional referendum preceding the 2010 elections was organized by the military, stipulated that anyone currently serving a prison sentence could not participate in the elections, and showed a lack of genuine desire for reform and it allowed a space within which it could steer the political process away from a transition to the NLD, while ensuring that the NLD lacked the capacity to mobilize resources and participate meaningfully in the political dialogue.

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20 In 1989, the Burmese army had agreed to cease-fire talks with the United Wa State Army and begun talks with other groups. In 2009 before elections, the SPDC had mandated that all armed rebel groups join the proposed Border Guard Force (BGF) or face retribution (Moe 2009).
21 SLORC had hashed out a series of conjectures, which showed “a steady erosion of their original intention to hand over power after the elections,” and the internal contradictions between different addresses resulted in a political “impasse, which inevitably led to confrontation” (Tonkin 2007, 49).
22 The two distinct electoral-constitutional timelines became clear to me upon closer inspection. See Taylor, “Burma’s Ambiguous Breakthrough,” 66-69, for a close reading of the 1990 elections.
election provided a more decisive basis on to which the regime grafted an electoral process. The unfair political environs created by the 2010 election laws added to the regime’s advantage in sculpting an auspicious outcome. In 1990, the political parties had a great deal more time to organize and more latitude with which to register (Seekins 2010, 201). The result was more than three hundred approved political parties between 1989-1990 (Taylor 1990, 66). In contrast, the 2009-2010 Electoral Commission gave every possible advantage to the state-sponsored Union Solidarity and Development Party (USDP), permitting the USDP to advertise its campaign centers with banners but condemning similar activities by outside parties. As a result, the limited array of opposition political parties, under duress of government retribution, failed to espouse clear policy programs and form popular coalitions that could defeat the incumbent party. To return to Schedler’s model of electoral authoritarianism, his model breaks down when the “opposition” doesn’t behave as he expects them to. Rather than conform to his rule by denouncing the regime’s unfair election, the participating opposition parties in the 2010 elections refrained from crying foul and instead played by the rules of the game. To some, the potential advantage of competing outweighed the disadvantages of a boycott.

Why Do Authoritarian Regimes Hold Elections?

Perhaps more critical a determinant than the timing of events during the electoral process and immediate aftermath was the institutionalization of certain patterns of power and “elite collective action” before and around elections in each case. Slater has argued that elite collective action is “as elusive as it is elemental” (Slater 2010, 10). While they are essential for political stability, these coalitions are usually characterized by factionalism (Slater 2010, 10). Jagan has highlighted a power struggle in the 2000s between reform-minded ex-PM Khin Nyunt’s camp and hardliners, led by ex-Sen. Gen. Than Shwe. These factions could not coalesce in such a way that elite level consensus brought about political stability or elections without the extensive military purges of 2004. Even then, the result was hardly stability, but it represented consolidation of a sort. Oftentimes, authoritarian purges are not so uniform as presumed. Philippe Schmitter has argued, Regime consolidation consists of transforming the accidental arrangements, prudential norms and contingent solutions that emerged […] during the uncertain struggles of the transition into structures, i.e. into relationships that are reliably known, regularly practiced and habitually accepted by those persons or collectives defined as participants/citizens/subjects of such structures (Schmitter 1995, 7).

The “accidental arrangements” in Burma’s state-society relations are perhaps equally telling of the alliances that formed in the wake of 2010 elections and the preceding years. While mass protests in 1987-1988 failed to bring about immediate political change, they were one of the factors that prompted a sharp divide within the military in 2003-2004 between those who wanted to negotiate with victors of the 1990 elections and those who felt that consolidated military power was the best guarantor for societal stability. It was the bad fortune and unforeseeable tragedy of Burma’s citizenry and monkhood to confront a newly consolidated and almost exclusively hardline corps of generals in the 2007 uprising. The repression it met with would unite broad condemnation of the army’s tactics from the international community, but it also showed that the generals were not yet willing to compromise. The reason for their obstinacy is that their success in any political transition rested on the drafting of a new constitution.

For this reason, the SPDC forced a constitutional referendum in May 2008 to establish the framework for the next elections and subsequent transfer of power on their terms. The 2010 electoral laws made sure both to invite electoral participation by political parties and to undercut mass mobilization by any significant coalition against the USDP.

The tightly controlled 2010 elections therefore exhibited the lessons that the regime had learned from the chaotic 1980s/1990s. Burma’s military regime had risked rapid and total exclusion from the political center if it acknowledged the results of the 1990 elections and convened a constitutional convention comprised by the victors of that election. As Taylor had argued, The interests and groups which predominate in drafting the principles and structures contained within the independent state’s third constitution will

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23 The USDP emerged from the dismantling of the USDA, a state-sponsored mass organization. Despite the 2008 Constitution’s prohibition of state personnel and civil servants forming political parties, the chairman of the Electoral Commission, Thein Soe, denied that the founding of the USDP was illegal under constitutional and electoral law (Aung, 2010).
largely establish the framework of any new order (Taylor 1997, 55).

The regime must have understood the importance of the drafting process to place such a focus on ratifying the 2008 constitution. The brutal response to the 2007 Saffron Revolution indicates that the generals were willing to hold onto power at great cost of blood until completing the constitutional referendum.

While Khin Nyunt’s faction lost out in 2004, there has since been a strengthening link between moderates in the regime, on the one hand, and elites in civil society and the emerging private sector, on the other. As the regime began to privatize the economy in the 1990s/2000s, power and resources began to decentralize while forging connections between military and civilian elites who were able to find common ground in developing their nation’s economy. At the same time, the military has ceded some local authority to civil society actors with a humanitarian agenda as long as they were willing to engage with the regime and operate within the system. This nascent elite network has grown from the election’s transition to parliamentary government as well as from the spur of foreign investment from the likes of China and Thailand.

The new parliamentary government has yet to demonstrate substantial political reforms, but subsequent elections will no doubt reflect 2010’s precedent and build on the coalitions that are now operating. It is therefore critical to understand the power dynamics and stakeholders in contemporary Burma in order to know what developments to expect on the horizon and to identify responsible partners for engagement.

**References**


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