



Undemocratic November, 2010 Election in Burma

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On November 7, 2010, Burma had its first election in two decades. In 1990, the opposition party National League for Democracy (NLD), led by Nobel Peace Prize winning activist and recently released political prisoner Aung Sun Suu Kyi, recorded a landslide electoral victory, surprising even the ruling military junta. Unfortunately, the junta, or State Peace and Development Council (SPDC), refused to yield the reigns of power and has continued to control the state through oppressive tactics over the course of the past twenty years. In the run-up to the 2010 election, the SPDC repeatedly violated human rights as it worked to ensure its continued dominance over the Burmese state.

In 1990, the junta argued that the election results could not be recognized as the polls took place in the absence of a constitution. They suggested that a constitution must be drafted and approved before another election could occur. The drafting of a constitution was to be a part of the SPDC's "Roadmap to Democracy." Eighteen years later, in 2008, the SPDC put forward a constitution for referendum.

Controversial provisions in the proposed constitution include guaranteeing the military a quarter of the seats in parliament, making military personnel immune from civilian prosecution and granting key ministerial portfolios to military officers. In addition, the proposed constitution barred anyone married to a non-Burmese citizen from standing for election. This provision specifically targeted Suu Kyi whose deceased husband was British.

Just a few short weeks following 2008's devastating Cyclone Nargis, with many Burmese communities in disrepair and international agencies barred from delivering aid or monitoring government actions, the constitution was put to referendum. It was passed by an improbable 92% of the electorate. Both the result and government tactics associated with the referendum were met with widespread skepticism



Perhaps still contemplating their surprise 1990 electoral loss, the SPDC was not satisfied that they had taken enough steps to ensure electoral success coming into the election year. As a result, in early 2010 several new electoral laws were passed. These included the Election Commission Law that appointed allies of the military to the Commission controlling all aspects of the election. The Commission's powers included authorization to cancel the election in any area for "regional security" interests. This law is commonly thought to have been an attempt to suppress votes from minority ethnic groups.

The Political Parties Registration Law, the People's Assembly Election Law and the National Assembly Election Law banned prisoners (including over 400 political prisoners of the NLD), anyone from "outlawed organizations," or anyone using religion for political purposes from standing for election or voting. This final provision was an obvious attempt to prevent Buddhist monks, instrumental in the 2007 Saffron Revolution, from partaking in the electoral process.

Finally, an additional order, Directive 2/2010, imposed severe restrictions on political party activities, including requirements for parties to apply a week in advance for permission to hold gatherings either at campaign offices or at other locations, barring the chanting of slogans, marching or carrying flags, giving speeches or publishing materials that would "tarnish" the image of the state, criticizing the constitution or harming community peace.

In addition to passing a military friendly constitution and manipulative electoral laws, the SPDC engaged in several other activities to ensure its electoral success. The powerful state-run Union Solidarity and Development Association (USDA) and all of its extensive resources were rolled into the largest government-backed party, the Union Solidarity and Development Party (USDP), headed by current Prime Minister Than Shwe. The USDP has taken over the USDA's offices in almost every region of the country.

Paramilitary and government police forces used to crack down on protests in both 2003 and 2007 have been used to monitor the activities of opposition parties and intimidate opposition candidates and supporters. Furthermore, systematic human rights abuses by the military have been committed against ethnic nationalists in various regions of the country. In addition, the government denied international observers access to the country to monitor the election.

Results from the election were clear: the junta's democratic façade was successful and pro-military groups continue to hold power in Burma. It appears as though the government's long campaign of suppressing political dissent through legislation, force, harassment and intimidation has created a climate wherein the Burmese people are unwilling or unable to risk opposing the military junta.



Three interesting developments have taken place since the election. First, in a move symptomatic of Burma's continued struggles, thousands of refugees fled the country in the days immediately after the election following conflict between government forces and ethnic groups. Second, in an attempt to boost the credibility of their fictitious transition to democracy, the government has allowed Suu Kyi, no longer an election threat, to be released after spending 15 of the last 21 years under house arrest. There is little doubt that her actions will continue to be monitored closely and that it would surprise few if she were to be charged, once again, with bogus crimes. Finally, some international organizations and foreign governments have proposed that sanctions placed on Burma be removed in light of the recent election. Pro-democracy activists have widely criticized these suggestions for legitimizing the new government.

Activists and organizations dedicated to a more democratic and equitable Burma continue to do incredible work. However, the junta has stubbornly retained and entrenched its dictatorial rule by masquerading as a democracy. The "Road to Democracy" has reached its "successful" conclusion and Burma is no more democratic than it was prior to the November election.

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