

More seeming reforms

BY BUNN NAGARA

Whenever Myanmar lurches towards a promise of change, the realities suggest otherwise – and the latest flurry of seeming change seems hardly any different.

WHEN US President Barack Obama visited Myanmar in 2014, he openly testified to the authenticity of change seen to be sweeping the country.

Just weeks before, the Asian Development Bank was also bullish about reforms in Myanmar. It had just committed US\$1.2bil (RM4.7bil) to a five-year development plan for the country.

Obama's visit followed his first in 2012, which in turn came after Secretary of State Hillary Clinton's the year before. Then President Thein Sein of the military-backed Union Solidarity and Development Party (USDP) took pains to make a fine impression each time.

However, critics, protesters, human rights activists and opposition leader Aung San Suu Kyi herself denounced the glowing tribute the US paid to the government.

A week before Obama's arrival in November 2014, Suu Kyi condemned the positive feeling the US was generating about Myanmar. The public statements issued at the time gave no credit to the reforms that were said to be stalling.

But exactly one year later, Suu Kyi's National League for Democracy (NLD) party won a decisive majority in a general election by securing 77% of parliamentary seats.

By early this year, Suu Kyi's confidence grew exponentially even when she was constitutionally unable to assume the presidency for having a British family.

Even before the election when the NLD's victory was still not assured, she knew her party would win and was adamant that she would be more powerful than whoever the party nominated to be the president. She would be the one running the country "above the president," she declared. She insisted that nothing in the Constitution prevented that.

But her view contradicted Article 58 of the Constitution, which states clearly that the President "takes precedence over all other persons" in the country.

In February, some NLD parliamentarians tried to table a proposal to suspend Article 59F of the Constitution barring individuals with a foreign family from the presidency so that Suu Kyi could become president. It seemed to imply acknowledgement of an implacable Article 58.

Bold as that thought was at the time, it remained a thought. Negotiations between the NLD and the military behind the scenes proved fruitless, with military appointees occupying 25% of parliamentary seats and three ministerial posts.

Still, attempts to enable Suu Kyi to assume the presidency were quickly overtaken by even more dramatic developments testifying to her dominance of the post-election period. It soon appeared that, true to her boast, she need not become President to wield presidential powers.



Winds of change: The people's support for Suu Kyi is

apparent.- EPA

Her choice of president, party colleague and confidant Htin Kyaw, was duly installed as President last Wednesday. But days before that, Suu Kyi had already swung into action, meeting the incoming Cabinet and directing the ministers to draft immediate plans for their first 100 days in office.

On Thursday, she took four ministerial portfolios for herself: Education, Electric Power and Energy, Foreign Affairs and the President's Office.

She may be most visible internationally as Foreign Minister, but is likely to be most powerful as Minister of (rather than in) the President's Office. She quickly acquired the nickname "super minister". On the same day, the NLD tabled a Bill to create the new position of "State Adviser" for her. This post is intended to be above the President's, violating the spirit if not also the letter of the Constitution.

The next day, Suu Kyi also assumed a position in the powerful National Defence and Security Council (NDSC). Since Myanmar's military reports to the 11-member NDSC, this body can in practice grow to be as powerful as its members wish it to be.

While Suu Kyi's fans can be expected to be ecstatic, some of the country's immediate obstacles seem to be overcome only by laying the groundwork for future pitfalls. In essence, making a non-elected post the most powerful in government can have a questionable future for democracy, or worse. Even if Suu Kyi consistently practises the best of good governance, there is no telling what will ensue after she passes from the political scene.

The 70-year-old leader has not groomed a successor within the party or for government. Her most powerful party colleague in government, President Htin Kyaw, is widely known to serve only as her proxy.

What the NLD under her direction is doing is to create not just a precedent but a permanent office of ultimate power outside the democratic process. Although the current army-drafted Constitution is imperfect, adding to the imperfections rather than reducing them is questionable at the very least.

Suu Kyi's own conduct itself has lately come under some critical scrutiny. Ironically, this concerns her attitude to human rights issues, the very theme that won her the 1991 Nobel Peace Prize.

The range of atrocities perpetrated by Myanmar's human rights abusers covers not just violence in urban centres but also in distant rural communities. The perpetrators themselves are not just the military but also civilians as racial and religious extremists.

Victims of human rights violations include minority ethnic communities sidelined by the Myanmar state. Dozens of these communities such as the Kachin, Karen, Shan and Ta'ang have engaged in armed struggle against the government in which little progress at peace talks has been seen.

The Rohingya in Rakhine, the former Arakan state, are not militant unlike many of the other communities, yet they remain the most oppressed minority in the world. Such a situation can worsen drastically at any time.

Suu Kyi's most glaring deficit today is her failure to speak up to defend the Rohingya against their persecution, murder and displacement. Her critics from international human rights groups to the Dalai Lama have urged her to do more, but to no effect.

In her current quest for political power, March has been a most eventful month particularly in relation to Myanmar's beleaguered minorities.

At the beginning of the month, she met ethnic minority parliamentarians in Naypyidaw to assure them that her new government would continue to work on peace talks. The event was publicised as one that showcased her awareness of "unity and responsibility."

Weeks later, she was interviewed by the BBC about her position on the plight of the Rohingya. As usual, she played down the significance of their persecution, then became furious that her interviewer was a Muslim.

That occasion revealed two unsavoury aspects of Myanmar's incoming leader.

First, she was upset that questions of great public interest internationally that needed to be asked were asked. She seemed oblivious to the fact that as a public figure responsible for national policymaking, she had an obligation to answer.

Second, she assumed that just because most Rohingya are Muslim, their plight would concern only Muslims. She seemed to think that a non-Muslim interviewer would not have asked her those questions.

Many Myanmar nationals, most of whom are Buddhists, tend to look upon the Rohingya community as somehow different even if they do not oppress them. At governmental level, however, this translates into persecution from denial of citizenship to indirect endorsement of massacres.

The Rohingya are different from most Myanmar people in ethnicity, religion and claims to Rakhine territory where they have lived for at least three centuries before British Burma invaded and occupied their land and exploited their resources.

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