

# Griffith Asia Institute

## Regional Outlook Paper

POLICE REFORM IN BURMA (MYANMAR):  
AIMS, OBSTACLES AND OUTCOMES

Andrew Selth

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# Contents

Executive Summary.....	1
Author's Note .....	2
Glossary.....	4
1. Introduction.....	5
2. The Police in Burma .....	7
3. Police Reforms .....	9
4. Obstacles to Reform .....	11
Structure and Resources.....	11
Investigation and Intelligence .....	12
Police Force-Tatmadaw Relations .....	13
Internal Security Responsibilities .....	15
Police Culture and Socialisation.....	17
Community Relations .....	19
5. The Police and Political Reforms .....	22
6. Conclusion .....	24
Notes and References .....	25

# Executive Summary

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Despite all the publicity that Burma has received since the inauguration of a hybrid military-civilian parliament in 2011, and the launch of an ambitious reform program by President Thein Sein, there are some important issues which seem to have escaped serious study. It has become clear, for example, that the new government wishes not only to reinvigorate plans to expand and remodel the Myanmar Police Force (MPF), but also to give it a more distinctive civilian style and ethos, and see it take greater responsibility for some key aspects of the country's internal security. Indeed, such steps will be essential if Burma is to strengthen the rule of law and make an orderly transition to a genuine and sustainable democracy.

The armed forces (*Tatmadaw*) will remain responsible for external defence and for counter-insurgency campaigns against armed ethnic groups. However, it seems to be envisaged that, as part of the broad democratisation process, the MPF will assume a greater role in terms of law enforcement and the maintenance of internal order. Already, there are more blue uniforms than green uniforms on the streets protecting VIPs and standing static guard outside diplomatic missions. The police can also be expected to play a larger part in quelling civil unrest, with the army only called upon to provide aid to the 'civil' power during emergencies, as occurred in Arakan (Rakhine) State in 2012 and Meiktila in 2013.

To this end, the MPF is being expanded, restructured and modernised. It is already larger and more powerful than it has been since the colonial era, but the goal is a force of over 100,000 men and women, with 34 'combat' battalions. Recruitment and officer corps entry standards have been raised. At the same time, the MPF's doctrine and training programs are being changed to give greater emphasis to 'community-based policing' by unarmed officers working in close cooperation with the civil population. This approach is not completely new to Burma but, if fully and successfully adopted, it will be in stark contrast to the tough paramilitary style of policing that has characterised the force since General Ne Win's 1962 coup.

As the Indonesian example has shown, however, such a transition will be neither quick nor easy. Burma's armed forces remain very powerful. There will be some areas, such as intelligence collection and internal security operations, where the interests of the MPF and Tatmadaw will overlap. The respective roles, responsibilities and associated benefits of the two institutions may be sorted out – probably in the Tatmadaw's favour – but there is likely to be friction. Also, there are cultural issues in the police force which will take a long time to resolve. Corruption and the abuse of power, for example, are deeply-rooted problems that will be difficult to eradicate. Until they are, the force's relations with the general population will remain problematical.

Should the MPF be able to reinvent itself, however, it has the potential to make a major contribution to Thein Sein's reform program and the development of a more democratic, stable and humane society in Burma. Also, as an important civilian body answerable to the public through an 'elected' government, its behaviour – and treatment by the government – will be important indicators of progress in current attempts to implement the rule of law in Burma and make the security forces more accountable for their actions.

## Author's Note

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After the Burmese armed forces crushed a nation-wide pro-democracy uprising in September 1988, Burma's official name (in English) was changed from its post-1974 form, the 'Socialist Republic of the Union of Burma', back to the 'Union of Burma', which had been adopted when Burma regained its independence from the United Kingdom (UK) in January 1948. In July 1989 the new military government changed the country's name once again, this time to the 'Union of Myanmar'. At the same time, a number of other place names were changed to conform more closely to their original pronunciation in the Burmese language. In 2008, after promulgation of a new national constitution, the country's official name was changed yet again, this time to the 'Republic of the Union of Myanmar'.

The new names have been accepted by most countries, the United Nations and other major international organisations. Some governments and opposition groups, however, have clung to the old forms, largely as a protest against the former military regime's human rights abuses and its refusal to introduce a genuinely democratic system of government. In this paper the better-known names, for example 'Burma' instead of 'Myanmar', 'Rangoon' instead of 'Yangon', and 'Irrawaddy' instead of 'Ayeyarwady', have been retained for ease of recognition. Quotations and references, however, have been given as they originally appeared. Also, formal titles introduced after 1989 have been cited in their current form, such as 'Myanmar Army' and 'Myanmar Police Force'. Such usage does not carry any political connotations.

The armed forces have ruled Burma since 1962 but, from 1974 to 1988, they exercised power through an ostensibly elected 'civilian' parliament. On taking back direct control of the country in September 1988, the armed forces abolished the old government structure and created the State Law and Order Restoration Council, which ruled by decree. In November 1997, apparently on the advice of a United States-based public relations firm, the regime changed its name to the State Peace and Development Council. In 2008, it held a constitutional referendum, which was followed by elections in 2010. The resulting national parliament, consisting of both elected officials and non-elected military officers, first met in January 2011. A new government was installed under President Thein Sein in March that year.

After the UK dispatched troops to the royal capital of Mandalay and completed its three-stage conquest of Burma in 1885, Rangoon was confirmed as the administrative capital of the country. It remains the commercial capital, but in October 2005 the regime formally designated the newly built town of Naypyidaw (or Nay Pyi Taw), 320 kilometres north of Rangoon, as the seat of Burma's government. When they appear in this paper, the terms 'Rangoon regime', or in some cases simply 'Rangoon', are used as shorthand for the central government, including the military government that was created in 1962 and re-invented in 1988. After 2005, the government is referred to as the 'Naypyidaw regime', or simply 'Naypyidaw', to reflect the administrative change that took place that year.

Another term used in this paper is *Tatmadaw* (literally 'royal force'), the vernacular name for Burma's tri-service armed forces. In recent years, this term has gained wide currency in English-language publications on Burma. 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 national police force and the 'people's militia'. On occasion, the Fire Services Department and Red Cross Brigade have also been included in this category.

This Regional Outlook is a revised and expanded version of a paper presented at the Myanmar/Burma Update Conference held at the Australian National University (ANU)

from 15–16 March 2013. It draws on research currently being conducted for a major study of Burma's police forces since the colonial period. That project has already benefited from the generous assistance of the Griffith Asia Institute, and from personal contributions by Dr Nicholas Cheesman and Dr Nicholas Farrelly, both of the ANU. I am also grateful to the convenors of the 2013 Myanmar/Burma Update Conference for helping me commission translations of several Burmese language documents and websites, and to Thein Than Htay, Myat Khet Nyo and Ma Khin Mar Mar Kyi for the translations.

# Glossary

ABRI	<i>Angkatan Bersenjata Republik Indonesia</i> (Indonesian National Armed Forces)
AFP	Australian Federal Police
ANU	Australian National University
BP	Burma Police
BMP	Burma Military Police
BRIMOB	<i>Brigade Mobil</i> (Indonesian Police Mobile Brigade)
BSI	Bureau of Special Investigation
CID	Criminal Investigation Department
CRPPFMS	Committee for Reform of the People's Police Force Management System
DATC	Department Against Transnational Crime
DDSI	Directorate of Defence Services Intelligence
DMAS	Directorate of Military Affairs Security
EC	European Commission
HQ	Headquarters
ILEA	International Law Enforcement Academy
JCLEC	Jakarta Centre for Law Enforcement and Cooperation
<i>Kempeitai</i>	(Japanese) Military Police Corps
KIA	Kachin Independence Army
MPF	Myanmar Police Force
MSS	Ministry of State Security
NDSC	National Defence and Security Council
OCMI	Office of the Chief of Military Intelligence
POLRI	<i>Kepolisian Negara Republik Indonesia</i> (Indonesian National Police)
PPF	People's Police Force
<i>Na Sa Kha</i>	Border Control Force
SB	Special Branch
SLORC	State Law and Order Restoration Council
SPDC	State Peace and Development Council
<i>Tatmadaw</i>	Armed Forces
TNI	<i>Tentara Nasional Indonesia</i> (Indonesian National Army, or Armed Forces)
MIS	Military Intelligence Service
NIB	National Intelligence Bureau
UMP	Union Military Police
UN	United Nations
UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime
UK	United Kingdom
US	United States
UWSA	United Wa State Army
VIP	Very Important Person



# 1. Introduction

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Policemen affect political life not only directly through their actions, but by the manner in which they handle their duties ... policemen are among society's most influential agents of political socialisation. They are ubiquitous in their presence; they are uniformed, hence particularly visible, and are clothed with authority to use force. Their activities touch the most sensitive areas of human life and well-being. They may protect or they may threaten, but in each case because they possess a monopoly of force they are symbols of enormous emotional significance. In the most profound of life's social crises, policemen are often participants or primary observers. The way in which policemen behave may affect attitudes not only toward themselves, but toward law, authority, government, and conflict.

David H. Bayley (1971)<sup>1</sup>

Since taking office in March 2011, Burma's president U Thein Sein has made a number of major speeches, in which he has frankly acknowledged the country's myriad problems and outlined his government's plans to introduce a wide range of political, economic and social reforms. His stated aim is to build 'a modern, developed democratic nation', in which the work of the central government, and State and Regional governments, is 'transparent, accountable and consistent with the constitution and existing laws'.<sup>2</sup> In stating this aim, the president has repeatedly emphasised what he has called 'the rule of law'. He has not spelt out precisely what is meant by this term, which has assumed the status of a political mantra, but in 2012 a UN General Assembly resolution characterised the principle as a requirement that 'all persons, institutions and entities, public and private, including the State itself, are accountable to just, fair and equitable laws and are entitled without any discrimination to equal protection of the law'.<sup>3</sup>

In elaborating this theme, Thein Sein has further stated that;

Rule of law is at the core for emergence of a glorious democratic society ... Rule of law is a must for our administrative mechanism, businesses, social welfare, political processes, international relations and judicial system. If rule of law prevails in our society, human rights, liberty and democracy would flourish automatically. Consolidation of every step of national building endeavours depends on rule of law.<sup>4</sup>

As part of this process, the president plans to reinforce 'the judicial pillar'. He has given assurances that justice in Burma will be administered 'independently according to law'.<sup>5</sup> Thein Sein also intends to 'amend and revoke the existing laws and adopt new laws as necessary to implement the provisions on fundamental rights of citizens or human rights'.<sup>6</sup> Official bodies have been told that they 'must be careful not to obstruct the fundamental rights of a citizen' and the government has vowed to 'fight corruption in cooperation with the people'.<sup>7</sup>

At no time during any of his speeches has Thein Sein singled out the Myanmar Police Force (MPF) for special mention. Nor has opposition leader Aung San Suu Kyi, despite her constant references to the need to restore 'the rule of law' to Burma.<sup>8</sup> Foreign governments and international organisations interested in this issue have also tended to gloss over the policing dimension.<sup>9</sup> Yet, in various ways, the reforms envisaged by both the government and opposition movement will rely in part for their success on the existence and proper functioning of an independent and professional national police force that is accountable to the public and commands the respect of the general

population. Also, if the armed forces (*Tatmadaw*) are further to loosen their grip on Burmese society, then the MPF can be expected to play a much greater role in maintaining law and order, and safeguarding the country's internal security. Indeed, such a step will be essential if Burma is to make an orderly transition to genuine and sustained democratic rule.

As other post-authoritarian governments have found, however, the reform of the national police force presents enormous challenges. Various structural and procedural changes can be made, new training programs introduced, new equipment acquired, technical proficiency levels raised and steps taken to improve the force's public image. In some of these areas, foreign countries and international organisations can provide assistance. Such measures, however, will only scratch the surface of the problem. It is imperative that there is also a fundamental shift in the police force's professional culture, and a major transformation of its relationship with the wider community. Both require multi-faceted, well funded and sustained campaigns by the Burmese government aimed at deeply entrenched patterns of thinking and behaviour. As the Indonesian model – among others – has shown, these changes are often the most difficult to achieve, but over the longer term they are the most important.<sup>10</sup>

At the same time, a new contract needs to be forged between Naypyidaw, the *Tatmadaw* and the police force. For real and lasting reform in Burma will depend on a more democratic and civilianised political system which permits the MPF to operate freely, and according to internationally accepted professional standards, without interference from the government, the parliament or the armed forces. In other words, key components of Thein Sein's ambitious reform program can only succeed if there are fundamental changes in the MPF and the way it functions. Yet an independent and civilianised police force in Burma will depend on the creation and continued functioning of much more open and flexible political, economic and administrative systems. As with so many of the country's 'fiendishly complex' problems, the questions of police reform and democratic reform in Burma are inextricably linked.<sup>11</sup>

## 2. The Police in Burma

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Before considering the current status of Burma's national police force, its reform program and the areas where it is likely to encounter the greatest challenges, it is necessary briefly to look at its antecedents. For, as David Bayley has written:

The characteristics of contemporary police systems, such as their structure, manner of control, and image, change very slowly; they show a striking persistence over time. Events as supposedly formative as major wars, political revolutions, and social and economic transformations affect police systems surprisingly little.<sup>12</sup>

At one level, this is certainly true of Burma. It is more than 150 years since a constabulary police force was established in the then province of British Burma.<sup>13</sup> Yet, in a number of areas it is possible to identify strong continuities between the colonial-era police forces and the MPF.<sup>14</sup> That said, there is no escaping the fact that Ne Win's military coup in 1962 completely changed the status of the police force in Burma and had a major impact on the way it has operated over the past 50 years.

Robert Taylor has argued that, before 1900, 'the security of the colonial state rested primarily on the army'.<sup>15</sup> While there were still some 35,000 British and Indian soldiers in Burma that may have been the case.<sup>16</sup> However, from the turn of the century the principal component of the British administration's coercive apparatus was the police force, divided after 1891 into the civil Burma Police (BP) and the paramilitary Burma Military Police (BMP).<sup>17</sup> After Mandalay fell in 1885 and Burma was eventually 'pacified' – formally, at least – few regular army units remained in-country. Law and order was maintained by the police. Indeed, so weak was the local military presence that 3,500 soldiers had to be deployed from India proper to help crush the so-called Saya San rebellion in 1930–32. By 1939, the number of regular soldiers in Burma had declined to about 5,000.<sup>18</sup> This was less than half the strength of the BMP, which essentially functioned as an occupying army.

After the Second World War, it was the reconstituted BP and the paramilitary Armed Police which took the lead in restoring law and order, and dealing with the threats to Burma's internal security from dacoits and insurgents.<sup>19</sup> However, as Mary Callahan has described, after Burma regained its independence in 1948 the country's fledgling armed forces steadily became stronger, better organised and more influential in the management of Burma's domestic affairs.<sup>20</sup> The 1962 coup saw the police completely eclipsed as an independent institution. In fact, General Ne Win initially planned to abolish the BP and create a People's Security Force, which was felt to be more befitting the new socialist era.<sup>21</sup> This plan was soon abandoned and in 1964 the BP was reformed as the People's Police Force (PPF). By then, however, responsibility for law and order had effectively passed to the Tatmadaw.

In the years that followed, Burma's military leaders looked down on the police force, which was in their minds still associated with the 'British imperialists' and 'foreign capitalists'.<sup>22</sup> Despite formulaic expressions of solidarity and support, the PPF was probably the least prestigious and most under-resourced branch of the country's 'Defence Services'. Nor were the police well regarded by the Burmese people.

Before 1942, the BP was 'viewed with disdain as a lackey of the colonial power'.<sup>23</sup> The BMP in particular was seen as the merciless enforcer of a complex and alien system of laws and regulations that was weighted in favour of foreigners. The widespread perception before and during the war of the police as inefficient, corrupt and politically partisan was reinforced during the chaotic post-Independence period.<sup>24</sup> Prime Minister

U Nu's government was also accused of using the force against its political opponents. In 1958, the Home Affairs Minister even mobilised units of the Union Military Police (UMP) after falling out with the Defence Minister, who commanded the army.<sup>25</sup> Following the 1962 coup, the PPF became the willing, albeit junior, partner in an inept and repressive military regime. At that time, the force was widely viewed as 'particularly corrupt, officious, and exploitative'.<sup>26</sup> This reputation was confirmed in the popular mind by the brutality of the *Lon Htein* riot police during the 1988 pro-democracy uprising.<sup>27</sup>

Under the British, the collection of political and criminal intelligence in Burma was largely the preserve of the police forces, in particular the Criminal Investigation Department (CID) and its Intelligence Branch. Even the Burma Defence Bureau, established under military command in 1937 to monitor subversion in the new colony, was dominated by policemen.<sup>28</sup> After Independence, a police Special Branch (SB) was formed, but the collection and assessment of political intelligence increasingly came to be conducted by the armed forces as well. Following the 1962 coup, the SB continued to investigate so-called political crimes – defined as almost any challenge to the military regime – but under the watchful eye of the Military Intelligence Service (MIS). The CID investigated civil crimes but occasionally strayed into 'political' areas, as did the Bureau of Special Investigation (BSI), which became popularly known as 'SB 2'. Until 1983, the Chairman of the coordinating National Intelligence Bureau (NIB) was always an army officer.<sup>29</sup>

In these circumstances it is not surprising that, over the past 50 years, whenever reference has been made to Burma's coercive state apparatus, it has been the armed forces which have usually sprung to mind. After all, since Ne Win's seizure of power the country has been governed by the world's most durable military dictatorship – and, from 1988 to 2011, directly by the Tatmadaw's senior officer corps. Also, after a major military expansion and modernisation program in the 1990s, Burma boasted the second largest armed forces in Southeast Asia.<sup>30</sup> Despite later reductions in size, it still wielded unparalleled power in Burma. Throughout this period, troops were deployed not only to combat armed insurgents and narcotics warlords in Burma's countryside, but they were also used to enforce the law, maintain order and, if deemed necessary, crush civil unrest in the country's urban centres. The Tatmadaw's intelligence apparatus monitored the civilian population and underpinned continued military rule.<sup>31</sup>

That situation, however, is now changing. The Myanmar Police Force is gradually being recognised as a large, increasingly powerful and influential institution that, in a more modern and civilianised form, has the potential to become a key instrument of state control under the mixed civilian-military government that was inaugurated in Naypyidaw in March 2011.<sup>32</sup> The success or otherwise of this plan, however, will depend heavily on whether or not the force can effectively reinvent itself and implement a far-reaching program of reforms.

### 3. Police Reforms

Even before President Thein Sein came to office, an effort had been made to expand the police force's capabilities, improve its performance and reform its culture. This initiative appears to have been driven mainly by former State Peace and Development Council (SPDC) Secretary One, and later Prime Minister, Lieutenant General Khin Nyunt. In 1994, he became chairman of the Committee for Reform of the People's Police Force Management System (CRPPFMS), the ambitious aim of which was:

... to assess PPF's present management, intelligence and legal affairs, to analyse PPF training system, to recheck the acts of the police to earn public respect and to do away with corruption and graft, and to promulgate laws, rules and regulations on PPF management and administration and make certain reforms in conformity with the changing situation ...<sup>33</sup>

Under the committee's auspices, in 1995 the PPF was renamed the MPF, and a Myanmar Police Force Disciplinary Law was promulgated.<sup>34</sup> A new Code of Conduct for police officers was issued in 1999.<sup>35</sup> Colonial-era manuals spelling out the duties, powers and entitlements of all ranks were amended and reissued (in the Burmese language) in 2000 and 2001.<sup>36</sup>

At the same time, an attempt was made to introduce aspects of the 'community-based policing' model. For example, signs and booklets listing the Buddha's 38 blessings – taken from the Maha Mangala Sutta – were distributed to all police stations and prisons, as guides to good behaviour.<sup>37</sup> In 2001, signs in Burmese and English were erected at police stations around the country, asking 'May I help you?'.<sup>38</sup> Also, it was decided to publish a number of magazines aimed at boosting police morale and increasing public awareness of police functions.<sup>39</sup> Khin Nyunt fell out of favour and was arrested by the SPDC in 2004, but the reform program continued, for a period under the stewardship of SPDC Secretary Two and later Prime Minister Lieutenant General Thein Sein. He was assisted by Brigadier General Khin Yi, who was appointed Chief of Police in 2002.<sup>40</sup> Around 2008, a comprehensive 30-year plan for the expansion and modernisation of the MPF was endorsed by the military government.<sup>41</sup>

Exact numbers are difficult to determine, but in 2011 the strength of the MPF was around 80,000.<sup>42</sup> This represented an increase of some 8,000 men and women over the previous decade, and made the force larger and more powerful than it had been since the colonial era.<sup>43</sup> This number included 18 battalions of paramilitary 'combat' police, able to respond to serious outbreaks of civil unrest, such as the so-called 'Saffron Revolution' which erupted in 2007.<sup>44</sup> The details are unclear, but it appears that a major recruitment program is currently under way to increase the MPF's size even further. Also, large scale transfers are being made from the Tatmadaw.<sup>45</sup> The goal is a police force of over 100,000, with 34 paramilitary battalions.<sup>46</sup> A special effort is being made to boost the number of women in the force, which currently stands at less than 2 per cent of the total. The developed country norm is around 25 per cent.<sup>47</sup>

Naypyidaw is also grappling with a range of other challenges, with a view to creating a more modern and professional force that commands greater public respect. The MPF's headquarters (HQ) is being upgraded, functional departments are being expanded and new ones created, internal coordination has been improved and better technology has been introduced. In several ways, the MPF's organisational structure now mirrors those of the police forces in more developed countries. For example, the Department Against Transnational Crime was created in 2004, shortly after Burma became a state member of the UN Convention Against Transnational Organized Crime.<sup>48</sup> There are new Maritime and Civil Aviation departments.<sup>49</sup> A Tourist Police unit is being formed to cope with the

dramatic increase in foreign visitors.<sup>50</sup> There have also been reports of a new Cyber Crime Division.<sup>51</sup> Efforts have been made to introduce computers into all major police facilities and to upgrade communications links between MPF HQ in Naypyidaw, and State and Region level MPF units.<sup>52</sup> More policemen now carry personal radios.

In addition, officer selection standards have been raised and specialised instruction at all levels has increased.<sup>53</sup> Loyalty to the central government is still valued highly and appears to be periodically reinforced by ideological 'refresher' courses designed to help 'keep patriotism alive'.<sup>54</sup> At the same time, however, the force's doctrine and training programs have been changed to give even greater attention to 'community-based policing', which accords a high priority to cooperation with the civil population.<sup>55</sup> Guidance has been given to help MPF officers manage sensitive issues like juvenile crime. There is also an increased focus in training courses on personal discipline, in an effort to reduce the level of corruption. For example, in January 2011 a number of corrupt senior police officers were arrested at the instigation of the Chief of Police and BSI.<sup>56</sup> Steps have been taken to deal with other kinds of abuse, and more reforms have been promised.

One characteristic of the MPF that has not changed – indeed, appears to have been strengthened – is the police force's wider role as a strategic reserve. The CRPPFMS made it clear from its inception that Burma's police force was 'a trained armed organisation in addition to the country's regular armed forces to be able to safeguard the nation in emergency cases'.<sup>57</sup> In this connection, the force's paramilitary arm was singled out for special mention:

The MPF, the reserve force for national defence, is made up of combat as well as security battalions, which are always well trained to carry out national defence duties.<sup>58</sup>

In addition to pursuing the four objectives of 'community peace and tranquility, the rule of law, prevention of drug menace and serving the interests of the people', the MPF was required to 'discharge the duty of national security'.<sup>59</sup> Even the efforts being made to repair the force's relations with the wider community have been couched in terms of a comprehensive external defence strategy formulated to 'defeat a superior enemy'.<sup>60</sup>

In official statements throughout this period, the MPF was repeatedly referred to as the 'younger brother' of the Tatmadaw.<sup>61</sup> This particular formula seems to have been invoked less often since 2011 but, as seen at annual Armed Forces Day parades in Naypyidaw, the MPF is still publicly embraced as an integral part of Burma's Defence Services.<sup>62</sup>

## 4. Obstacles to Reform

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Looking back over the past 15 years, the MPF can claim to have achieved a number of successes. The force has become larger, more modern and, in some respects, more capable. To a degree, at least, it has acknowledged corruption and human rights abuses in its ranks and, after a fashion, attempted to address its poor relationship with the wider community. It has also become more engaged in international efforts to combat transnational crime. It is clear, however, that the MPF still faces a number of serious problems. These may be easier to tackle, now that a new wind is blowing through Naypyidaw and Thein Sein's reforms are being widely welcomed, both inside and outside the country. Even so, the transition from a highly militarised police force used to wielding unbridled power in support of a repressive regime, to a more professional and civilianised force observing the rule of law, answerable to an elected government and respected by the people, is not going to be quick or easy.<sup>63</sup>

This has certainly been the case in other post-authoritarian states, notably Indonesia. Successive Burmese governments have looked to Indonesia as a model for the country's development, in particular how to legitimise the political role of the armed forces. More recently, Naypyidaw has sought Jakarta's help in 'overhauling the Tatmadaw', as part of the country's wider reform process.<sup>64</sup> These connections have sometimes been overstated, and in important ways the modern histories of the two states – and their police forces – have been quite different.<sup>65</sup> Thein Sein's office has denied that it is looking at any particular country for a policing model, but Indonesia can offer a number of useful lessons in the area of security sector reform. As its experience over the past decade has shown, some of the problems currently being faced by the MPF can be tackled at the political and institutional level. Others, however, are more complex and need to be approached at the psychological and societal level.<sup>66</sup>

Unsurprisingly, the key challenges to reform of the police force in Burma are closely related – indeed, most overlap – but six broad categories can be identified.

### Structure and Resources

Reflecting both its colonial antecedents and the more recent influence of the Tatmadaw, the MPF is a strictly hierarchical organisation with a strong central administration at MPF HQ in Naypyidaw and subordinate elements in Burma's 14 States and Regions. There are also separate municipal forces in Naypyidaw, Rangoon and Mandalay. At a lower level, there are currently 1,256 police stations, spread throughout Burma's 73 districts, 330 townships and 16,000 villages.<sup>67</sup> As the MPF grows, becomes much more diverse and takes on wider responsibilities, it can be expected to make considerable demands on the force's senior management.

Given the government's commitment to Burma's three national causes – which can be summarised as sovereignty, unity and stability – Naypyidaw has a continued interest in maintaining tight control over the country's coercive apparatus. Indeed, this requirement is laid down in the 2008 constitution. In these circumstances, it is unlikely that the MPF will be further decentralised, let alone broken up into central, regional and local police forces, as has occurred in some other countries.<sup>68</sup> Operational control has already been ceded to MPF elements at the State and Region level.<sup>69</sup> The creation of separate State and Region parliaments in 2011 may give rise to demands from these bodies to have greater autonomy and thus even greater freedom to manage the internal security forces operating within their respective jurisdictions, but this seems unlikely to occur.

Efforts are already being made to recruit police men and women from the ethno-linguistic groups dominant in some States and Regions. This process will need to be

managed carefully, to avoid exacerbating political, racial and religious tensions. However, it marks a departure from the now largely discredited policy of ‘strangers policing strangers’. It is also in keeping with modern community-based policing models, in which close relationships between the police and the civil population are actively encouraged.<sup>70</sup> With the same result in mind, there could be increased pressure for additional police stations at the lower levels, possibly even the reinstatement of constables at the village tract level on long term – or even permanent – postings who can develop rapport with local communities.<sup>71</sup> Such measures would, however, require much greater manpower. At present, the MPF has an estimated ratio of only one policeman for every 500 Burmese.<sup>72</sup>

As the MPF expands and assumes a greater role in internal security matters, including the maintenance of law and order, it will need – and expect – increased funding. Working and living conditions for police officers badly need to be improved, salaries need to be increased and operating budgets need to be expanded. Some new technologies sought by the MPF will be very expensive.<sup>73</sup> Given the many demands currently being made on the central government, providing these resources will not be easy. Indeed, demands for a greater share of the budget could lead to competition between the armed forces and the police – although, under current arrangements, it is unlikely that the Tatmadaw will suffer substantial reductions in its formal budget allocation, recently estimated at 20.87 per cent of public expenditures.<sup>74</sup> If increased funding for the police does not come from the armed forces, however, then it will have to be made at the expense of other sectors, which are also in need of reform and equally desperate for support.

The government is doubtless aware that failure to provide the MPF with better facilities and equipment, and increased funding for operational and personnel expenses, will perpetuate the force’s current weaknesses and slow down its reform program. Also, a failure by Thein Sein to keep his promise of higher salaries and allowances for public servants and other officials will make it more difficult to tackle the deeply entrenched problems of graft and corruption.<sup>75</sup> This is not just a question of promoting more ethical behaviour in the force.<sup>76</sup> Some of the proceeds of corruption and black market deals appear to be used to fund basic police functions. For example, the large sums routinely extorted from the public to conduct investigations are not just to line the pockets of corrupt policemen. They also seem to help maintain police stations and cover the basic costs of equipment, as well as facilitating operations that are not being adequately funded in the official police budget.<sup>77</sup>

### Investigation and Intelligence

The investigation of civil crime will doubtless remain the responsibility of the CID. The Tatmadaw has a Provost Marshal’s Office which oversees a corps of Military Police, but it usually operates within its own jurisdiction and rarely investigates civil crime in the wider community.<sup>78</sup> Structural changes and a redirection of resources may, however, be required in the sensitive areas of ‘political’ crimes and intelligence collection.

In a more democratic Burma, it might be expected that responsibility for the investigation and prosecution of political crimes – those which relate primarily to domestic and external security – would fall to the MPF, or possibly even to a dedicated civilian agency. This is the practice in the UK, for example, where Special Branch and the Security Service jointly manage such issues. Another alternative would be to establish a single agency akin to the US Federal Bureau of Investigation, to perform these duties. In such circumstances, the police force or the agencies in question would be civilian organisations answerable through their leadership to the government and, courtesy of an elected parliament, to the people. In Burma at present, however, such responsibilities seem to be shared between the police and the armed forces. As Thein Sein’s reform program proceeds, this arrangement is likely to become more problematical.



Since 2011, Special Branch has taken full responsibility for the collection and assessment of political intelligence. On paper, the Directorate of Military Affairs Security (DMAS) only considers military intelligence.<sup>79</sup> However, given the Tatmadaw's self-appointed 'guardianship role' and the enormous power wielded by Burma's military intelligence agencies in the past, it is unlikely that the armed forces would give up an independent capacity to monitor domestic developments. Not only does the Tatmadaw distrust the civilian agencies but it has always preferred to rely on its own resources, particularly on matters relating to the country's security. This will probably remain the case while Burma faces threats from separatists, armed groups and narcotics warlords. Any such duplication, however, is likely to exacerbate jurisdictional disputes and jealousies over status and resources, while perpetuating the problems of poor coordination and the potential loss of valuable intelligence due to gaps in collection and assessment.

That said, the Tatmadaw may be prepared to pass formal control of the country's intelligence apparatus over to a civilian agency like the MPF. Before its abolition in 2004, the NIB rotated its leadership among the country's four intelligence agencies – the Directorate of Defence Services Intelligence (DDSI), SB, CID and BSI – and the armed forces did not view this as an unacceptable loss of control.<sup>80</sup> In any event, even if greater intelligence responsibilities were exercised by the MPF under Thein Sein, the force's higher ranks would still be former military officers answerable to a minister drawn from the armed forces. Also, after Khin Nyunt's overthrow in 2004, and the virtual collapse of the then Office of the Chief of Military Intelligence (OCMI), the slack was taken up by the police force, particularly Special Branch but to a certain extent also the BSI, the remit of which was expanded to include the surveillance of 'malicious elements'.<sup>81</sup> This did not prevent the renamed DMAS taking back effective control of all Burma's intelligence functions once the new agency had built up its strength.

Whether or not there is a restructuring of Burma's intelligence apparatus, an argument could still be mounted for a rationalisation and redistribution of its duties. This would not only increase the levels of coordination and cooperation between agencies, but could also provide a clearer delineation of their responsibilities, in particular the separation of military and civilian functions.

### Police Force–Tatmadaw Relations

To the surprise of many observers, Burma's military leadership seems to have accepted developments in Naypyidaw since 2011 and, for the time being at least, is letting the government and MPF exercise their formal roles under the constitution.<sup>82</sup> However, the future relationship between the police force and the Tatmadaw has the potential to become a thorny issue for Thein Sein's hybrid civilian–military government, and any fully democratic administration which might follow it.

As Morris Janowitz once noted, 'It is a basic assumption of the democratic model of civilian–military relations that civilian supremacy depends upon a sharp organisational separation between internal and external violence forces'.<sup>83</sup> If the detachment of Indonesia's national police (POLRI) from the armed forces (ABRI) in 1999 is any guide, however, this is easier said than done. There is the potential for serious disagreements to arise between the two institutions over their respective roles and responsibilities, areas of jurisdiction and budgetary allocations. Both will have their champions in the government and parliament. In Indonesia's case, personal and professional rivalries have led to tense relations between the police and army. There have even been gunfights over the distribution of off-budget revenues.<sup>84</sup> The political situation in Burma is different, but the Indonesian example still points to areas where there could be serious problems.

Despite the advent of a 'disciplined democracy' in Burma, and the positive response to Thein Sein's ambitious reform program, the Tatmadaw wields enormous influence. Indeed, in the view of many Burma watchers, it is still the most powerful political

institution in the country.<sup>85</sup> The 2008 constitution guarantees the armed forces a privileged position in national affairs, particularly in the security arena, and the government includes several serving and former generals – starting with the president himself. At the parliamentary level, all national, State and Regional assemblies are stacked with 25 per cent serving military officers, and the majority Union Solidarity and Development Party consists largely of former servicemen and their supporters.<sup>86</sup> This is in addition to the fact that, despite some internal weaknesses, the Tatmadaw retains substantial military power which it could exercise in the event that any other institution in Burma attempted to usurp its guardianship role.<sup>87</sup>

In administrative terms, the police force falls into the Home Affairs Minister's portfolio. Under current constitutional arrangements, this position is reserved for a serving military officer recommended to the President by the Commander in Chief of the Defence Services, who in a formal sense is in command of all Burma's armed forces, including the MPF.<sup>88</sup> The Minister is an ex-officio member of the powerful National Defence and Security Council (NDSC). Quite apart from the Tatmadaw's wish to retain these important positions in the Cabinet and NDSC, the procedural difficulty of amending the constitution means that the MPF will effectively remain under military control for the foreseeable future.<sup>89</sup> In addition, the Chief of Police (who is the Deputy Minister for Home Affairs) and about 10 per cent of the MPF are former army officers.<sup>90</sup> If pressed to make a choice, their primary loyalty would probably lie with the Tatmadaw.

In these circumstances, an open confrontation between the armed forces and police in Burma seems most unlikely. The Tatmadaw is simply too powerful. Recognising that fact, police officials have worked out *modi vivendi* with their military counterparts, in which each side performs their duties while respecting the prerogatives – and perks – of the other.<sup>91</sup> This is rarely an arrangement based on equal status. Given the power still exercised by the Regional Military Commanders, for example, it is unlikely that any police officer in the field would challenge their authority.<sup>92</sup> Indeed, their permission is necessary to enter those parts of the country designated as combat zones.<sup>93</sup> If the MPF is to develop a new and distinctive civilian identity, however, then its relationship with the Tatmadaw will have to change. This will not be easy, as power and authority in Burma are conceived as finite and limited. As David Steinberg has pointed out, alternative centres of influence are seen as threatening and likely to lead to instability.<sup>94</sup>

Should the MPF reach 100,000, it will be almost one third the size of the armed forces.<sup>95</sup> This could raise concerns in the Tatmadaw that the police force will be used as a counterweight to the army.<sup>96</sup> The MPF's combat battalions could be seen as a potential power base for civilians opposed to the armed forces' continued dominance of Burmese society. A similar situation arose in Indonesia under President Sukarno.<sup>97</sup> Burma's military leaders would also be aware of the Home Affairs Minister's efforts to mobilise the UMP in 1958, either to forestall a military coup or perhaps even to stage one of his own. With this in mind, one of the first steps taken by Ne Win after his takeover in 1962 was to abolish the UMP and transfer all its personnel to the Tatmadaw.<sup>98</sup> Notwithstanding the Tatmadaw's many off-budget sources of revenue, there is also the possibility that a larger and more independent MPF will arouse jealousies among the armed forces, and be viewed as a competitor for status and scarce resources at a time when the budget is already stretched to cover other reform programs.<sup>99</sup>

The constitution states that the Defence Services 'lead in safeguarding the Union against all internal and external dangers'.<sup>100</sup> If the MPF's institutional autonomy is to mean anything, however, the Tatmadaw will need to accept that the police force is the national agency with primary responsibility for enforcing the law and maintaining order. It will also have to accept that in a real democracy the MPF is accountable to the public, through its elected representatives in Naypyidaw, not to the armed forces. Similarly, despite the constitutional provisions covering 'military justice', Tatmadaw personnel must become subject to the same laws and restrictions on their behaviour as other citizens.<sup>101</sup> Until now, they have acted almost with impunity. Military bases have

effectively offered sanctuary from the civil law. Soldiers responsible for human rights abuses have rarely been charged or prosecuted.<sup>102</sup> Even fewer have been punished. If the 'rule of law' is to prevail, and the police force is fully to perform its duties, this situation cannot continue.

If Thein Sein truly wants to civilianise the MPF and make it more independent, as befits a police force in a democracy, he will also need to support efforts by the MPF to develop a separate identity and encourage its own esprit de corps.<sup>103</sup> For example, the MPF will need to open its senior ranks to career police officers, including women.<sup>104</sup> This should not only make the police less subject to military influence, but it would also improve morale by removing a persistent source of complaint from policemen and women resentful of Tatmadaw officers on transfer being posted into positions above them.<sup>105</sup> The MPF will also need to become more 'civilian' in terms of its recruitment, training, institutional culture and general approach to internal security. As the Indonesians found, while this transition is taking place it will be important for the MPF's senior leadership to remain on good terms with its armed forces counterpart, to ensure a workable division of labour, not just legally but also in terms of practical cooperation and responses to internal security problems.<sup>106</sup>

### Internal Security Responsibilities

There is no question that the Tatmadaw will remain responsible for Burma's external defence. It will also conduct military campaigns against insurgent groups, such as that currently being waged against the Kachin Independence Army (KIA).<sup>107</sup> The MPF is sometimes directly involved in operations, as occurs for example when insurgents attack police stations.<sup>108</sup> Not only are these facilities important symbolic targets, but such raids can undermine police morale and yield precious arms and ammunition.<sup>109</sup> Yet, the force usually has a non-combat role. To be effective, a counter-insurgency strategy requires not just the application of military force, but also multi-faceted political, economic and social programs. The MPF's involvement in such efforts is critical. The police can manage local militia units, man road blocks, monitor the civilian population, detect subversive activity, provide intelligence and maintain law and order in rural population centres. They can also help oversee the delivery of government aid and services.

Counter-insurgency operations aside, it seems to be envisaged by Naypyidaw that the MPF will assume a greater – and more prominent – internal security role. The police force already dominates the Central Committee for Drug Abuse Control (CCDAC) and takes the lead in efforts against drug trafficking in both urban and rural areas.<sup>110</sup> The MPF operates 26 Anti-Narcotic Task Forces, which are stationed all around the country. It also plays an important part in frontier protection activities by organisations such as the Border Control Force (*Na Sa Kha*). These days, there are more blue uniforms than green uniforms on city streets, protecting VIPs, providing security for government offices and guarding diplomatic premises. Burma's specialist counter-terrorist unit is drawn from the police force. In addition, the MPF will continue to take primary responsibility for outbreaks of civil unrest, with the Myanmar Army only being called in to assist the 'civil' power when the problem exceeds the MPF's abilities to cope.<sup>111</sup>

Indeed, the Tatmadaw would probably prefer to see the MPF shoulder more of the burden of managing civil unrest. While the generals have always been deeply troubled by what they consider to be 'chaos', crowd control is not a role which they have welcomed. The reputation of the armed forces was badly damaged in 1988, and again in 2007 when the army helped the police to suppress widespread demonstrations against the regime.<sup>112</sup> The tough action taken against Buddhist monks during the 'Saffron Revolution' was a public relations disaster, prompting severe criticism not only from the local population but also the international community.<sup>113</sup> More to the point, perhaps, it caused serious morale problems in the ranks of the security forces whose members, reflecting the civilian population, are predominantly Buddhist. The harsh measures taken by police and army units in Arakan State in 2012 attracted less local criticism – most

Burmese Buddhists have little affection for the Muslim Rohingyas who bore the brunt of that action – but once again the security forces attracted international opprobrium.<sup>114</sup>

The government is intent on building up the MPF's paramilitary capabilities, in order to give them wider scope to respond to civil disturbances with modern anti-riot control measures, rather than having to resort to the blunt instrument of the army.<sup>115</sup> During the 'Saffron Revolution', for example, the SPDC clearly hoped that it could clear the streets using the MPF – and loyalist gangs – alone.<sup>116</sup> As revealed by that episode, there have been advances in the training and equipping of the MPF's battalions since the 1988 uprising, when ill-equipped and ill-disciplined *Lon Htein* units were guilty of terrible abuses.<sup>117</sup> At present, some MPF battalions seem to be reserved for a broad paramilitary role, and armed accordingly. However, those units used to provide an initial response to civil disturbances now wear modern protective clothing, and carry more appropriate weapons, offering non-lethal options ranging from baton charges, the use of tear gas and water cannon, to the firing of rubber bullets and small calibre shotgun pellets.<sup>118</sup>

Arrangements between the MPF and Tatmadaw at such times have been tried and tested on many occasions. A range of bureaucratic procedures have been laid down covering the formal transfer of command responsibilities and the conduct of joint operations.<sup>119</sup> Even if the two forces can work reasonably well together, however, the police battalions currently occupy a grey area between the civil police and army, the two pillars of the state's coercive power. As was found in Indonesia, where problems arose over the status, duties and attitude of the Police Mobile Brigade (BRIMOB), this position creates a tension within the MPF over its roles and core values.<sup>120</sup>

The police force is mainly responsible for crime prevention, the maintenance of law and order and the protection of the community. This places a premium on good relations with the public. Yet these roles are at odds with the military style training and ethos of the battalions, which are used to exercising violence up to and including lethal force. Some MPF battalions seem to have been created simply by transferring personnel from the army.<sup>121</sup> As seen in 2012, when excessive force was used to break up a protest at a mine site at Letpadaung, near Monywa, the battalions are not imbued with the more restrained approach being held up as a model for the rest of the force. In that case, more than 20 Buddhist monks were injured – many by military-issue white phosphorous grenades – prompting the government and MPF to make a rare public apology.<sup>122</sup> If the police are to step in before the army, then they cannot act – or be seen to act – like the army. To do so undermines their civilian status and their standing with the population.

The closeness of the MPF's battalions and the army poses other problems. Given their overlapping responsibilities in the sensitive area of internal security, there is inevitably a blurring of roles and identity. Also, in joint operations it will be the practices and ethos of the more powerful partner – inevitably the army – that sets the tone for the security forces' behaviour. Not being trained or equipped for crowd control, army units tend to resort more quickly to violence, using combat weapons. As seems to have occurred when the MPF and Tatmadaw operated together in Arakan State, the MPF tends to follow the army's lead in applying force. Both phenomena lead to a blurring of public perceptions. It is possible that the Burmese people differentiate between the police and the army during security crackdowns, but this is difficult to confirm.<sup>123</sup> Even if the police act in a more restrained manner, they are still likely to be associated in the popular mind with the more extreme measures taken by the armed forces.

It goes without saying that, in performing these duties, the MPF must act – and be seen to act – impartially in restoring law and order, and upholding the law. Yet, to date, this has rarely been the case. In a number of recent high profile cases, for example, the force has appeared openly to side with sectoral interests. During the widespread civil unrest in Arakan State in 2012, MPF officers supported local Buddhists and reportedly even joined them in attacking Rohingyas.<sup>124</sup> The tough action taken against demonstrators at the Letpadaung mine site was seen by many as another example of the police force

backing wealthy government ‘cronies’ and their foreign partners.<sup>125</sup> During the anti-Muslim riots in central Burma in 2013, the MPF was repeatedly accused of allowing Buddhist mobs to attack Muslims and destroy their property.<sup>126</sup> The MPF claimed that, in the absence of clear orders from above, they were unable to take decisive action. Whether or not that was true, such behaviour not only damages the MPF’s reputation but seriously undermines the government’s rhetoric about fairness, human rights and the rule of law.<sup>127</sup>

For the reform of the MPF to be successful, the distinction between a military and civilian approach to policing will have to be much clearer. The police battalions will need to be imbued with the same basic ethos and outlook as other police officers. This argues for more integrated civil and paramilitary police training programs and a shared exposure to courses on such issues as international human rights and community-based policing. In some cases, for example at the advanced recruit and officer promotion levels, there would be real benefits in teaching some of these courses to mixed classes containing officers drawn from both the civil and paramilitary arms of the force. The battalions would still be recognised as a distinct part of the MPF, with special responsibilities and thus special training needs, but they can also be encouraged to learn and practice a wide range of skills that are more consistent with the principles of policing in a democratic society.

### Police Culture and Socialisation

For these and other reforms to have any real and lasting effect, the MPF will be required to undergo a profound change in its professional culture. There are a number of elements to this, covering the force’s attitude to power, its view of its place in the ‘new’ Burma, its understanding of its roles and responsibilities, and its perceptions of the civil population. Reflecting the president’s own ‘top down’ approach to reform, MPF HQ has issued a number of directives on such matters and implemented a number of practical measures designed to encourage development of a different mindset in the force. Structural and procedural reforms, however, will only go so far in achieving the desired end. For cultural change requires a shift of consciousness at the psychological and societal levels. As developments over the past year have shown, such a process is bound to be very difficult and will take a long time.

As Nicholas Cheesman has pointed out, from the colonial period through to the advent of the Thein Sein government, policing in Burma has been conceived as a regime service rather than a public service.<sup>128</sup> This has encouraged a militaristic, authoritarian approach to law enforcement. Some contemporary scholars have even described Burma before 1942 as being under a kind of permanent martial law, albeit enforced by the police, rather than the armed forces.<sup>129</sup> During the war, with the assistance of Burma’s puppet police force, Japan’s *Kempetai* military police ruthlessly enforced compliance with Imperial rule. Following Burma’s independence in 1948, U Nu’s democratic government attempted to introduce a different kind of police model but this had to take second place to the exigencies of survival, in the face of multiple insurgencies.<sup>130</sup> Under Ne Win’s 1958–60 ‘caretaker government’, the military characteristics of the police force were consciously reinforced.<sup>131</sup> After the coup two years later, they became standard practice.

Since 1962, the police force – particularly Special Branch and the paramilitary battalions – have supported the Tatmadaw in maintaining security and public order. They have thus played a significant role in helping successive military governments to prevent and detect political dissent, respond to civil unrest, and remove from society anyone daring to challenge the endorsed political order. The PPF and MPF have thus exercised a role in the country’s internal affairs that has gone well beyond the standard Western policing model. With any serious challenge to law and order viewed as a threat to the government, and thus to the state, the police have been injected directly into highly charged and often violent disputes with nationalists, communists, ethnic separatists, drug lords, religious zealots and – most recently – pro-democracy activists. While paid

lip service since the formation of the CRPPFMS in 1994, the ideal of community policing by consent has repeatedly been set aside in favour of policing through control and coercion.

As noted above, however, Burma's police forces are also charged with upholding the law and protecting society from criminal threats. This role demands public respect and a high level of trust and cooperation. For the execution of its duties, the MPF is heavily reliant on information provided by the public. Also, unlike the Tatmadaw, which after 1988 created a virtual state within the state of Burma, lived in special enclaves and conducted military operations far from the main population centres, the police usually live and work among the people they are meant to serve. Many officers are housed in barracks, or live in accommodation attached to police stations, but they are still highly visible, particularly when in uniform. Even more than civil servants, they are the day-to-day interface between the government and its citizens. For most, the police force marks the entry point into a regime of law. It is thus imperative that the police force feels accountable to the public and conducts itself in a way that properly reflects this role.

The community policing model currently being promoted by Western governments, international organisations and criminologists demands other kinds of psychological changes.<sup>132</sup> For example, instead of a hierarchical command structure, a flatter system is recommended in which individual police officers and civil society members can help identify problems and participate in finding solutions. Emphasis is given to taking the initiative at the local level, rather than following the usual practice of waiting for orders from higher up the command chain.<sup>133</sup> Also, rather than simply following ingrained practices, police officers are encouraged to question their effectiveness and explore new ways of doing things. Instead of simply going along with the group, it is suggested that they should decide the best approach to a problem themselves. Officers are also encouraged to conduct more foot patrols and to become more familiar with their neighbourhoods, rather than spending most of their time in the police station.<sup>134</sup>

While laudable, many of these ideas run counter to generations of police and military training and socialisation. Arguably, some challenge aspects of traditional Burmese culture, in which respect for status, deference to patrons and submission to authority – within certain bounds – have an important place.<sup>135</sup> In Indonesia, for example, it was found that this novel approach was very difficult to instill in the police force. Old habits, fear of failure, and personal loyalty to one's superiors and patrons invariably trumped personal initiative. Also, such changes were quietly resisted by many senior officers, who saw them as undermining their own status, and potentially leading both to a breakdown in discipline and a loss of control over police operations and behaviour.<sup>136</sup> Similar problems have arisen in other regional countries seeking to implement community-based and rights-based policing models. Any attempts made to introduce such ideas into Burma's police force are likely to encounter at least equal levels of resistance.

It may be possible, however, to inculcate more of a service culture through education. For example, programs at police training centres can increase levels of awareness about policing methods in democratic societies.<sup>137</sup> Human rights can be given a higher priority in curricula at MPF training depots and the Central Training Institute at Zee Pin Kyi, near Mandalay. Special courses can raise leadership skills and encourage a more broad-minded approach to the public's involvement in political processes. Imaginative teaching methods can create a more productive learning atmosphere, in contrast to the rigid learning styles found in many military institutions. In Indonesia, for example, courses have been developed for POLRI officers that involve case studies, role playing, group discussions and on site visits.<sup>138</sup> Provided that such lessons are taught in a way that is relevant to the local political, social and cultural context – a critical proviso – this approach may help change the MPF from below.<sup>139</sup>

None of the recruits now entering MPF training institutions can remember a time when Burma's police force was not a reflection and a tool of an authoritarian regime that saw any kind of challenge to the state – indeed, any political activity at all – as somehow

threatening. The MPF's challenge under Thein Sein's reformist government is to leave behind that way of looking at the country and embrace a completely new style of policing, one that is in keeping with a more civilian, democratic regime in which open dissent is accepted as normal and legitimate. The MPF needs to see itself as the protector and servant of the community, not of the armed forces or the government. Unless it can do that, increase its performance in the areas of law enforcement and the maintenance of order, and increase its professionalism at both an institutional and individual level, then it will not win the trust and cooperation of the wider population. Yet that is essential.

## Community Relations

Burma's police forces have never enjoyed the confidence of the Burmese people.<sup>140</sup> Throughout modern history, they have been seen as the willing servants of repressive and self-serving regimes that – despite all the propaganda to the contrary – have cared little for the welfare and interests of the average citizen. The community's attitude has thus been one of fear and distrust. There have been exceptions of course, but the common image of the force has been of remote and poorly educated authority figures with low personal and professional standards. In these circumstances, it is little wonder that the overwhelming response to the MPF's attempts at reform over the past decade has been one of scepticism, if not disbelief. Following the announcement of Thein Sein's reform program in 2011 popular expectations have been rising, but hopes of a fundamental change in the nature of policing in Burma are still not high.<sup>141</sup>

There are no reliable surveys of community attitudes towards the police in Burma. As always, researchers are dependent on gossip, rumours and fragmented information collected from a wide variety of sources – and, as Donald Emmerson has noted, 'the plural of anecdote is not data'.<sup>142</sup> Yet, it is clear that the MPF is seen as a threatening rather than a reassuring presence by most Burmese. The complaints most often heard focus on the brutality of police officers – even in quite routine cases – their capriciousness, their lack of responsiveness, their greed, and their disdain for both the law and professional standards.<sup>143</sup> Other targets for criticism include the perceived tendency for police officers to put their own safety and careers before the public interest and the lack of redress for complaints about such behaviour. Broader concerns relate to the militaristic character of the force, the MPF's low level of institutional independence, its ineffectiveness and its collusion with a corrupt and inefficient justice system.<sup>144</sup>

A key factor contributing to the community's negative view of the police is corruption. The MPF is not alone in facing this problem. In the view of one senior government official, it is one of the greatest challenges facing Burma.<sup>145</sup> By its very nature, the force is expected to uphold the highest ethical standards, yet it is reputed that most illegal businesses in the major population centres – notably gambling and prostitution – enjoy some degree of police protection, including at a senior level.<sup>146</sup> Given their position in Burmese society, policemen have wide scope to engage in intimidation and extortion. Officers reportedly seek positions where they have opportunities to solicit bribes. For example, the traffic police in major cities like Rangoon and Mandalay are notoriously corrupt.<sup>147</sup> Also, people who have been arrested have been offered their release on payment of money or (in the case of prostitutes, for example) sexual favours.<sup>148</sup> Such practices suggest that the MPF sees itself as above the laws it is charged to uphold.

Another target for community feeling is the MPF's 'riot police'. As noted above, the quasi-military philosophy and organisation of policing in Burma before 2011 led to a militaristic, authoritarian approach to law enforcement. For the battalions, little distinction was made between crowd control and combat. During the 1988 uprising, for example, the Lon Htein was encouraged to see the demonstrators as the 'enemy', threatening the stability – indeed the very survival – of the Union.<sup>149</sup> In 2007, the regime tried to portray the leaders of the demonstrating Buddhist clergy as 'bogus monks'.<sup>150</sup> In such circumstances, it is not surprising that human rights abuses have

occurred. As the MPF has expanded over the past decade, the proportion of the force in the battalions has declined.<sup>151</sup> Even so, there are widespread fears that the increase in the number of security battalions is a device to strengthen the government's coercive apparatus by stealth. These fears are likely to grow as the MPF creates an additional 15 battalions, mainly through transfers from the army.

Due to persistent problems of poor leadership, lax discipline, low educational levels and an abiding sense of privilege derived from the force's position under successive military regimes, human rights abuses by police officers have been common. Major incidents like the attack on Aung San Suu Kyi's motorcade at Depayin in 2003 – in which the MPF was reportedly involved – and more recently against protesters at the Letpadaung mine site are not common, but they strengthen popular perceptions of the police as thugs unrestrained either by the law or standards of common decency.<sup>152</sup> In an attempt to recover its reputation from the latter incident, the government appointed a commission of enquiry led by Aung San Suu Kyi. Her reputation gave the enquiry greater credibility and suggested a real intention to make those responsible accountable for their actions.<sup>153</sup> However, the final report was not as critical of the MPF as many expected, raising further doubts about its ability and willingness to reform.<sup>154</sup>

Negative views of the MPF have been encouraged by the advent of community journalism and the ubiquity of the electronic media. For example, the international news coverage of the regime's harsh response to the 2007 demonstrations, picked up from activist websites, was broadcast via satellite to tens of thousands of viewers in Burma itself, almost as events were unfolding.<sup>155</sup> In their distinctive blue uniforms, the police on the streets of Rangoon that week were easy to identify. Dissidents released from jail have been able to use the internet to spread stories of brutality and corruption, not just by prison guards but also by MPF officers – notably members of Special Branch. This has all reinforced public cynicism in Burma, a deep suspicion of the police force and resentment at its corruption and heavy-handedness.<sup>156</sup> As Errol Mendes has noted, such a situation encourages a lack of respect for the societal institutions that promote the rule of law and the proper functioning of the criminal justice system itself.<sup>157</sup>

Such attitudes will take a long time to overcome. In 1994, the CRPPFMS set out to change the police force 'in both essence and appearance'.<sup>158</sup> There has been some progress, but to date notions of community policing seem to have had little impact. Attempts to implement such doctrines may have been successful in some cases, but they will continue to founder on the lack of trust between police and public. Codes of conduct, new uniforms and welcome signs outside police stations mean little if the officers inside still beat up and molest prisoners, extort money to investigate a complaint, or can be bought off by a wealthy or powerful defendant before a case comes to court.<sup>159</sup> The deployment of well turned out and approachable policemen, the promotion of the force on local television by attractive female officers and the use of knockdown dolls to measure popular sentiment – all devices employed by regional police forces – are not likely to be very effective in Burma while these basic problems remain.<sup>160</sup>

The community policing doctrines embraced – formally at least – by other ASEAN countries are of limited value in Burma without wholesale and sustained changes to the MPF.<sup>161</sup> The imposition of such measures from the top down has so far had limited utility, and to date little enthusiasm has been shown for 'bottom up' initiatives. Training is likely to be very important, but stronger leadership and greater incentives to change ingrained patterns of behaviour at the local level is also required. Station commanders who are reluctant to back such reforms set a bad example for more junior officers. No one can doubt the benefits of more open, positive lines of communication, and the need to leave behind the current confrontational relationship between the police and public, but in Burma's case the prospect of 'fostering collaborative police-community partnerships that use a problem solving approach to respond to the public safety needs and expectations of the community', as recommended by the textbooks, is currently slight.<sup>162</sup>



Ultimately, police reform in Burma will depend on a high level of public trust, something which at present is sadly lacking. This is likely to be the case for some time. Symbolic and superficial measures are a good start, but substantial and sustained changes are required, notably in the force's professional culture and observable behaviour. This is particularly important at the local level. For, as Donald Greenlees has written, 'it is in the performance of mundane duties that the role of the police can have the greatest impact in either strengthening or undermining democracy'.<sup>163</sup> Also, there needs to be greater effort by local police to connect with their neighbourhoods. For only then will there be a real shift in community attitudes. By the same token, as policemen live and work among the civil population, their faults are on display for all to see. Continued reports of police brutality and corruption will not only undermine efforts at police reform but also public confidence in the government's wider reform program.

## 5. The Police and Political Reforms

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It is difficult to envisage the reform of Burma's police force being successful, if the other reforms being proposed by President Thein Sein strike significant problems. As is so often the nature of things in Burma, political, economic, social and other factors are all inextricably bound together, so that action – or inaction – in one sector invariably has an impact on others.

For all the talk of an independent police force, it remains the case that 'police forces are the creatures of politics'.<sup>164</sup> The two cannot be separated. As David Bayley has written, 'Government and police cannot be distinguished any more than knife and knife edge can be usefully distinguished in the act of cutting'.<sup>165</sup> The MPF thus reflects, and depends on, the transition taking place in Burma from a military dictatorship to a 'disciplined democracy'. It is reliant on the Tatmadaw stepping back further from the business of government and permitting the evolution of a fairer and more open society. This would help the development of a more civilianised police force answerable not to the armed forces, or the government of the day, but to the community. In such an environment, it should be easier to raise the force's professionalism and repair its relationship with the public. Detailed reform plans are difficult, however, without a high degree of certainty about the government's political future and direction, and budget allocations.

While some observers have described Thein Sein's reforms as 'irreversible', there is still considerable uncertainty about their future.<sup>166</sup> As history has shown, full democracies and full autocracies are the most stable forms of government, but states undertaking the transition from autocracy to democracy are most likely to suffer from political instability.<sup>167</sup> In those circumstances, there remains the possibility that the Tatmadaw could step back in, to a greater or lesser extent. While the inner workings of the armed forces remain opaque, there are doubtless some military officers in Burma who are nostalgic for the days when the Tatmadaw ran the country and enjoyed greater power, prestige and perks.<sup>168</sup> Should Thein Sein's reform program falter, systemic weaknesses frustrate popular expectations, or the MPF be unable to cope with the additional demands now being made upon it, then the arguments for a return to the old regime may become louder, as members of the armed forces – and perhaps also some in the MPF – hark back to the imagined stability of the old regime.<sup>169</sup>

There is at present no sign of such moves but, even should Thein Sein survive his five year term, reform measures cannot be implemented in isolation from other institutions of state.<sup>170</sup> As the president has stated, the benchmark for public institutions must be the rule of law, administered fairly and impartially. There can be no further tolerance of a system which constantly alluded to the rule of law, but enabled practices that contradicted it. For decades, the 'rule of law' was conflated with 'law and order', as defined by the military regime.<sup>171</sup> If officials cannot embrace the new paradigm, or are seen to be irretrievably linked to the old regime, then they will have to be replaced.<sup>172</sup> A more effective police force will soon be rendered impotent, for example, if prosecutors, judges, and prison governors fail in their responsibilities.<sup>173</sup> All need to make a clear break with the past.

Also, the issue of security sector reform is inseparable from that of economic reform.<sup>174</sup> The MPF is unlikely to succeed in reinventing itself if government revenues are not adequate to pay better salaries and to meet the operating costs of the key institutions of state. For corruption, inefficiency and lack of commitment will inevitably remain serious obstacles to change.<sup>175</sup> Also, political protests in Burma have usually been sparked by economic concerns. In theory, at least, political and economic reform will encourage growth and employment, leading to a higher overall level of economic activity. Provided the right mechanisms are in place, higher economic activity should

lead in turn to increased government revenues and more resources available for – among other things – the security sector. Provided that these developments do not give rise to social tensions, for example from unfair taxation or glaring disparities in wealth, this should mean greater stability and further economic growth.<sup>176</sup>

For these and other reasons, the international community's attitude to Thein Sein's reform program and changes to the security sector, are cautiously optimistic. Since March 2011, numerous governments, international institutions and private foundations have approached Naypyidaw with offers of help. While many refer in broad terms to 'rule of law' issues, a number envisage direct assistance to the Myanmar Police Force.

The MPF has already received some foreign assistance. For example, since 2005 it has sent over 70 officers to courses staged for regional countries by the Jakarta Centre for Law Enforcement and Cooperation (JCLEC).<sup>177</sup> In 2006, an Intelligence Officers Development Program at JCLEC was specifically designed for MPF officers.<sup>178</sup> Uniquely among ASEAN countries, Burma was excluded from participation in courses at the Bangkok-based International Law Enforcement Academy (ILEA), but the ban instigated by the US has now been lifted.<sup>179</sup> Since 1988, China has provided a range of training courses for MPF officers, mainly to combat narcotics trafficking.<sup>180</sup> However, the Chief of Police has observed that Chinese law enforcement methods 'offered a relatively unsatisfactory model, because Myanmar's heritage was British'.<sup>181</sup> It was therefore felt more appropriate that the MPF learned about contemporary policing methods in countries like the UK. Australia has invited Burmese police officers to attend training courses and, with 'rule of law' issues in mind, the US is considering doing the same.<sup>182</sup>

A number of international organisations have become involved in the reform of the MPF. The UN Children's Fund (UNICEF) has helped the MPF to prepare a guide to the proper treatment of children caught up in the criminal justice system. The United Nations Office on Drugs and Crime (UNODC) has provided training for the MPF, mainly related to narcotics eradication and the prevention of transnational crime. In some areas, such as community policing and crowd control, assistance has been requested from the European Commission, possibly in response to the Letpadaung incident.<sup>183</sup> Burma's Chief of Police has told the International Bar Association's Human Rights Institute that he would also welcome advice on how best to implement civilian oversight procedures, and he has 'expressed a particular interest in learning about good international practice in the matter of state security laws'.<sup>184</sup> The US Institute of Peace is also examining 'rule of law' issues and possible police reforms in Burma.<sup>185</sup>

Probably with all these approaches in mind, Naypyidaw has asked the UNODC to conduct a comprehensive review of the MPF to identify issues requiring attention, not only in order to formulate additional reform programs but also to assist in the coordination of foreign assistance. The UNODC's report is expected in May 2013.<sup>186</sup>

The ability of foreign countries and international organisations to reform Burma's police force, however, is limited. They can provide specialised advice, technical assistance and modern equipment. This can lift the MPF's ability to perform its basic functions and 'enhance the capacity of local police to control crime and disorder, and to develop "democratic policing"'.<sup>187</sup> However, fundamental reform of the MPF will depend on sustained support from Naypyidaw, a paradigm shift in the force's professional culture and the development of a relationship of trust with the community. These are internal matters which can only be dealt with by the Burmese themselves. As David Bayley has noted, 'international assistance cannot determine but can only facilitate changes in the character of local policing'.<sup>188</sup> Indeed, foreign pressure on Burma for rapid police reform could be counter-productive, by provoking resentment among the police and suspicion on the part of the armed forces.

## 6. Conclusion

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Over the past decade, a broad consensus has developed about what democratic policing looks like. Analysts have identified seven basic principles: that the police force operates in accordance with the law, is regulated by a professional code of conduct, protects life by minimising the use of force, is accountable to the public, protects life and property through proactive crime prevention, safeguards human rights and dignity, and acts in non discriminatory manner.<sup>189</sup> Other observers have condensed these seven principles to just three: the police force must adhere to international standards of human rights, it must maintain effective internal and external accountability, and develop a partnership with local communities to achieve public safety.<sup>190</sup> Measured against all these benchmarks, Burma has made some progress since the late 1990s, and perhaps even since the advent of a new government in 2011, but it still has a very long way to go.

Given the high level of optimism that has followed Thein Sein's announcement of a wide-ranging reform program, and the relaxation of controls on Burmese society, it is worth noting that, in every country where major police reform has been attempted, it has taken a long time. Inevitably, there will be setbacks and some problems will be difficult to resolve. A few observers have suggested, for example, that the excessive use of force by the MPF at the mine site at Letpadaung in 2012 means that Thein Sein's reform process – and thus the reform of the MPF – is stalling.<sup>191</sup> Certainly, that incident demonstrated that old ways of thinking about political dissent in Burma die hard. Yet, it can also be argued that the public apology and parliamentary enquiry that immediately followed indicates that the government is aware of the need for change and is trying to be more responsive to public concerns. It may also be trying to demonstrate that the MPF is now being held accountable for its actions.

It is important to acknowledge that, for all the MPF's shortcomings, its problems have been recognised, a range of corrective measures has been explored and, in some cases, implemented. The final outcome, however, will depend on factors that are out of the police force's direct control. These relate mainly to developments in Naypyidaw, in particular the success of Thein Sein's ambitious reform program and the continued willingness of the Tatmadaw to relinquish its tight control over Myanmar society and allow the administration space to introduce new policies. For, ultimately, the force will reflect the government it serves and the political system in which it operates. It will also be directly linked to the attitude of the Burmese people. The future of the MPF, and perhaps even Burma itself, will depend on the success or otherwise of Thein Sein's historic attempt to change 'mindsets and behaviours' and 'foster a new political culture of patience and dialogue'.<sup>192</sup> That will be neither quick nor easy.

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- 64 Nan Tin Htwe, 'Indonesia to help government draft defence white paper', *Myanmar Times*, 8 October 2012, at <http://www.mmmtimes.com/index.php/national-news/2295-indonesia-to-help-government-draft-defence-white-paper.html>
- 65 See, for example, Ulf Sundhausen, 'Indonesia's New Order: A model for Myanmar?', *Asian Survey*, vol. 35, no. 8 (August 1995), pp. 768–80. Also relevant is S. Krishnamurthy, 'The political role of the army in Burma and Indonesia', *International Studies*, vol. 12, no. 3 (July 1973), pp. 397–415.
- 66 *Indonesia: National Police Reform*, ICG Asia Report No. 13 (International Crisis Group, Brussels/Jakarta, 20 February 2001), at <http://www.crisisgroup.org/~media/Files/asia/south-east-asia/indonesia/Indonesia%20National%20Police%20Reform.pdf>. See also Donald Greenlees, 'Unfinished business: reform of the security sector in Democratic Indonesia', *Security Challenges*, vol. 7, no. 3 (Spring 2011), pp. 5–22.
- 67 Interview, Naypyidaw, February 2013. The structure of the MPF is described in Selth, 'Myanmar's police forces', pp. 59–63. See also 'Myanmar police needs modern equipments'.
- 68 Bayley, 'Police and political change', pp. 92–3.
- 69 The police action against protesters at the mine site at Letpadaung near Monywa in December 2012 was apparently conducted on orders from both national and Sagaing Region authorities. A.R.C. Marshall, 'Special Report: Myanmar's deep mine of old troubles', *Reuters*, 27 December 2012, at <http://www.reuters.com/article/2012/12/28/us-myanmar-reforms-idUSBRE8BRO2P20121228>
- 70 Ever since the colonial era, Burmese governments have believed that policemen needed to be kept physically, socially and psychologically separate from the communities they managed, in order to ensure loyalty to the central authorities and impartiality in law enforcement.
- 71 According to the General Administration Department of the Ministry of Home Affairs, in 2011 there were 67,285 villages in Burma, divided between 13,627 village tracts. See *Myanmar Administrative Structure*, at <http://themimu.info/download.php?file=Pcodes/Myanmar%20Administrative%20Structure.pdf>
- 72 Interview, Naypyidaw, February 2013. Australia's national average is about 1:350. See, for example, 'Law Enforcement Agencies', *Australian Bureau of Statistics*, at <http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/by%20Subject/1301.0~2012~Main%20Features~Law%20enforcement%20agencies~62>
- 73 Quite apart from basic necessities such as computers, personal radios and motor vehicles (including motor cycles), the MPF is keen to acquire sophisticated equipment such as portable X-ray machines and DNA testing apparatus. Interviews, Naypyidaw and Kyauktada, February 2013. See also Khin Myo Thwe, 'Myanmar police go hi tech', *Mizzima News*, 8 March 2013, at <http://www.mizzima.com/news/inside-burma/9022-myanmar-police-go-high-tech.html>
- 74 Tha Lun Zaung Htet, 'Burma Parliament approves controversial defence budget', *The Irrawaddy*, 1 March 2013, at <http://www.irrawaddy.org/archives/28162>
- 75 In 2010, the minimum wage for a policeman was 35,000 kyat (about US\$35) a month. A commanding officer at a police station received about 180,000 kyat (\$180). See 'Policeman's life isn't easy, say officers', *The Irrawaddy*, 12 July 2010, at [http://www.irrawaddy.org/article.php?art\\_id=18949](http://www.irrawaddy.org/article.php?art_id=18949)
- 76 Interview, Kyauktada, February 2013. See also 'All must try to see national race youths who brandished guns using laptops, Government not divided into hard-liners and soft-liners'.

- 77 Colum Graham, 'Can Burma learn from Indonesia', *New Mandala*, 18 January 2012, at <http://asiapacific.anu.edu.au/newmandala/2012/01/18/can-burma-learn-from-indonesia/>
- 78 MPs are usually identifiable by their white helmets with red inscriptions in either English or Burmese.
- 79 Interview, Naypyidaw, February 2013.
- 80 This measure was designed to reduce the likelihood of a 'Chief of Intelligence' exercising too much individual power, albeit while the country remained under military rule. See Selth, 'Burma's intelligence apparatus', pp. 41–2.
- 81 DDSI became OCMI in 2001. It was renamed DMAS in 2004. James McAndrew, *From Combat to Karaoke: Burmese Military Intelligence, 1948–2006*, thesis submitted in partial fulfilment of the requirements for the degree of Master of Science of Strategic Intelligence, National Defence Intelligence College, Washington, DC, 2007. See also Miki Ebara, *The Fall of Military Intelligence Under Khin Nyunt: An Analysis of Power Dynamics in Myanmar*, thesis submitted in partial fulfilment of the requirements for the degree of Master of Arts in Southeast Asian Studies, Chulalongkorn University, Bangkok, 2005.
- 82 M.P. Callahan, 'The Generals loosen their grip', *Journal of Democracy*, vol. 23, no. 4 (October 2012), pp. 120–31.
- 83 Morris Janowitz, *The Military in the Political Development of New Nations: An Essay in Comparative Analysis* (University of Chicago Press, Chicago, 1964), p. 38.
- 84 See, for example, Don Greenlees, 'Troops lose guns after shootout', *The Australian*, 2 October 2002; and Lela E. Madjiah, 'Myriad problems mar TNI relations with the police', *Jakarta Post*, 5 October 2002. ABRI was renamed TNI (*Tentara Nasional Indonesia*) in 2000.
- 85 See, for example, Renaud Egretreau and Larry Jagan, *Soldiers and Diplomacy in Burma: Understanding the Foreign Relations of the Burmese Praetorian State* (National University of Singapore, Singapore, 2013). See also R.H. Taylor, 'Myanmar: From army rule to constitutional rule?', *Asian Affairs*, vol. 43, no. 2 (2012), pp. 221–36.
- 86 It has been estimated by the UN that 89 per cent of the members of the current parliament have some affiliation to the former SPDC regime. Tomas Ojea Quintana (UN Special Rapporteur on the Situation on Human Rights in Myanmar), *Progress Report of September 2011*, A66/365, 16 September 2011, paragraph 13, at <http://unic.un.org/imucms/userfiles/yangon/file/A-66-365.pdf>. Unlike Indonesia before 1999, Burma's national police force has never had reserved seats in the national parliament.
- 87 For a discussion of the Tatmadaw's strengths and weaknesses, and the difficulty of discovering them, see Andrew Selth, 'Known knowns and known unknowns: measuring Myanmar's military capabilities', *Contemporary Southeast Asia*, vol. 31, no. 2 (August 2009), pp. 272–95.
- 88 Article 232, *Constitution of the Republic of the Union of Myanmar (2008)* (Ministry of Information, Naypyidaw, 2008), p. 86.
- 89 The constitution can only be amended if 75 per cent of both houses of parliament agree. The changes must also be approved by a national referendum. *Constitution of the Republic of the Union of Myanmar (2008)*, p. 175.
- 90 Interview, Naypyidaw, February 2013.
- 91 David Jansen, 'Relations among Security and Law Enforcement Institutions in Indonesia', *Contemporary Southeast Asia*, vol. 30, no. 3 (December 2008), pp. 429–54.
- 92 Burma is currently divided into 13 Regional Military Commands, most at the Major General level.
- 93 Interview, Naypyidaw, February 2013.
- 94 David Steinberg, *Turmoil in Burma: Contested Legitimacies in Myanmar* (EastBridge, Norwalk, 2006), pp. 37ff.

- 95 The current size of the Tatmadaw is not known, but most professional Burma-watchers put it at between 300,000 and 350,000. See Selth, 'Known knowns and known unknowns'.
- 96 Janowitz, *The Military in the Political Development of New Nations*, p. 39.
- 97 See, for example, R.H. Bruce, *Keeping the Military at Bay with Countervailing Force: The Utility of Indonesian Civilian Leaders' Use of Paramilitary Police*, Occasional Paper No. 20 (Indian Ocean Centre for Peace Studies, University of Western Australia, Nedlands, 1992).
- 98 'Union Constabulary', Memo from F.T. Homer, Charge d'Affaires a.i., Australian Embassy, Rangoon, to The Secretary, Department of Foreign Affairs, Canberra, 15 June 1962, in File: 'Burma Police Force', Australian Archives, Series 1838, 3008/3/1/1, Barcode 547596.
- 99 There is already pressure on the president to reduce defence spending to pay for social programs. See, for example, Zin Linn, 'Can president end poverty in Burma, as defence budget rises?', *Asian Correspondent*, 17 December 2012, at <http://asiancorrespondent.com/93789/can-president-slash-poverty-rate-in-burma-as-defense-budget-highest/>
- 100 Article 339, *Constitution of the Republic of the Union of Myanmar (2008)*, p. 148.
- 101 Article 343 of the constitution appears to permit the Commander-in-Chief to override civil law in cases affecting Defence Services personnel. *Constitution of the Republic of the Union of Myanmar (2008)*, p. 148.
- 102 See, for example, *Ongoing Impunity: Continued Burma Army atrocities against the Kachin people* (Kachin Women's Association Thailand, Chiang Mai, June 2012), at [http://www.kachinwomen.com/images/stories/publication/ongoing\\_impunity%20.pdf](http://www.kachinwomen.com/images/stories/publication/ongoing_impunity%20.pdf)
- 103 It is understood that President Thein Sein takes a personal interest in the reform of the MPF and has made a number of suggestions for further changes. Interview, Naypyidaw, February 2013.
- 104 The most senior female MPF officer is a Lieutenant Colonel.
- 105 Personal communication to the author from a senior diplomat formerly based in Burma, 18 December 2012.
- 106 Sidney Jones et al., *Reforming the Indonesian Mobile Brigade (BRIMOB): An Evaluation of Human Rights Training and an Assessment of Major Issues for Reform* (Partnership for Governance Reform in Indonesia, Jakarta, 2004). See also Jansen, 'Relations among Security and Law Enforcement Institutions in Indonesia'.
- 107 See, for example, Lawi Weng, 'Constitution at heart of conflict, says KIA leader', *The Irrawaddy*, 5 November 2012, at <http://www.irrawaddy.org/archives/18056>
- 108 See, for example, Phaneda, 'KIA raids police station, three killed', *Mizzima News*, 18 December 2012, at <http://www.mizzima.com/special/kachin-battle-report/8590-kia-raids-police-station-3-killed.html>
- 109 It has been suggested that one reason why the police force has always been given a low priority for the issue of modern arms, is that they are too often captured by insurgents, who can then use them against the Tatmadaw. Being poorly armed, however, isolated police stations are more vulnerable to attack.
- 110 The CCDAC leads all drug enforcement efforts in Myanmar and oversees 10 sub-committees.
- 111 Under the 2008 constitution, all 'armed forces' in Burma fall under the command of the Defence Services. It is a moot point whether this specifically applies to the MPF's combat battalions. *Constitution of the Republic of the Union of Myanmar (2008)*, p. 148.
- 112 See, for example, Selth, *Civil-Military Relations in Burma*.
- 113 *Crackdown: Repression of the 2007 Popular Protests in Burma*, vol. 19, no. 18 (C) (Human Rights Watch, New York, December 2007), at <http://www.hrw.org/reports/2007/burma1207/burma1207web.pdf>

- 114 See, for example, 'Myanmar gov't refutes accusations of religious persecution, discrimination in Rakhine incident', *Xinhua*, 22 August 2012, at [http://news.xinhuanet.com/english/world/2012-08/22/c\\_131800457.htm](http://news.xinhuanet.com/english/world/2012-08/22/c_131800457.htm)
- 115 The usual strength of a MPF combat battalion is about 350 officers and men, with the capacity to expand to 500 during emergencies. Instead of creating new battalions, another option for the MPF would be to increase the normal strength of existing units.
- 116 During the early days of the unrest, before the monks became involved, Special Branch officers and Union Solidarity Development Association loyalists rounded up key figures, usually at night, in an attempt to deny the protests a coherent leadership. See Andrew Selth, 'Burma's "Saffron Revolution" and the limits of international influence', *Australian Journal of International Affairs*, vol. 62, no. 3 (September 2008), pp. 281–97.
- 117 See, for example, Bertil Lintner, *Outrage: Burma's Struggle for Democracy* (White Lotus, London, 1990).
- 118 During the 1988 pro-democracy uprising, it was claimed by the government that it did not possess tear gas, and thus had to resort to firearms to clear the streets of protesters. See 'I Saved Burma', *Asiaweek*, 27 January 1989, at [http://netipr.org/8888/interview\\_with\\_gen\\_saw\\_maung\\_by\\_asiaweek](http://netipr.org/8888/interview_with_gen_saw_maung_by_asiaweek). That said, the police on the streets in 2007 were armed with an extraordinary mix of old and modern weapons. See, for example, 'Gallery: Support grows for Burmese protesters', *The Guardian*, 27 September 2007, at <http://www.guardian.co.uk/news/gallery/2007/sep/27/internationalnews1#/?picture=330840149&index=14>
- 119 See, for example, detailed documents relating to MPF Battalion 6, dated 1999, in the author's possession.
- 120 See, for example, Jones, *Reforming the Indonesian Mobile Brigade (BRIMOB)*, p. 6; and Adrianus Meliala, 'Police as military: Indonesia's experience', *Policing: An International Journal of Police Strategies and Management*, vol. 24, no. 3 (2001), pp. 420–31.
- 121 Interview, Naypyidaw, February 2013.
- 122 'It is time for all to carry out purification and propagation of Sasana Ceremony to apologise to State Sangha Maha Nayaka Sayadaws for incidents stemming from protest in Letpadaungtaung Copper Mining Project', *New Light of Myanmar*, 8 December 2010, at <http://www.networkmyanmar.org/images/stories/PDF13/nlm081212.pdf>. See also 'Burma apologises for police attack on protesting monks', *BBC News*, 8 December 2012, at <http://www.bbc.co.uk/news/world-asia-20650576>
- 123 Personal communication from Rangoon, January 2011.
- 124 See, for example, 'The Government Could Have Stopped This': *Sectarian Violence and Ensuing Abuses in Burma's Arakan State* (Human Rights Watch, New York, 2012), pp. 24ff at [http://www.hrw.org/sites/default/files/reports/burma0812webwcover\\_0.pdf](http://www.hrw.org/sites/default/files/reports/burma0812webwcover_0.pdf)
- 125 See, for example, Francis Wade, 'Progress stops at the Myanmar elite's door', *Al Jazeera*, 4 December 2012, at <http://www.aljazeera.com/indepth/opinion/2012/12/201212484532708930.html>
- 126 'Burma urged to prosecute perpetrators of sectarian unrest', *Voice of America*, 1 April 2013, at <http://www.voanews.com/content/rights-group-urges-burma-to-investigate-sectarian-violence/1632277.html>. See also Priyanka Boghani and Patrick Winn, 'Myanmar: Security forces stood by while anti-Muslims raged says rights group', 2 April 2013, at <http://www.globalpost.com/dispatch/news/regions/asia-pacific/myanmar/130402/myanmar-security-forces-stood-by-anti-muslim-riots>
- 127 Brian McCartan, 'Racial hatred as policy in Myanmar', *Asia Times Online*, 5 April 2013, at <http://www.atimes.com/atimes/Southeast Asia/SEA-02-050413.html>

- 128 Nicholas Cheesman, *Policing Burma*, unpublished background research paper no. 2, Australian National University, Canberra, 24 February 2009, p. 3 (copy in the author's possession).
- 129 C.A. Trocki, 'Political structures in the nineteenth and early twentieth centuries', in Nicholas Tarling (ed.), *The Cambridge History of Southeast Asia*, 2 vols. (Cambridge University Press, Cambridge, 1992), vol. 2, p. 20.
- 130 *Premier Reports to the People on Law and Order, National Solidarity, Social Welfare, National Economy, Foreign Affairs*, Translation of a speech delivered by the Honourable Prime Minister U Nu in the Chamber of Deputies, Rangoon, on 27 September 1957.
- 131 *Is Trust Vindicated? A chronicle of the various accomplishments of the Government headed by General Ne Win during the period of tenure from November, 1958 to February 6, 1960* (Director of Information, Government of the Union of Burma, Rangoon, 1960), pp. 1–18.
- 132 See, for example, Marie Segrave and Jerry Ratcliffe, *Community Policing: A descriptive overview*, Australian Institute of Criminology, March 2004, at <http://www.aic.gov.au/documents/B/4/A/%7bB4ADEB38-37D0-409A-9E30-4DDC2A5AA7F5%7d2004-03-policing.pdf>
- 133 After the 2013 Meiktila riots, one MPF officer told a reporter that they did not intervene because the force had received no orders from above, and 'Obedience is more important than anything else in our service'. Swe Win, 'Kristallnacht in Myanmar', *IHT Global Opinion*, 29 March 2013, at <http://latitude.blogs.nytimes.com/2013/03/29/violence-against-muslims-in-meiktila-myanmar/>
- 134 *Community Policing in Indonesia* (The Asia Foundation, Jakarta, 2007).
- 135 Two early investigations into such issues which are still relevant today are L.W. Pye, *Politics, Personality and Nation Building: Burma's Search for Identity* (Yale University Press, New Haven, 1962); and Maung Maung Gyi, *Burmese Political Values: The Socio-Political Roots of Authoritarianism* (Praeger, New York, 1983), pp. 172–3.
- 136 ICG, *Indonesia: The Deadly Cost of Poor Policing*.
- 137 Between 2000 and 2003, the Australian government conducted a series of workshops in Burma on international human rights. They were attended by a number of MPF officers. The initiative was scrapped, however, after the attack against opposition leader Aung San Suu Kyi at Depayin. See David Kinley and Trevor Wilson, 'Engaging a Pariah: Human Rights Training in Burma/Myanmar', *Human Rights Quarterly*, vol. 29 (2007), pp. 368–402, at <http://sydney.edu.au/law/scil/documents/2009/SCILWP13.pdf>
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- 139 Jones, *Reforming the Indonesian Mobile Brigade (BRIMOB)*, p. 6. See also Arifah Rahmawati and Najib Azca, 'Police reform from below: Examples from Indonesia's transition to democracy', in Reginald Austin et al., *Democracy, Conflict and Human Security: Further Readings* (International Institute for Democracy and Electoral Assistance, Stockholm, 2006), pp. 53–67, at [http://www.idea.int/publications/dchs/upload/dchs\\_vol2\\_sec2\\_2.pdf](http://www.idea.int/publications/dchs/upload/dchs_vol2_sec2_2.pdf)
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- 141 Interviews, Rangoon, Mandalay and Hsipaw, February 2013.
- 142 Don Emmerson's statement was made at a conference on Burma held in Washington, DC in October 2009, attended by the author. It has since entered Burma studies folklore. See, for example, D.I. Steinberg and Fan Hong-Wei, *Modern China–Myanmar Relations: Dilemmas of Mutual Dependence* (NIAS Press, Copenhagen, 2012), p.x.
- 143 See, for example, Nicholas Cheesman, *The Politics of Law and Order in Myanmar*, thesis submitted for the degree of Doctor of Philosophy, Department of Political and Social Change, School of International, Political and Strategic Studies, College of Asia and the Pacific, Australian National University, March 2012.

- 144 'Burma's cheap muscle', Asian Human Rights Commission, Hong Kong, 13 March 2009, at <http://www.article2.org/mainfile.php/0801/343/>
- 145 Hpyo Wait Ha, 'Corruption is Burma's biggest problem: Upper House Speaker', *The Irrawaddy*, 26 March 2012, at [http://www2.irrawaddy.org/article.php?art\\_id=23286](http://www2.irrawaddy.org/article.php?art_id=23286). Transparency International rates Burma 172 out of 176 countries reviewed, in terms of corruption. Transparency International, 'Corruption Perceptions Index 2012', at <http://cpi.transparency.org/cpi2012/results/>. To put this low ranking into perspective, however, see Derek Tonkin, 'Corruption index: An exercise in futility' *Myanmar Times*, 17 December 2012, at <http://www.mmtimes.com/index.php/opinion/3595-corruption-index-an-exercise-in-futility.html?limitstart=0>
- 146 'Burma said to dismiss Rangoon police chief', *BBC Monitoring Service*, East Asia and the Pacific, 7 October 2009.
- 147 The average bribe paid these days by taxi drivers and other motorists pulled over by the MPF's traffic police is between 7,000 and 10,000 kyats. Interviews, Rangoon and Mandalay, February 2013. See also 'Video showing rampant Burmese police corruption leaked online', *France 24*, 20 September 2012 at <http://observers.france24.com/content/20120920-burma-opens-video-showing-police-corruption-leaked-internet-myanmar-amateur-traffic-bribes-bus-yangon-rangoon>
- 148 Interview, Canberra, December 2012. See also Kyaw Min San, 'Critical issues for the rule of law in Myanmar', in Nick Cheesman, Monique Skidmore and Trevor Wilson (eds), *Myanmar's Transition: Openings, Obstacles and Opportunities* (Institute of Southeast Asian Studies, Singapore, 2012), pp. 226–7.
- 149 During the 1988 pro-democracy uprising, for example, the security forces were told that the demonstrators were subversives (usually communists) intent on seizing power. See, for example, *Burma Communist Party's Conspiracy to take over State Power* (Ministry of Information, Rangoon, 1989).
- 150 See, for example, Kevin Doyle, 'Where are Burma's monks', *Time*, 12 October 2007, at <http://www.time.com/time/world/article/0,8599,1670876,00.html>. This is not to deny that there have been cases of Burmese men masquerading as Buddhist monks, or who have put on saffron robes simply to exploit the privileges accorded to members of the sangha.
- 151 At present, the battalions only constitute 6 per cent of the total number in the MPF. Personal communication from Rangoon, November 2011.
- 152 See, for example, 'The Depayin Massacre, Burma', *Article 2*, vol. 2, no. 6 (December 2003), at <http://www.article2.org/pdf/v02n06.pdf>; and 'Police file whitewashes Depayin massacre', *Democratic Voice of Burma*, 30 May 2011, at <http://www.dvb.no/news/police-file-whitewashes-depayin-massacre/15890>
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- 154 'Letpadaung Report does not address concerns, places security forces above the law', *Burma Partnership*, 18 March 2013, at <http://www.burmapartnership.org/2013/03/letpadaung-report-does-not-address-concerns-places-security-forces-above-the-law/>
- 155 See, for example, the 2008 docu-drama 'Burma VJ', which graphically depicts community coverage of the 'saffron revolution' in 2007, at <http://burmavjmovie.com/>
- 156 Callahan, *Making Enemies*, p. 223.
- 157 E.P. Mendes, 'Raising the social capital of policing and nations: How can professional policing and civilian oversight weaken the circle of violence?', in E.P. Mendes et al., *Democratic Policing and Accountability: Global Perspectives* (Ashgate, Aldershot, 1999), p. 17.
- 158 'Myanmar Police Force Management System Reform Committee meets', *New Light of Myanmar*, 3 August 2002, at <http://www.myanmars.net/myanmar-news-2002/myanmar-news-n020803.htm>



- 159 The message 'May I help you?' on the MPF's official website is illustrated by a policeman in full riot gear, conveying rather mixed messages. See <http://www.myanmarpoliceforce.org/>. See also Graham, 'Can Burma learn from Indonesia'.
- 160 See, for example, Ika Krismantari, 'The police's new face', *Jakarta Post*, 18 May 2011, at <http://www.thejakartapost.com/news/2011/05/18/the-police%E2%80%99s-new-face.html>; Tan Choe Choe, 'Pretty handsome police', *New Sunday Times*, 19 June 2011; and Wassayos Ngamkham, 'Community policing', *Bangkok Post*, 22 November 2010, at <http://www.bangkokpost.com/learning/learning-from-news/207601/community-policing>
- 161 While politicians, officials and foreign observers routinely speak of 'community policing', there is little clarity about the idea. To some it represents an integrated program of cooperative measures while to others it simply means improved public relations.
- 162 *Community Policing in Indonesia*.
- 163 Greenlees, 'Unfinished business: Reform of the Security Sector in Democratic Indonesia', p. 18.
- 164 Bayley, 'The police and political change in comparative perspective', pp. 91–112.
- 165 Bayley, 'The police and political change in comparative perspective', p. 102.
- 166 See, for example, Jason Szep, 'Burma reforms "irreversible", Indonesia says', *Jakarta Globe*, 30 October 2011, at <http://www.thejakartaglobe.com/news/burma-reforms-irreversible-indonesia-says/475100>; and Scott Stearns, 'Aung San Suu Kyi says Burma reforms not yet irreversible', *Voice of America*, 18 September 2012, at <http://www.voanews.com/content/aung-san-suu-kyi-begins-us-visit/1510124.html>
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- 168 See, for example, Larry Jagan, 'Precarious balance for Myanmar reform', *Asia Times Online*, 16 February 2012, at [http://www.atimes.com/atimes/Southeast\\_Asia/NB16Ae01.html](http://www.atimes.com/atimes/Southeast_Asia/NB16Ae01.html)
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- 170 Suggestions that the anti-Muslim unrest seen in Central Burma in late March 2013 was instigated by agitators trying to set the scene for a return to military rule are difficult to sustain. See, for example, Ei Ei Toe Lwin, 'Meiktila violence work of "well-trained terrorists"', *Myanmar Times*, 1 April 2013, at <http://www.mmtimes.com/index.php/national-news/6181-meiktila-88.html>
- 171 Cheesman, *The Politics of Law and Order in Myanmar*.
- 172 For example, four of the seven judges on the Supreme Court, including the Chief Justice, are former senior officers in the Tatmadaw, *The Rule of Law in Myanmar*, p. 52.
- 173 ICG, *Indonesia: National Police Reform*.
- 174 Christopher Roberts, *ASEAN's Myanmar Crisis: Challenges to the Pursuit of a Security Community* (ISEAS, Singapore, 2010), pp. 38–42.
- 175 See 'Reformist Myanmar President establishes high level team to fight corruption', *Washington Post*, 9 January 2013, at [http://www.washingtonpost.com/business/reformist-myanmar-president-establishes-high-level-team-to-fight-corruption/2013/01/09/e21f94ec-5a52-11e2-b8b2-0d18a64c8dfa\\_story.html](http://www.washingtonpost.com/business/reformist-myanmar-president-establishes-high-level-team-to-fight-corruption/2013/01/09/e21f94ec-5a52-11e2-b8b2-0d18a64c8dfa_story.html)
- 176 It is not a hard and fast rule, but the pattern in Burma for decades has been for protests to begin over specific economic issues, and then develop into protests over broader political issues. See, for example, Selth, 'Burma's "Saffron Revolution" and the limits of international influence'.

- 177 Scott Ludlum, 'Question to AFP regarding Burma', 5 December 2008, at <http://scott-ludlum.greensmps.org.au/content/estimates/question-afp-regarding-burma>
- 178 'Myanmar police officers attend intelligence program', Jakarta Centre for Law Enforcement Cooperation, 17 November 2006, at [http://www.jlec.com/index.php?option=com\\_content&task=view&id=127&Itemid=2](http://www.jlec.com/index.php?option=com_content&task=view&id=127&Itemid=2)
- 179 Interview, Naypyidaw, February 2013. See also ILEA Bangkok, at <http://www.state.gov/j/inl/c/crime/ilea/c11280.htm>
- 180 Based on its experience with the 2008 Olympic Games, China's Ministry of State Security has also provided advice to Burma on the management of security at the Southeast Asian Games, which are to be held in Naypyidaw, Rangoon and Mandalay in December 2013.
- 181 *The Rule of Law in Myanmar*, p. 30.
- 182 The Australian courses have been held at the Australian Institute of Police Management in Sydney and the Australian Federal Police College in Canberra. 'Scott Ludlum, 'Question to AFP regarding Burma'. For the US interest, see for example USAID, 'Burma: Democracy, human rights and rule of law', at <http://www.usaid.gov/burma/our-work/democracy-human-rights-and-rule-law>
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