



Crisis Group

## Regional Outlook

ALL GOING ACCORDING TO PLAN?  
THE ARMED FORCES AND GOVERNMENT IN  
MYANMAR

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# Griffith Asia Institute



## Regional Outlook

All Going According to Plan?



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# Executive Summary

It has become the conventional wisdom that the transition from authoritarian rule to a democratic form of government in Myanmar has taken place because of the tireless efforts of Aung San Suu Kyi and the National League for Democracy (NLD), the pressures brought to bear on the military regime by the international community and the regime's belated recognition that Myanmar could not continue down the path of political, economic and technical isolation without becoming weaker and more vulnerable. This narrative suits most of the main actors in this drama, both within and outside Myanmar, many of whom have been successful. However, it denies independent agency to the most important player, namely Myanmar's armed forces (Tatmadaw). Indeed, it can be argued that the democratic transition has taken place only because the country's military leadership permitted it to do so, which they drew some 15 years ago and are still in the process of executing.

In considering this alternative explanation for developments in Myanmar over the past decade or so, the Tatmadaw's current political role, and the possibility of a direct military rule, four key

Myanmar's military leaders did not have to give up direct power and launch a transition to what they called a 'disciplined democracy'. They were not forced to do so and the NLD. Indeed, when President Thein Sein's new administration took office in 2011 the military regime was stronger than the 1962 coup and, albeit not without cost, it probably could have

Second, the current political arrangements, under which the Tatmadaw occupies a privileged position in the government, is the result of a detailed plan devised by the armed forces leadership. This plan was set out in a seven-step 'roadmap' to 'a modern, developed and democratic state' announced by Prime Minister Khin Nyunt in 2003. Critically, it includes the 2008 constitution, which is heavily weighted in favour of the armed forces and envisages a coalition government including

Third, in considering and implementing this plan, the armed forces leadership must have anticipated, and accepted, the broad outcomes which can be seen today. If that was not the case, it could have manipulated or halted the process at any time. The scope of Thein Sein's reforms and the legislature's relative independence may not have been foreseen, and the NLD's electoral landslide in 2015 and Aung San Suu Kyi's continuing leadership of the party would not have come as a surprise.

Fourth, the Tatmadaw remains the most powerful institution in Myanmar. The constitution guarantees it a central role in national life, including the right to act from the civilian administration in all matters relating to security. It controls the means of exerting state force. Both directly and indirectly, there are many ways in which the generals can influence political, economic and social developments in the country without resorting to direct military intervention.

Given the enormous effort made since 2003 to establish and to safeguard the Tatmadaw's strong position within it, it defies logic that the generals would now seek to weaken its fundamental structure, let alone overthrow it, as

is occasionally predicted. Indeed, in many respects, the generals want the new government to succeed. There are areas of disagreement, such as the biased 2008 constitution, but the Tatmadaw and NLD share many of the same goals.

As long as the Tatma



(formerly Rangoon) was confirmed as the administrative capital of the country. It remains the capital. In October 2005 the SPDC formally designated the newly built city of Naypyidaw (or Nay Pyi Taw), 327 kilometres north of Yangon, as the seat of Myanmar's government. Where they appear in this paper, the terms 'Yangon regime' or, in some cases simply 'Yangon', are used as shorthand for the central government. The government after 2005 is referred to as the 'Naypyidaw regime', or 'Naypyidaw', to reflect the administrative change that took place that year.

Another term used in this paper is *Tatmadaw* for Myanmar's tri-Service (ie army, navy and air force) armed forces. In recent years, this term has gained wide currency in English-language publications on Myanmar. Sometimes, the Tatmadaw is referred to simply as 'the army', reflecting that Service's overwhelming size and influence, compared with the other two. While the term 'Defence Services' usually refers only to the armed forces, it is sometimes used in a wider context to refer to the armed forces, the Myanmar Police Force, the 'people's Department and Myanmar Red Cross have also been included in this category.

This Regional Outlook draws on a presentation given at the Australian National University articles that have been published over the past year or so. References are given where appropriate in the text. The first was published in the *New Mandala* website on 16 November 2015, under the title 'The realities of power in Myanmar'.<sup>3</sup> Another was published in the *Nikkei Asian Review* on 8 May 2017 under the title 'Wh<sup>4</sup> The third was posted on 3 June 2017 under the title 'Aung San Suu Kyi and the Tatmadaw'.<sup>5</sup>





## 2. Stepping Back

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Despite their dominance of Myanmar's national life for over half a century, the country's something of a mystery.<sup>9</sup> There have been occasional glimpses into their closed world, and a few Myanmar-watchers have attempted to describe their organizational structure, order of battle and capabilities.<sup>10</sup> However, little is reliably known about their inner workings and the thinking of the military high command.<sup>11</sup> The reasons behind certain decisions made by the generals have defied investigation. Such gaps in the public record have tended to be filled by anecdotes, rumours and speculation. Since the military stepped back from day-to-day government in 2011 and launched a 'genuine, disciplined, multi-party' political process, President Thein Sein, Myanmar-watchers have shown a particular interest in the military's political role.<sup>12</sup> Some of them have also explored the possibility that, under certain circumstances, the military might re-exert their power and take back direct control of the country.

Conspiracy theorists have gone further and argued that the generals already have a plan to overthrow Aung San Suu Kyi's government and install a new military regime. In their view, the military should have moved to do this in early 2016, when they have fledgling quasi-civilian government a chance to establish itself, and to persuade the Myanmar population that only a strong military regime can deliver the stability, predictability and economic growth that they all want.<sup>13</sup> These pundits believe that the military are waiting for the NLD government to collapse, and are even manufacturing security crises of various kinds

regime overly concerned by the diplomatic pressures and economic sanctions that had been applied by the Western democracies and various international organisations since the 1988 pro-democracy uprising.<sup>16</sup> While some of these measures had a modest impact, the regime had successfully avoided them by cultivating relations with its fellow ASEAN members and major powers like China, India

Granted, the ruling council was very unpopular and faced serious domestic problems, but when it handed over power to the Civilian Government in 2011, the military regime was stronger than it had been at any time since General Ne Win's coup in 1962. The military's weakness and insecurity, but of strength and confidence.

As of around 2002 the SPDC concluded that it was in Myanmar's best interests, and the Tatmadaw's best interests.<sup>17</sup> In important ways, the country had fallen behind its regional neighbours and the rest of the world. In order to maintain its independence, security, economic growth and national prestige, it needed to become more open, more modern, more prosperous and more respected internationally. This was also seen as which for decades had been bottling up demands for greater personal

According to figures later published by the SPDC, it was endorsed by 92.93% of the country's 4.58 million eligible voters.<sup>23</sup> Elections for both provincial and national legislative assemblies were held on 7 November 2010. In part because the NLD boycotted the poll, the result was a landslide victory for the military-backed Union Solidarity and Development Party (USDP), which won almost 80% of the seats contested at the national level. The new members of parliament were sworn in the following January, and in March 2011 the combined houses elected Thein Sein president.

Continuing this process, by-elections were staged on 1 April 2012 to fill after MPs had died or resigned to take up ministerial appointments. The NLD, which was re-registered for the elections in December 2011, claimed that fraud and rules violations were widespread, but the party still won 43 of the 45 seats then available.<sup>24</sup> One successful candidate was the party's leader, Aung San Suu Kyi, who stood for the seat of Kawhmu Township, north of Yangon. On 8 November 2015, another general election for both provincial and national assemblies was held. By all accounts, it was reasonably free and fair. The USDP secured 390 of the 491 seats (or 79.4%) contested at the Union level. The NLD won 60 seats (or 12.2%) in the 14 State and Region assemblies.<sup>25</sup> The USDP's victory in both houses ensured that it could elect the new

Under the constitution, Suu Kyi could not take this position, as her two sons were foreign nationals, but the post of State Counsellor was created especially for her. Even before the elections she had made it plain that, if denied the top job, she would consider herself 'above the president' and act as Myanmar's de facto leader.<sup>26</sup>

Critical to the seven-step roadmap was the promulgation of a new constitution, which set out the basis for the Tatmadaw's continuing role in national politics. One quarter of the seats in all provincial and national assemblies were reserved for serving military officers. This gave the Tatmadaw a significant voice in the government. Three ministries, namely Defence, Home Affairs and Border Security, were reserved for senior military officers appointed by the C-in-C. This effectively meant that the military leadership not only controlled the armed forces but also controlled the national bureaucracy and immigration policy. In addition, the Tatmadaw controlled the National Defence and Security Council (NDSC), a potentially powerful body through which states of emergency could be declared and control of the country could, in certain circumstances, be handed back to the armed forces. In its administration and operations, the Tatmadaw was made completely independent from the government. Also, members of the armed forces were granted special legal status.

Their position thus protected, the generals could step back from day-to-day government, that effectively under their control. The constitution also meant that, despite the transition to a 'disciplined democracy', the Tatmadaw remained the most powerful political institution in Myanmar. It could not be weakened, or its role diminished, by a civilian administration without amending the constitution and that was not possible without the agreement of more than 75% of the Union parliament. As Robert Taylor wrote in 2015, 'Only the army can control the civilian political elite's ability to manage the future.'<sup>27</sup> Ho might have added, 'and protect the



armed forces have successfully retained the whip hand. After the NLD took office for a year one observer wrote that 'The most disappointing feature of the NLD is that it has failed to align itself with military interest ... either through supportive statements or abject silence, without making clear any difference between their objectives and interest'<sup>32</sup>

Even so, implementing this master plan carried certain risks. The generals could not foresee every eventuality. Once a process of democratic transition is set in train, it tends to take on a life of its own. As the French politician Alexis de Tocqueville wrote in his 1856 book *L'Ancien Regime et la Revolution*, 'The worst moment for a bad government is when it begins to reform'.<sup>33</sup> In Myanmar's case, the generals implemented so quickly as it was. Under Speaker Thura Shwe Mann, the new legislature showed a genuine desire for reform. The abolition of the State Council, the possibility that, by allowing a more liberal administration to emerge, the population would demand even greater freedoms and take to the streets to obtain them. Also, the prospect of a more enlightened military regime could have encouraged the international community to apply even greater pressure for a full democracy, rather than welcome (with reservations) the advent of a controlled, top-down transition to a quasi-democracy, as in fact occurred.



control of the country in the hands of a small number of officials. For example, the States and Regions elect their own assemblies but all Chief Ministers are appointed by the president. The constitution also gives wide- C-in-C. Appointed above, he appoints the ministers of D





have been hundreds of thousands of casualties and an estimated 70,000 refugees have fled into Bangladesh.<sup>50</sup> The brutal tactics employed by the security forces have left and ineffectual, if not actually complicit in human rights violations. They have also been g international criticism. Even Aung San Suu Kyi's fellow Nobel laureates have accused her of failing the most fundamental test of humanity.<sup>51</sup> To answer these charges,





## 6. Intervention Triggers

unity and internal stability, as they judge such matters. These goals were encapsulated in the former government's three 'national causes' and have been enshrined in the 2008 constitution. Any developments which threaten the country in these ways would greatly perceived ~~threat to~~ Myanmar has greatly diminished since 2011, when the international community more or less embraced President Thein Sein and his reform program.<sup>72</sup> The NLD's election in 2015 was widely welcomed and further reduced the perceived threat from abroad. However, there are still up to 100,000 armed men and women in the country who do not, or only begrudgingly, recognise Naypyidaw's authority. Some are actively waging guerrilla wars, while others remain armed and potentially dangerous.<sup>73</sup> A number have been designated Border Guard Forces and placed under the Tatmadaw's technical control, but their reliability is suspect.

At the same time, there has been a range of issues in Myanmar over a range of issues. Further religious violence ~~and~~ extremists, ~~is~~ a strong possibility.<sup>74</sup> There have also been protests against the government and ~~businesses~~ businesses over contentious issues such as land ownership, law reform, press freedoms, low wages, union membership, ~~and~~ and the increased cost of living.<sup>75</sup> Encouraged by a greater awareness of the situation in other countries, thanks to satellite television and the Internet, and the relaxation of various laws since the demise of the military government, strikes and public demonstrations have increased.<sup>76</sup> Dissatisfaction with the government is growing. These tensions have been exacerbated by declining international confidence in the NLD government. Foreign direct investment is slipping, and with it the rate of economic growth. According to one observer, 'the military top brass are convinced that they will have to take control of the country if the government imploding. They are convinced that Aung San Suu Kyi's government is failing, and it is only a matter of time when they will have to be the saviours'.<sup>77</sup>

them their special place in national affairs. This is not only spelt out in the constitution, but has been reaffirmed by the Commander-in-Chief on numerous occasions.<sup>78</sup> Most ~~of the~~ perceived ~~threat to~~ the responsibility to step in and 'save' Myanmar, if that was believed necessary. The military leadership is also likely to act if the Tatmadaw itself was under threat. For example, should the government or parliament drastically reduce the defence budget, or seriously try to restrict the armed forces' sources of off-budget income, there is likely to be trouble.<sup>79</sup>

it felt it was being denied the men and materiel necessary to fulfil its duty to 'safeguard the constitution'. The armed forces high command is unlikely to have been behind the murder of Ko Ni, but the accusations levelled at it were based on the widely-held ~~belief~~ that any attempts to weaken the Tatmadaw's grip on power, for example by amending the constitution, would be answered by firm action.<sup>80</sup>

At the personal level, the Tatmadaw would be unhappy about any ~~change to~~ the clause in the constitution that effectively grants its personnel immunity from ~~prosecution~~ under the former military government. Aung San Suu Kyi ~~has~~ ~~not~~ ~~to~~ ~~seek~~ ~~retribution~~ for past injuries, either to herself or others. However, if any NLD politicians, activists or members of the international community revived efforts to put Myanmar ~~on trial~~ trial for past crimes, that would prompt a strong reaction.<sup>81</sup> A few junior officers and

attempts to prosecute senior officers for human rights violations, for example against the Defence Forces. Another scenario that deserves at least passing mention is an attempt by a faction within the armed forces to slow down the reform process or to preserve certain perks and privileges.<sup>83</sup> It has been suggested, for example, that some younger officers resent the fact that current and proposed changes to Myanmar society may deny them the opportunities for personal enrichment enjoyed by their predecessors.

All that said, the Tatmadaw is not the institution it once was, and there are significant constraints on direct military intervention. The high command has been so keen to reduce the internal unrest and bring back the external threats that the high command has been so keen to reduce through its guided democratic transition process. Also, given the 2015 election result, it would appear that Aung San Suu Kyi and the NLD government enjoy considerable support in the ranks of the armed forces. The generals would need to weigh carefully the benefits of a takeover against the possibility that it could cause a serious breakdown in military discipline. There are doubtless some members of the armed forces who regret their loss of autonomy and satisfaction from the NLD government takeover. However, the high command seems content to leave the difficult and messy business of governing to the NLD government, while continuing to enjoy the interest and reaping the rewards on offer. These include increased foreign contacts, additional economic opportunities and highlighted economic opportunities.<sup>84</sup>

# 7.

One question often asked since 2011 has been: when will the Tatmadaw 'return to the barracks'? This reflects a widespread wish for a genuinely democratic and civilian government in Myanmar, but it misses a vital point. The Tatmadaw has never seen itself as the second. Rather, it is deeply imbued with the idea that, since the country regained its independence in 1948, the armed forces alone have been responsible for holding the Union together, defeating its enemies – both internal and external – and saving the country from chaos. This has informed its ideological beliefs, its indoctrination programs, of the importance of 'national politics', as opposed to 'party politics'. It has also led to the conviction that the Tatmadaw has both a right and duty to supersede other state institutions if circumstances demand. It was on this basis, for democracy uprising.

A. Robert Taylor has written of the Tatmadaw's role in the country in order to create the national government'.<sup>85</sup>

A coup against Aung San Suu Kyi's government is highly unlikely. The generals do not want to run Myanmar – at least not directly. They are determined to protect the Tatmadaw's prerogatives and central place in national life. For this, they will continue to rely on the 2008 constitution. They will also respond to any significant challenges (as they perceive them)

... a deep commitment by the highly nationalistic armed forces leadership to certain core policies and values. These causes will be cited to justify military operations against ethnic armed groups and against the Rohingyas. They will also be used to explain the Tatmadaw's continuing political role. ... the civil and military authorities will not be an easy one, but broadly speaking the generals want the NLD government to succeed, as they share many of its goals. They too want Myanmar to be strong, modern, prosperous, stable, united, independent and respected.<sup>86</sup>

If the generals have a plan to cripple or even bring down the NLD government, as suggested by conspiracy theorists, then they have the means. However, the only plan for which there is any evidence is the one that helped the NLD take office. That has largely been implemented. The argument that the generals wanted to see the NLD win power so that they could see it fail, demonstrating the instability of civilian government in Myanmar, and perhaps to reveal Aung San Suu Kyi's personal shortcomings, is unconvincing. So too is the argument that the generals have a second secret plan, which is deliberately to weaken the NLD government through security crises. That would defeat the purpose of the first plan. The generals can certainly be accused of playing a 'cunning game'

before Myanmar could become a guided democracy. This proved to be an accurate estimate. It may take a similar period of time before a genuine democracy is achieved, if indeed that ever proves possible. In his 2014 Armed Forces Day speech, for example, Senior General Min Aung Hlaing Tatmadaw's political role as the country 'matures in democracy'.<sup>88</sup> He has repeated this message on a number of occasions since the transfer of power to Aung San Suu Kyi's government. On other occasions, the C-in-C has suggested that it may take another one or two five-year parliamentary

Whatever happens, the ~~country~~ will ~~continue to~~ ~~struggle~~ ~~for~~ ~~democracy~~ ~~and~~ ~~development~~ ~~in~~ ~~the~~ ~~foreseeable~~ ~~future~~.  
Myanmar and, as far as can be judged, a full transition to a  
genuine democracy in the foreseeable future.





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been entirely the regime's idea. See 'In his own words: The rise and fall of Khin Nyunt', *Bangkok Post*, 9 April 2012, in *BurmaNet News*, at <http://www.burmanet.org/news/2012/04/09/the-bangkok-post-in-his-own-words-the-rise-and-fall-of-khin-nyunt/>

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