

## CHAPTER II

### CIVIL SOCIETY AND DEMOCRATIZATION PROCESS IN BURMA

#### **Democracy and democratization**

In the phrase of Abraham Lincoln, democracy is a government "of the people, by the people, and for the people." Dahl (1985:52-83) considers democracy as an institutional arrangement that centers on the electoral process. According to Dahl (1956:3) "democracy is concerned with the process by which ordinary citizens exert a relatively high degree of control over leaders". Elections are essential to the democracy since people need to control over the government system. Thus democracy depends upon a knowledgeable citizenry who can access to information freely and are allowed to participate as fully as possible in the politics of the country.

According to Kennan (1968: 56), the pillars of democracy are sovereignty of people, the government based upon consent of the governed, majority rule, minority rights, guarantee of basic rights, free and fair elections, and equality before law, constitutional limits on government, social, economic and political pluralism and values of tolerance, pragmatism, cooperation, and compromise. Kennan (1963:98) argues that all democracies are systems in which citizens freely make political decisions by majority rule. But rule by the majority is not democratic. No one would call a system fair or just that permitted 51 percent of the population to oppress the remaining 49 percent in the name of the majority. Kennan (1963:98) articulates that majority rule must be coupled with guarantees of individual human rights that, in turn, serve to protect the rights of minorities-- whether ethnic, religious, or political, or simply the losers in the debate over a piece of controversial legislation. Thus, the rights of minorities do not depend upon the goodwill of the majority. The rights of minorities are protected because democratic laws and institutions protect the rights of all citizens.

David Held (1996:1-18) also gives a range of possible alternative conceptions of democracy in the following quote:

1. All should govern, in the sense that all should be involved in legislating, in deciding on general policy, in applying laws and in governmental administration.
2. All should be personally involved in crucial decision-making, that is to say in deciding general laws and matters of general policy.
3. The rulers should be accountable to the ruled; they should, in other word, be obliged to justify their actions to the ruled and be removable by the ruled.
4. The rulers should be accountable to the representatives of the ruled.
5. The rulers should be chosen by the ruled.
6. The rulers should be chosen by the representatives of the ruled.
7. The rulers should act in the interests of the ruled (Held, 1996: 18).

For Hirst (1990:46), in comparison, a democratic system is shaped by the freely chosen activities of individuals and groups. In a democratic system, government does not have control over many organized groups and institutions. In democratic system, citizens pursue their interests, exercise their rights, and take responsibility for their own lives. According to Hirst (1990: 52), democracies rest upon the principle that government exists to serve the people; the people do not exist to serve the government. In other words, the people are citizens of the democratic state, not its subjects. Amartya Sen (1997:30) argues that in democratic society, people can make their own decisions about where they will work, what kind of work they will do, where they will live, whether to join a political party, what to read, and so on.

Democratic governments do not control nor censor the content of written and verbal speech. Carter (2005:46) argues that democracy is in many ways nothing more than a set of rules for managing conflict. This conflict must be managed within certain limits and result in compromises, consensus, or other agreements that all sides accept as legitimate. So a democratic society needs the

commitment of citizens who accept the inevitability of conflict as well as the necessity for tolerance.

According to Antony Wright (1996:9), democratization is the transition to a more democratic political regime. He articulates that democratization is the transition from an authoritarian regime to a partial democracy, or transition from a semi-authoritarian political system to a democratic political system. Democratization is influenced by various factors, including economic development, history, and civil society. Civil society (NGOs, unions, academia, human rights organizations) are considered to be important for democratization, as they give people a unity and a common purpose, and a social network through which to organize and challenge the power of the state hierarchy. Involvement in CSOs also prepares citizens for their future political participation in a democratic regime (Wilson,2002:78) Social networks created by civil society build trust among people and trust is essential for the functioning of democratic institutions (Wilson,2002:78).

Freedom and democracy are often used interchangeably, but the two are not synonymous. Beetham (1999:1-29) defines democracy as “a system comprising of equal effective rights to take part in collective decisions”. For Beetham (1999:1-29), democracy is a set of ideas and principles about freedom, but it also consists of a set of practices and procedures that have been molded through a long, often tortuous history. So, democracy is also the institutionalization of freedom. For this reason, it is possible to identify constitutional government, human rights, and equality before the law that any society must possess to be properly called democratic.

In Burma case, democratization process can be seen as the transition from an authoritarian regime to a partial democracy as Anthony argues. As Carter theory, democratization in Burma is also managing conflict between the government, political parties, and ethnic insurgent groups. As Wilson says, creating social networks, building trust among people are the relevant things for

democratization process in Burma. Participation of people in politics, protection of human rights, equality before the law, tolerance, compromise and negotiation are part of democratization process in Burma.

#### Understanding human rights

According to Beetham (1994: 8), human rights refer to basic rights and freedom to which all human are entitled. He explains that people have inalienable rights such as freedom of speech and expression, freedom of religion and conscience, freedom of assembly, and the right to equal protection before the law(1994: 8). Beetham argued that human rights are common to all human beings no matter where they live or when they live, no matter what form of government they live under or whether they live under government at all, no matter what their social or economic circumstances (1994:10). In comparison, Michael Freeman (1992:54) argues that human rights include civil and political rights, such as the right to life and liberty, freedom of expression, and equality before the law; and social, cultural and economic rights, including the right to participate in culture, the right to work, and the right to education.

The concept of human rights is closely associated with democracy. Peter Jones and Albert Weale (1994:87) argue that democracy is based on the principle that the duty of a government is to protect the rights of people. According to them, political rights such as the right to vote can find a foundation in rights that individual hold as human rights.

Equality is also a part of human rights .The idea of equality also linked to democracy. According to Kevin Boyle, the right to equality before the law, or equal protection of the law is fundamental to a democratic society (1994: 90). According to him, whether rich or poor, ethnic majority or religious minority, political ally of the state or opponent--all are entitled to equal protection before the law.

On December 10, 1948 the General Assembly of the United Nations adopted and proclaimed the Universal Declaration of Human Rights .In the article 1 of the declaration, it says

“All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood” (<http://www.unhchr.ch/html/menu6/2/fs2.ht>).

In the article two, it says

“Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty”. (<http://www.unhchr.ch/html/menu6/2/fs2.ht>).

In the case of Burma, most of the human rights have been violated by the government. Basic human rights, such as freedom of speech that has been violated by the military government controlled all news media and arresting journalists and censoring on political issues. Freedom of conscience has also been violated by arresting politicians and people who are dissent to the government. These prisoners are not allowed to consult with a lawyer and to get a bail. Freedom of association has been violated by abolishing many independent organizations. In addition, in ethnic areas, villagers have been forced to move to other places for military purposes. The government is also recruiting child soldiers. There are also reports that women in ethnic areas have been raped by soldiers.

### Defining Social Movement

Social movements are a type of group action. They are large informal groupings of organizations focused on specific political or social issues. In other words, social movements resist state power and try to change the political system. Sidney Tarrow (1994:21) defines a social movement as collective changes by people with common purposes and solidarity in sustained interaction with elites,

opponents and authorities. Social movements are closely connected with democratic political systems. Occasionally social movements have been involved in democratizing nations. Charles Tilly (2004:3) defines social movements as a series of contentious performances, displays and campaigns by which ordinary people make collective claims on others. For Tilly, social movements are a major vehicle for ordinary people's participation in public politics. Social movements are not eternal. They have a life cycle: they are created, they grow, they achieve successes or failures and eventually, they dissolve and cease to exist. Many social movements are created around some charismatic leader, i.e. one possessing charismatic authority. According to Tarrow (1994:30), there are two likely phases of recruitment after the social movement is created. The first phase will gather people deeply interested in the primary goal and ideal of the movement. The second phase comes after the given movement has achieved some success and trendiness. People who join in this second phase will likely be the first to leave when the movement suffers any setbacks and failures.

### **Democratization Process in Burma**

#### BSPP government (1962-1988) period

Democracy was ended in 1962 when the military took control of the country and adopted the Burmese Way to Socialism. In so doing, the military-dominated socialist government, also known as the BSPP government, tried to transform the social, political and economic systems of the country. In that process, the BSPP government outlawed all existing political organizations and stopped the formation of new political organizations. The government also arrested some outspoken leaders of political organizations including monks. The government dynamited the historic Yangon University student union building in order to make sure that the student union died forever. The BSPP government implemented socialist economy and drove many foreign business organizations out of the country. In spite of the repressive measures taken by the socialist government against civil society groups, many organizations managed to survive

by keeping a low profile. However, all political parties, peasant organizations, trade union and student union ceased to exist.

In 1974, some members of informal student groups managed to form a somewhat formal student organization and organized a big protest against the government when the government refused to hold a protest against the government when the government refused to hold a state funeral ceremony for deceased former UN Secretary General U Thant. However, students went informal again when the government brutally cracked down on the protests. In 1985, an informal student group even managed to mark the tenth anniversary of the U Thant affair protest by publishing pictures, cartoons and articles with coded anti-government messages in Yangon University's annual magazine. There was no way of knowing the exact number of such informal political organizations operating in socialist Burma. However, a former member of an informal student group estimated that there existed no less than forty informal students and writers' organizations and writers' organizations in various part of the country in the 1980s (Hlaing, 2007:160).

In 1987, the BSPP government cancelled the Burmese currency without any compensation to public. Because of that cancellation, university students in Burma started protest against the government. The university student activists who took part in the demonstrations were from the All Burma Federation of Student Unions (ABSFU or, in Burmese, Ba Ka Tha). This organization, founded in 1938, has been the vanguard of movements for political and social change in Burma, and at one time headed by revered independence hero, Aung San.

Ba Ka Tha has a long history of working together with people of Burma from different walks of life. A member of the ABSFU's Foreign Affairs Committee stated, 'We struggled to resist fascism, to gain nation independence and to create an internal peace movement. Now we continue in the pro-democracy struggle.' When Monks and people joined students in 1988 street demonstrations, the demonstration spread all over the country. In the day of 8 August 1988, known as 8888, over five million people joined the protests and finally, their movement

brought down the socialist government. However, a large numbers or people death in 1988 demonstration since the BSPP government tried to stop the uprising by shooting several protesters. After that, there became a second military coup on the 18 of September 1989. Thousands of people including students and monks were arrested and thousands of students fled to China, India and Thai border areas with Burma.

SPDC government (1988- present) period

After the coup, the military government promised to turn over the power by making an election in 1990. The military government also formed its own political party called Union Party. Pro democracy group also formed a party called National League for Democracy (NLD) led by Aung San Suu Kyi. Ethnic people also formed their own party and joined the election. The NLD won 80 percent of the seats with about 59 percent of the ballots. The Shan NLD received the next highest number of seats. However, the junta has since publicly ignored the results of the 1990 election and failed to transfer power. Then the conflict between the government and NLD started from that point. NLD claimed that it had the right to rule, and the United States and the UK have supported that position. In the NLD view, it should not compromise with an illegitimate military government when it won and had significant foreign support. However, the government contained the NLD by putting Aung San Suu Kyi and other party leaders under house arrests and put all other active members in prison.

Students who had fled to the border areas formed overseas pro-democracy organizations. Among these are the National Coalition Government of the Union of Burma (NCGUB), the National Council of Union of Burma (NCUB), All Burma Students' Democratic Front (ABSDF), the Free Burma Coalition (FBC), the Burma Strategic group, the NLD (Liberated Area or NLD-LA), the All Burma Federation of Students Unions (ABSFU), the Association to Assist Political Prisoners (AAPP), the Forum for Democracy in Burma (FDB), Federation of Trade Unions of Burma (FTUB), and the Vigorous Student Warriors. All these organizations actively engaged in various anti-government activities in several



foreign countries such as Thailand, EU member states and the United States. Regardless of government suppression, some small student organizations remain alive in the country. Two more student demonstrations happened in 1996 and 1998. However, the government arrested all student leaders again and put them in prison with long year sentences.

Regarding monks, the government managed to get some recognition from elderly Buddhists by forming the Monk Committee. During the 1988 uprising, the government asked the Monk Committee to help restore order, and senior monks appeared in live television broadcasts appealing to the public for calm. In August, 1988, days after the massacre in Yangon, monks expressed sorrow for the loss of life, but—to the surprise of many—they also appealed to the regime to govern in accordance with the 10 duties prescribed for rulers of the people. The appeal failed to calm the public mood, but the message did remind many Burmese of the “10 duties of rulers”.

For many Burmese, the struggle for democracy is not yet over and the discord between the monks and the ruling generals remains strong. Unlike Ne Win, the generals who came to power in 1988 openly and audaciously schemed to buy off the monk community. They have also claimed to be protectors of the monk, although their motive is to gain political legitimacy.

Aside from holding numerous merit-making ceremonies, offering food and valuable gifts to monks, the military leaders are launching well-publicized pagoda restoration projects throughout Burma. Nevertheless, confrontations between rebellious monks and the authorities continue. In Mandalay in 1990, troops fired on the crowds, killing several people, including monks. Angered by the military's brutality, Mandalay monks began “*Patta ni kozana kan*” refusing to accept alms from members of the armed forces and their families.

The same action has been taken by monks in 2007 movements after authorities beat protesting monks in Pakokka, central Burma. “*Patta ni kozana kan*” can be called in response to any one of eight offences, including vilifying or

making insidious comparisons between monks, inciting dissension among monks or defaming Buddha, the *Dhamma* or the Sangha.

A “*patta ni kozana kan*” campaign can be called off if the offended monks receive what they accept as a proper apology from the individuals or authorities involved. This procedure involves a ceremony held by at least four monks inside the Buddhist ordination hall, at which the boycott would be canceled.

Some monks in Burma may believe that the “*patta ni kozana kan*” of 1990 is still in effect, since they haven’t yet received any proper apology—only a harsh crackdown. At that time, monks refused to attend religious ceremonies held by military officials and family members. In one incident, the Mandalay Division commander at the time, Maj-Gen Tun Kyi, who later became trade minister, invited senior monks and abbots to attend a religious ceremony but no one showed up. Military leaders realized the seriousness of the boycott and decided to launch a crackdown.

In Mandalay alone, more than 130 monasteries were raided and monks were defrocked and imprisoned. As many as 300 monks nationwide were defrocked and arrested. Several monks, including the highly respected Thu Mingala, a Buddhist literature laureate, and at least eight other respected senior abbots, were arrested. Thu Mingala was sentenced to eight years imprisonment.

Today, while rebellious monks are prepared to go to prison, many senior monks and abbots are allowing themselves to become government tools by accepting gifts and large donations from the generals. The divisions between abbots and young monks have inevitably widened. The generals have also applied “divide and rule” strategies in dealing with the monk community and the opposition.

In 1996, the regime accused the National League for Democracy of infiltrating the monk with the aim of committing subversive acts against the authorities. The generals obviously did not want to see opposition leader Aung

San Suu Kyi developing too close a relationship with the monks. In an attempt to neutralize the political role of Suu Kyi, the government sent a famous, London-based monk, Dr Rewatta *Dhamma*, to visit the detained opposition leader in 1995. Claiming to be a peace-broker between Suu Kyi and the generals, the monk shuttled between her and top leaders. But his mission failed and he returned to London. Skeptics believe the generals had merely used U Rewatta in a bid to persuade Suu Kyi to relinquish politics.

Although the military government tried to restrict the parameters of legal, autonomous associational space, it did not entirely close all space, especially with associational space. Non-political civil society organizations are still be able to find some space to operate and organize their activities. In the time of the government, various social welfare organizations appear out of necessity. After 1988, the government opened up the country and introduced the market economy; and with that, the cost of living high, especially the cost of medical and funerals. In fact, the cost of medical care and funerals increased by almost 300 to 400 percent (Hlaing, 2007, 162). After witnessing difficulties of people, some community leaders, Buddhist monks, retired officials and businesspeople came together to form social welfare organizations.

Since the government's expansion of legal association space in the mid-1990s, both international and local NGOs have been allowed to work on social development programs. These various NGOs can operate freely as long as they do not challenge the government and stay away from any sensitive political activities. These NGOs have been actively engaged in poverty alleviation and education. Some NGOs give capacity building, peace building trainings and teach how to respect human rights, the idea of tolerance and practices negotiations.

In 1993, the government convened a National Convention to draw a new constitution. The government chose selected people to attend the convention. At the beginning, the NLD attended the National Convention hoping that they will get a chance to raise their concern in the convention. But later, NLD withdrew from the convention saying that the convention is a sham. In 2003, the

government laid its political agenda known as the seven steps road map to democracy. The road-map implementation continue a conflict between the government, Aung San Suu Kyi and her party, the National League for Democracy (NLD), and members of the 1988 student generation,

The SPDC announced the following seven-step road-map on 30 August 2003.

1. Reconvening of the National Convention that has been adjourned since 1996
2. After the successful holding of the National Convention, step-by-step implementation of the process necessary for the emergence of a genuine and disciplined democratic system
3. Drafting of a new constitution in accordance with detailed basic principles laid down by the National Convention
4. Adoption of the constitution through a national referendum.
5. Holding of free and fair elections for *pyithu hluttaws* [legislative bodies] according to the new constitution.
6. Convening of *hluttaws* [assemblies] attended by *hluttaw* members in accordance with the new constitution.
7. Building a modern, developed and democratic nation by the state leaders elected by the *hluttaw*, and the government and other central organs formed by the *hluttaw*.(New Light of Myanmar,2003)

In parallel, the SPDC tried to organize a political and administrative structure that can pursue its agenda by forming the Union Solidarity and Development Association (USDA). The SPDC has been trying to improve its popularity among the people, through enhanced publicity for its state-building activities and an anti-corruption drive among civil servants. Now the government has finished step 3 of the road map and they are going to do a referendum in 2008 with the force of USDA which has over 10 millions members. In the following years, the government plan to do a new election.

## Ethnic conflict in Burma

From the time of independence in 1948 until the end of the 1950s, Burma has experienced a turbulent development process under the leadership of a Parliamentary Democracy Government, the first civilian government of Burma. Led by General Aung San, a national leader of Burma, some ethnic nationality groups signed an agreement on 12 February 1947, so as to acknowledge that Union Day. From that year on 12 February became the Union Day of Burma. And yet, this agreement created misunderstandings between the majority Burman ethnic people and ethnic nationalities as some ethnic nationality groups were left unclear on the agreement and thus did not sign the agreement. The abolishment of the agreement to grant the Federal State System to ethnic nationality groups in ten years after independence was also one of the major issues that led to the emergence of several ethnic armed groups. Another issue that created further conflict within the nation was that U Nu, Prime Minister of the government during the last quarter of 1950s, proclaimed Buddhism, which has over 80% of the population, to be the State Religion while most of the ethnic nationality groups have different religions. Due to such political, religious and social dynamics factors, many ethnic nationalities adopted armed insurgency against the government.

The major armed groups are the Burma Communist Party (BCP), Shan State Army (SSA), Kachin Independence Organization (KIO), Karen National Union (KNU), New Mon State Party (NMSP) and Kayinni National Progressive Party (KNPP). Between 1948 and 2000, twenty major armed groups and many smaller and splinter groups emerged. Cease-fires and peace agreements that have been reached since the end of 1980s have called for peace by the civilian people, the government, armed groups and civilian mediators. According to the book of "Endeavors of the Burma Armed Forces Government for National Reconsolidation" written by Yan Nyein Aye, 2000, there are now 17 armed groups and 4 break-away Karen National Union (KNU) factions that have reached cease-fire agreements and exchanged arms for peace with the Government.

In the political problems of Burma, ethnic conflict cannot be ignored. In many areas, decades of war, human rights abuses and confrontation have created an uncertain situation among ethnic people. The desire for peaceful change is widespread across the ethnic area, but, for the moment, fear, distrust and survival have been the key motivations for action rather than reconciliation and reform.

By early 1992, the socio-political landscape in ethnic minority regions started changing. Military rule continued, but the 1990 election result had signified a massive victory for the NLD and also ethnic minority parties, most of whom were allied in the United Nationalities League for Democracy which was supported by 65 MPs. The Border Areas Development Program was started and, for the first time in decades, representatives of several UN agencies (especially UNDP, UNDCP and UNICEF) were being allowed into a number of districts in the long-forbidden hills (Smith, 1993:64)

At that time, the SPDC started preparing for the National Convention, which was to draw up the principles for Burma's new constitution, the country's third since independence. As a counter-balance to the NLD, the support of different ethnic nationality parties -- both cease-fire groups and those that had stood in the election -- was something that a number of government officials initially thought that they might be able to foster; this, however, was not to work out exactly as planned (Steigberg, 1997:39).

At the beginning of 1992, there was a war between SPDC and Karen National Union (KNU) hundreds of casualties on both sides in one of the most publicized battles ever in the history of the country's long insurgencies: the unsuccessful offensive to capture the joint KNU headquarters at Mannelplaw (Smith, 1993:97). However, in April 1992, to start the cease-fire process, the SPDC unexpectedly announced that the Burmese army was halting all offensive operations against armed ethnic opposition groups in "the name of national unity". Subsequently, the Burmese army did remain on front-line patrol and sporadic fighting occurred, but, in many areas, the levels of day-to-day violence dropped to

their lowest levels in decades. Indeed, as another warning of the unpredictability of ethnic conflict in Burma, it was in two new areas that most of the new violence was reported: in the Rakhine state, where the flight of the Muslim refugees was still continuing, and in the southern Shan state, where the 15,000-strong Mong Tai Army of the "opium kingpin", Khun Sa, was isolated and briefly went on the offensive.

During 1997 there was a hugh fighting with KNU and the government and as a result KNU permanent base areas have been falling one after another. The main victims have been the villagers caught in the cross-fire, with over 20,000 new refugees fled into Thailand. The situation of civilians is undoubtedly worse back in the war-zone in Burma. After five decades of armed conflict, local community leaders estimate that in the Karen state alone as many as one third of the one million plus inhabitants are now displaced from their homes -- either in refugee camps or exile in Thailand, internally displaced in the hills, or forced to move into the towns or government-controlled camps (Smith,1993:104). Thus, peace, reform, reconciliation and the creation of civil society in such a divided community is clearly the most important thing to solve the political problems of Burma.

In the Rakhine state, too, the resettlement under UNHCR auspices of over 200,000 Muslim refugees from Bangladesh can be contrasted with the anti-Muslim violence that swept several towns across the country in 1994. In 1995, the cease-fire of the Karenni National Progressive Party quickly broke down, following unreconciled disagreements over territory and trade (Hlaing, 2004:87). In 1998, major fighting has resumed in southwest and central Shan state where a veteran nationalist faction, the Shan United Revolutionary Army, has rejected the terms of Khun Sa's MTA surrender and is attempting to resume the Shan resistance. According to the UN Special Rapporteur on Human Rights, as a consequence of these conflicts, over 700 villages have been relocated in the Shan and Kayah state borderlands in the past two years alone.

Nevertheless, despite this present picture of uncertainty, according to many of those most actively involved in the cease-fire process, this would be to miss the

underlying point. Given Burma's troubled past, failure can never be ruled out, and, indeed, the real difficulties may have only just begun. Nevertheless, there remains a belief that, if Burma's deep political problems are ever to be resolved, the establishment of peace is a priority, and this must eventually spread to those areas where fighting is still continuing so that the issues of ethnic minority rights are addressed in tandem with democracy and greater national reform.

Mark Duffield and John Ryle (1997: 6) have warned, effective actions can only be based upon real understanding of the peoples, situation and problems of state as they exist on the ground. Thus in Burma's case, although the term civil society itself is not much discussed, it is important to recognize that there are peoples in Burma who are now urgently trying, in their own ways, to build confidence and strengthen elements in their own societies with the view to reform. This is a struggle as vital for the future peace and stability of Burma as the more-publicised events in Yangon. As Nai Shwe Kyin, the 84 year-old president of the New Mon State Party, told a press conference in 1999 after 45 years in the "underground" as an insurgent leader:

"We want to establish peace in our country. It is not a time to confront each other because we need national reconciliation. We have reached cease-fire agreements and the next step is political dialogue. We must establish trust. After bloodbaths lasting nearly half a century, we must establish trust with the view that one day reconciliation will come about" (Hlaing, 2004:18).

### **Civil society and democracy**

The concept of civil society has gained global popularity because it played a role in the democratization process in Eastern Europe and Latin America in the 1980s. Civil society organizations actively contributed to regime change and the transition from authoritarian rule in Eastern and Central Europe in the late 1980s and early 1990s through public debate, campaigns, street demonstrations and other forms of mobilization. Based on these events, many political scientists argue that civil society has an important role in improving the quality of governance, strengthening people power, enabling development, and promoting



democratization and strengthening democracy.

According to Putnam, "Civil association contributes to the effectiveness and stability of democratic government; it is argued, because of their 'internal' effects on individual members and because of their 'external' effects on the wider polity. Internally, associations instill in their members habits of co-operation, solidarity, and public spiritedness... participation in civic organizations inculcates skills of co-operation as well as a sense of shared responsibility for the collective endeavors" (Putnam,1993: 89-90)

Although civil society has been strongly emphasized as an element of the democratic process, its meaning remains unclear. For instance, Diamond views political parties as the key element in the consolidation of democracy, rather than civil society. In Diamond's view, after the end of authoritarian rule the single most important and urgent factor in the consolidation of democracy is not civil society but political institutionalization (1994:15). According to Diamond, strong political parties and effective state institutions are important for implementing the market-oriented policy in order to reduce the levels of poverty, inequality, and social injustice. Some scholars, such as Samuel Huntington, argue that the sudden mobilization of civil society in an institutionally weak state can lead to instability (1968:66)

However, James Manor, Mark Robinson and Gordon White (1999:1) suggest that in normative terms, civil society has been widely seen as an increasingly crucial agent for limiting authoritarian government, strengthening popular empowerment, reducing the socially atomizing and unsettling effects of market forces, enforcing political accountability and improving the quality and inclusiveness of governance.

Thus, most authors agree that civil society is important for democratization, both as a counterweight to state power and as a means to greater democratic legitimacy and effectiveness.

## Civil society and democratization in developing Countries

There is empirical evidence which demonstrates how civil society organizations have supported democratization process in the world. In Eastern Europe, Poland in particular, civil society was a key player in the transition from a military dictatorship to a flourishing democracy. Trade unions and the Church played a pivotal role in the 1980's, shaping both domestic and international opinion and mobilizing support which in the end resulted in the round table negotiations and the final power sharing agreement (Rau,1991: 162).

In Bangladesh, NGOs played the role of institutional entrepreneurs in the process of democratic transition. Bangladeshi NGOs were involved in the democratic transition in different ways: election monitoring, public opinion polling, parliamentary training, budget analysis, advocacy training, policy formulation, and investigative journalism (Raymond, 1999:19). Because NGOs are located throughout the country, NGOs were able to use their network communications resources to promote electoral participation and electoral monitoring throughout the country. Although the election took place in conflict situation between the major political parties, there was a high electoral turnout and the election was deemed free and fair. When NGOs brought important international networks and credibility, the state no longer had the monopoly voice on truth. So it was evident that the NGO community could promote democratization of a country.

The Philippines also has had a proliferation of NGOs after its independence. However, under the years of the Marcos dictatorship (1972-1986), NGO proliferation slowed initially as a result of the declaration of martial law. But, NGOs could work closely with grassroots people's organizations' and avoid collaboration with the state in varying degrees. Through participation in issue-based social movements, NGOs played a significant role in the two and a half

years of unrest from August 1983 that led to the 'People Power' revolt of February 1986 (Clarke, 1998: 200). NGOs in the Philippines played a key role in the demise of Marcos dictatorship in 1986. Cambodian NGOs have also promoted democratic reforms in the country. In Cambodia, NGOs promoted popular debate and discussion of the 1993 constitution, helped to build a civil society with autonomy from the state as an important facet of democratic reform from 1991 and articulated issues and interests independently of the state (Clark, 1998:200).

### **Civil Society in Burma**

In the history of Burma, civil society existed in a form of traditional religious organizations. There were Buddhist monasteries in almost all villages in Burma. In most villages, there were social events and welfare activities around the Buddhist monasteries. Monks led these events and initiatives, and groups of village people were formed to support the monastery and religious festivals. However, the monarchy system and hierarchy in society probably limited the number and type of organizations to very basic community-based social and religious groups. Yet there were some social and religious organizations within communities that were outside of direct state control. The Burma Baptist Convention is the first modern NGO in Burma and which was formed in 1865 (Heidel, 2005:87).

The monarchy system was stopped in 1885 by the British colony. In colonial time, the British government also imposed and enforced many restrictions to control the political and military power. The British were more effective in institutionalizing control and limitations of freedoms than the Burmese monarch system. There were controls on freedom of association, speech, movement and other rights which undermined the growth of civil society actors. At the same time there was a new trend in civil society organizations in Burma. Since the British did not allow overtly political organizations, religion (a primordial loyalty closely associated with nationalism) became a natural focus for organizational activities

both for religious good works and patriotic activities (Steinberg, 1999:5). As educated urban Burmese growing up during the colonial administration, they started to form modern organizations to challenge colonial control. For example, during the early part of the colonial administration, in 1906, the Young Men's Buddhist Association, which was the first modern, non-Christian NGO, was formed (Heidel,2005:24). It was a religious group led by students at the beginning, but later switched to emphasize political issues. They successfully led a campaign to ban footwear in all pagoda premises, using the opportunity to try to form an anti-colonial political movement. So the origins of modern civil society in Burma were partially rooted in colonial resistance.

After independence, the country was practiced democratic system. With the democratic system, many civil society organizations emerged in urban areas. Many trade unions, student unions, professional associations and groups with a range of objectives were formed at that time. NGOs and CBOs were apparently forming at a faster rate than at any other time in the country's history. According to Steinberg, the space of civil society was somewhat circumscribed because of three factors: the heritage of laws from the colonial period that were used to suppress political dissent and the independence movement, the insurgencies that promoted immediate concerns for state security, and a tradition in which state intervention was countenanced (Steinberg, 1999:6). In this period, the All Burma Peasant's Organization and the All Burma Worker's Organization had extensive membership and fostered the individual roles of its leadership.

However, there was a military coup in 1962 and General Ne Win came to power. He formed the Burma Socialist Program Party (BSPP) with military men after the coup. Then the existence of civil society drastically changed. Steinberg says that civil society died under the Burma Socialist Program Party (BSPP); perhaps, more accurately, it was murdered (Steinberg, 1999: 8). The BSPP regime regarded civil society as enemy and imposed restrictions on many individual freedoms, and civil society organizations. The government introduced a rigid socialist system that eliminated the private sectors. For example, the government

nationalized schools, business, clubs and organizations. Some forms of civil society, such as labor unions, student union and peasant union, were abolished. The BSPP through its core organization and its various subsidiary youth groups dominated all social activity. However, some civil society survived and they adapted the way they function to the situation they faced.

#### Burmese civil society under SPDC

In the State, Peace and Development Council (SPDC) period, the military government has created its own 'civil society' called Union Solidarity and Development Association (USDA). The USDA was registered as NGO with the Ministry of Home Affairs and so it is not considered a political party. The government reported that there were over five million members in the USDA. Its role is to support the activities and policies of the military government. Especially, the USDA is intended to support the new constitution that the military government is drawing. Steinberg (1999:12) articulates that the USDA seems to be Golkar (the functional groups of Indonesia) before Golkar was converted from a military-sponsored social organization to a political party. Smith also says that the policy of co-opting civil society was continued with the prolonged military power. For example, the government-backed NGOs (GONGO), the Myanmar Medical Association (MMA), Myanmar Red Cross (MRC), and Myanmar Maternal and Child Welfare Association (MMCWA) have also become more active, but many of their programs are town-based, where they work in conjunction with the local Township Medical Officers who come under the Ministry of Health (Smith, 1999:43). However, more NGOs emerge under the SPDC government. According to Brian Heidel (2004:60), it is estimated that Burma may have had approximately 270 NGOs operating in the country in 2003. In addition, it is estimated that Myanmar may have had up to 214,000 community-based organizations in 2003. Even if this number is somewhat overestimated, it appears that there is extensive CBO coverage throughout the country.

## **NGOs as part of civil society in Burma**

Many NGOs have been emerged over the last two decades all over the world. According to Brian Hiedel (2006:7), the characteristics of NGOs are non-profit, voluntary initiative, independent from political parties and organizations, and from government; self governing; have a self-perception as accountable in some way to society; disinterest, in the sense of working on behalf of others and not their own staff, members or communities; and socially progressive, that is, having at least one human development or social welfare aim. Most of the NGOs in Burma have emerged in the 1990s. There are three types of NGOs in Burma. The first type of NGOs is international NGOs, which are from different countries, emerged in 1990s and mainly exist in Yangon, the former capital of Burma. The second type of NGOs is local NGOs, which existed in many area of Burma, some of them have a religious affiliation and some have existed for the last three decades. The last type of NGO is community-based organizations (CBOs), which are in abundance in the country and cover a range of local functions such as organizing funerals and festivals.

### **International non-governmental organizations (INGOs)**

International NGOs themselves can be seen as organizations that contribute to the development of civil society in Burma. According to the Directory of International NGOs in Burma, 47 INGOs were working inside Burma in 2004. Some have been operational for over ten years, while the majority entered the country in 2000s. Their activities are varied, ranging from the more specific education and health-related programs run by Save the Children to the broad-based community development approach followed by organizations such as World Vision. While HIV/AIDS is a key component of many organizations' programs, most other development sectors are addressed; education, re-forestation, disaster relief, vocational training, capacity building, street children and child rights, agricultural development, micro-credit, anti-trafficking, water

and sanitation are some of the ever-increasing areas covered.

#### Local non-governmental organizations (LNGOs)

According to the Directory of Local NGOs in Burma, March 2004, there are sixty-two local NGOs. In order to be included in the directory, these groups had to meet a certain number of criteria, including having an office in Yangon, being non-profit, voluntary, independent, self-governing, socially accountable, human-welfare oriented, acting as an intermediary, socially progressive and having clear leadership. Since the directory could survey only NGOs with offices in Yangon, it does not represent the entirety of organizations in the country. Whilst most organizations are small, one or more are present in all states and divisions. The majority of NGOs have some affiliation to a religious group, although groups such as the Myanmar Medical Association (MMA) and the Myanmar Literacy Resource Centre are also represented. The activities of local NGOs cover a wide and varied range of issues, from providing education, health care and capacity building to contributing the development of the Burma forest resources and natural environment.

According to a survey done by Brian Heidel in 2004, half of surveyed NGOs worked in the education sector (See Table 1). Sectors in which at least 20% of surveyed NGOs worked (that is, at least 12 NGOs or more) include, in order of importance, health (25 NGOs), religious affairs (22), social welfare (21), water and sanitation (15), HIV/ AIDS (14) and agriculture (12).

#### Community-based organizations (CBOs)

CBOs and NGOs are different in Burma. CBOs don't need to register with the government office while NGOs are required to be registered. It is hard to estimate the exact numbers of CBOs. According to Heidel (2004:41), it is estimated that there are 214,000 CBOs in the whole country. His survey was based on research in 114 villages and 26 wards, in 14 townships. Nearly half were

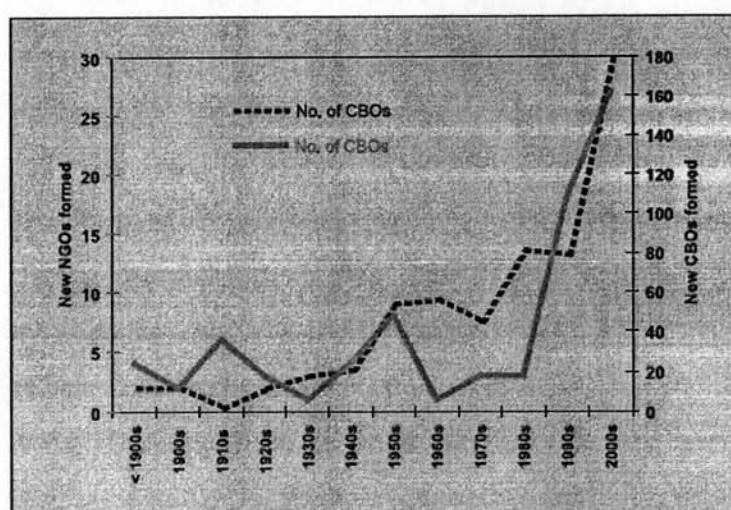
religious CBOs. Other types of CBOs were Parent Teacher Associations, social affairs CBOs, agriculture CBOs, and health/water/sanitation CBOs.

**Table 1**  
**Number of NGOs by sector**

Sector	Number of NGOs
Education	32
Health	25
Religious	22
Social Welfare	21
Water and Sanitation	15
HIV/AIDS	14
Agriculture	12
Credit	11
Emergency	8
Environment	8
Other	8
Nutrition	7
General Capacity Building	6
Non-Violence, Conflict Resolution	1

(Source: Heidel, The growth of civil society in Myanmar, 2004:20)

#### Formation of New NGOs and CBOs by decade



(Source: Heidel, The growth of civil society in Myanmar, 2004:43)



In summery, there is a debate over whether INGOs should work inside Burma. Marc Purcell (1999: 93-94) writes about NGOs and other political issues in his book 'Axe-handler or Willing Minions?' In the book, he mentions an personal communication with Aung San Suu Kyi in 1998 concerning NGOs existence in Burma. According to him, Aung San Suu Kyi said that "We don't think the time is right for NGOs to come in. It is very difficult, if not impossible, for NGOs to work without permission of the authorities...Why don't these NGOs go to the Karen refugees on the border? There's plenty of need there. We (inside) really have to help ourselves [NGO assistance in Burma] would only be a drop in the ocean helping a few thousands here or there. We want to create a system which will help everyone. It is far more important to change the political system in Burma." In the book, Marc Purcell examines the question surrounding the debate on INGO involvement in Burma. He argues that INGOs should consult with Aung San Suu Kyi and the NLD about their programs in Burma. He also finds that the situation of humanitarian crisis in Burma make it difficult to maintain the position that INGOs should not be in Burma.

Smith also identifies the issue in his book, "Ethnic conflict and the challenge of civil society in Burma". In the book, he talks about how the NLD has taken a very different position from the government on the operation of foreign NGOs in Burma. It views the activities of International NGOs in the country as giving legitimacy to the military government. He also argues that all local activities and the organizations with which most INGO will work will benefit the military indirectly, through the USDA or other government-sponsored groups. Aung San Suu Kyi wrote to Mr. Gustave Speth, administrator of the UNDP, in January 1996, complaining of the discrimination that many citizens felt in gaining access to aid and requesting that in future, UN agencies should consider ways of implementing programs "in close co-operation with the NLD;" in this way, Aung San Suu Kyi argued, the UN would be working with the only organization in Burma which, through the 1990 election result, had been shown to represent the 'will of the people'(Smith, 1999:47).

However, another literature shows the different position of Aung San Suu Kyi concerning NGOs. In an personal communication with Irrawaddy magazine in 2002, on the issue of foreign assistance, Aung San Suu Kyi said, "What we have been saying is that we can cooperate with the SPDC if the assistance is beneficial to the people and supports democratic changes. We are ready to cooperate with the regime, if the assistance will be beneficial to the people and supports democratic development in the country"(Aung, 2002:45).

Purcel argues that aid should be targeted at the Thai-Burma border, that aid inside Burma can not be accurately monitored, that a resumption of aid would give the SLORC international credibility and that there was evidence that increasing international pressure from the UN was beginning to affect the regime (Purcel, 1999: 77).

Christina Fink (2001:245-249) also discusses how NGOs were exploited by the regime. In one example, she mentions how UNDP's money was misused by the government. For example, UNICEF found out that medicine provided to the SPDC for women and children had been diverted to the military instead. In another example, a few vials of long outdated vaccines provided by the UNICEF were found in the market in Yangon. In addition, many people are skeptical that whether current assistance is reaching to the most in need. In a Refugee International report (2006:21), it mentions that 'INGOs have to pay a 10% fee to agencies in Yangon, between 40-60 cents automatically benefits the regime as signed between the SPDC and the UN and international NGOs stipulate using Burmese consultants who are closely linked to the regime; food and supply convoys by UN agencies are being resold in markets'. These complex political situation and government policies have affected the way international agencies operate in Burma and hindered the development of NGOs.

### **Space of civil society in Burma**

Many literatures focus on the political perspective of NGOs existence in Burma. They do not give an account of the actual activities of NGOs under the authoritarian rule. In other literature there is also a debate over the existence of civil society in Burma. There are two competing perceptions, each with its own standards for judgment. One view argues that there is no space for civil society in Burma.

Liddell argues that the legal constraints on civil society in Burma are tightly controlled by the government. Liddell (1999: 54) says the development of free and independent civil society associations is restricted by the lack of fundamental civil liberties such as freedom of association, freedom of opinion, freedom of expression and freedom of movement. It is true that there is no independent judiciary in Burma. Instead, the military rules the country with a combination of martial law and restrictive decrees left over from Burma's colonial past (ICFTU 2004: 168). It is therefore, impossible to politically to challenge the policy of the regime in a legal way. According to the Unlawful Association Act, the Head of State can declare any association unlawful without basing his decision on hard evidence and can punish its members with up to five years of imprisonment (BLC,2004: 21f.). Since Law 6/88 states that no organization can be formed without the consent of the Home Ministry, the Burma Lawyers' Council considers it to be a deliberate measure on the part of the regime to prevent the emergence of an independent and critical civil society (BLC,2004:22f.). According to Liddell, the Press Scrutiny Board subjects all publications to strict censorship and it censors all books, films, magazines and songs before publication (Liddell ,1999: 59).

Liddell concludes that the prospects for the development of civil society in Burma are not promising. Even without the military government and its pervasive military intelligence agents, it would take a major shift in ways of thinking and working, beginning at level of education, for civil society to really take root and

prosper. The example above is the worst of Burma's laws which restrict or prohibit freedom of speech, assembly, and association, reveal just how tight state control is. According to the literature, the legal scope of action for civil society is very narrowly circumscribed and its legal ways of expression are extremely limited.

Nevertheless, there are literatures that argue that there is a certain space for civil society in the country. Some argue that the government cannot limit the activities of all civil society organizations all the time. International Crisis Group says that "the widespread belief outside Burma that there is no civil society in the country was never absolutely true and is even less so today (unless civil society is perceived in a strictly political sense' (ICG, 2002). Jasmin Lorch (2006:25) also argues that civil society actors do exist within three specific areas: firstly, within the ambit of changes within the state itself; secondly, in various sectors of the weak welfare state; thirdly, within some of the negotiated space of relative ethnic autonomy in ceasefire areas.

For the 1<sup>st</sup> place, the founding of NGOs by former members of the administration can be described as a case of civil society emerging from within the state itself. For example, a director from a Forest ministry retired from the office and set up an environmental NGO and conducts projects in close-cooperation with the government. For the 2<sup>nd</sup> place, the military regime in Burma tolerates certain civil society activities in areas of tremendous welfare needs that the government is unable or unwilling to deal with itself. Local self-help groups take over core functions of the welfare state and try to satisfy basic needs regarding health issues, education and even the provision of food. For the 3<sup>rd</sup> place, some of the ceasefire agreements have led to the emergence of space for civil society. The central government is unable to address the underdevelopment of war-torn communities in ethnic areas. The government is afraid that the armed resistance groups will call off the ceasefires due to economic frustration. This may be an important reason why the military regime allows development projects to be conducted by civil society actors, particularly in ethnic areas (Lorch, 2006:25).

Brian Heidel (2005:60) also writes that more NGOs and CBOs have formed since 1990 than at any other time in the history. He mentions that many development workers have commented on the noticeably higher level of government tolerance at community level in Burma than in some other countries in Asia and elsewhere. During this period, NGOs were also allowed increased access to sensitive border areas and to parts of the country where they could not previously work. The numerous ceasefire agreements signed between the SPDC and the armed ethnic groups during the 1990s also contributed to increasing access for NGOs around the country.

A few international NGOs went into Burma in the early 1990s, and a larger flow entered in the late 1990s and first few years after 2000 (Heidel,2005:5). Although there are severe restrictions on political freedom, local and international NGOs were allowed to work at community level. During this period, NGOs were also allowed increased access to sensitive border areas and to parts of the country where they could not previously work. The numerous ceasefire agreements signed between the SPDC and armed ethnic groups during the 1990s also contributed to increasing access for NGOs around the country. In many ethnic minority regions of the country, there is a greater freedom of association and mobility within society than in recent decades (Smith, 1999:40).

## **Conclusion**

In conclusion, this chapter argues that civil society organizations have existed in Burma since colonial times and they existed in different forms and experienced different political opportunities and threats throughout history. In monarchy time, civil society existed in a form of traditional religious organizations. In colonial time and after independence, many civil society organizations such as trade unions, student unions, professional associations emerged. In the BSPP regime, the government introduced a rigid socialist system that eliminated the private sectors and civil society organizations such as labor unions, student unions and peasant unions, were abolished. However, NGOs

emerged under the SPDC government while the situation of the rest of CSOs was still unchanged in the country. Although the government discourages the emergence of civil society organizations, it allows for certain limited space for civil society by letting NGOs work in the country. While these rooms for maneuver are always relational to the authoritarian nature of the military regime, civil society actors can use some available public space in order to tackle the welfare needs of their respective communities. Currently, under the authoritarian rule of Burma, there are some moves towards developing a civil society at the most local level. NGOs are trying to do their activities which are not perceived as a threat by the government. These activities include local level activities by NGOs, church congregations or Buddhist monasteries, or town and state level activities such as temple festivals, emergency relief work, national immunization campaigns, capacity building trainings, peace building, HIV/AIDS issues and so on. Since there is a small public space for CSOs, the study will continue to explore whether CSOs in Burma can politicize this available public space and change it into democratic space for the purpose of democratization in Burma.