

6 February 1960: Clean and Fair – Followed by a Very Short Legislative Period

1 Introduction

On 28 October 1958, the parliament elected in 1956 that had dismissed the no-confidence motion against Nu in June of that year with a narrow margin unanimously chose General Ne Win as prime minister on the request of Nu and his Clean AFPFL. The main aim of the new government was to hold elections in April 1959. The plan however could not be realised and the elections finally took place on 6 February 1960. After the election victory of Nu's wing of the AFPFL renamed "Union Party", he was re-elected premier on 4 April 1960 but only to leave the office for good on March 2, 1962 after the military coup that ended the first period of independent Burma under the constitution of 1947. The coup happened in the early morning after on the second day of a federal seminar on the issue of how to redraft this constitution to meet the demands for more autonomy by the States of the Union. In the morning of 2 March 1962 Nu and many other politicians who had played crucial roles in government and parliament were put under detention on the day of the coup, many of them for a rather long term. Nu was only released only in 1968.

This list of events happening between October 1958 and March 1962 are of special interest with respect to the issue of civil-military relations in general and in particular with regard to the role of elections. Parliament had appointed the head of the Tatmadaw to lead a government of civilians that assisted and supervised by soldiers and to organise free and fair elections as a way out of the political crisis caused by the split of the AFPFL. The task was performed, albeit not in the originally scheduled time. Less than two years after the new government started to work, the 1947 constitution was abrogated and parliament dissolved. A period of twelve years begun during which the military ruled directly after a "Revolutionary Council" had been formed and implemented a strictly socialist system under a new constitution providing for one-party rule..

The following sections will start with some information about the work of a parliament that was convened for 15 months parallel to a government consisting of civilians and soldiers who had not been elected; the focus is on the role of the government and the legislature during the rule of what was popularly known as the Bogyoke (General's) government (2). It follows an outline of the activities of this government that finally arranged the elections held in February 1960. (3) The well documented run-up to these polls is of special interest here. The campaign differed from those held earlier since for the first time two parties that seemed to be equally strong competed, the Clean and the Stable AFPFL (4). The next section informs about the results and how they were assessed (5) followed by a section on the emergence of a mutual mistrust between the military and the civil sector of Burmese society.(6). The last two sections narrate the history of the National Convention (or federal seminar) about the proposals to strengthen the rights of the non-Burmese regions of the country (7) and the way leading to the coup of 2 March 1962 (8).

2 Parliament and Government between October 1958 and April 1960

The two chambers of parliament continued their sessions. After the takeover of the new government since the final split of the AFPFL end of April 1958 sealed by the no-confidence motion in June, the parliament resembled its British model. Two factions opposed each other the core of each was formed by adherents of the "Clean" and the "Stable" AFPFL. However, Nu's faction depended on the support of parliamentarians that had opposed the united AFPFL before June 1958.

The leadership of the armed forces were well prepared for the task to take over government functions for a number of reasons. In course of the civil war and the fight against Kuomintang troupes, its commanders had been used to handle civil administration affairs during times of martial law. Furthermore, the Tatmadaw had had been given a completely new and solid organisational

structure, mainly to to the work done by Colonels Aung Gyi and Maung Maung who had conducted the talks with Nu before the transfer of power. A strong sprit de corps had developed during the years of civil war and the process of professionalising the army. That does however not mean that the Tatmadaw was a complete homogenous entity. Tension existed, mainly between field commanders and officers working in the War Office in Rangoon (Callahan 1996: 418-443).

In view of politics, the developments in the country had been regularly discussed at the regular conferences of the commanding officers in which leading politicians participated by giving talks and participating in discussions. In connection with the growing sense of a genuine Tatmadaw identity, a civil-military divide occurred (Callahan6: 460-468). At the annual Tatmadaw's Commander's Conference convened in Meiktila one week before the parliament convened to ratify the agreement between Nu and the military leader in which Nu participated, a political program had been adopted entitled "The National Ideology and the Role of the Defence Services".

The document shows that the armed forces considered itself as a political body from its foundation in late 1941 onwards. It describes a sequence of ideological developments. After a period of "ideological gestation" between 1948 and 1955, study and discussion (1956 and 1957) the actual conference in 1958 stated that a "National Ideology" had been adopted as the "First Phase of Ideological Development".¹ The paper than looked to the near future and chose a motto for the "Second Phase of Ideological Development" to start in 1959:

In thus pursuing the aims of national politics, as distinct of party politics the Defence Services pledge themselves to the adopted Role and Attitude:

Peace and Rule of Law – First;

Democracy – Second;

Socialist Economy – Third. (Trust 1961: 541)²

The first step is illustrated by the present unsettled state of affair in the country, the two others define the future tasks to be performed. One may say that the paper outlined a general political program of a virtual parallel government different from civil party politics. However, this program was a long-term one. The paper adopted one week before the transfer of power does not refer in a concrete way to the situation of an imminent temporary transfer of power from the present head of government by the parliament. With regard to "democracy" it is just stated that "democratic traditions are only in the making" due to the insurrection and the activities of the "aboveground Communists" who are "pretending to care for Democracy but only to destroy our democratic institutions and impose their own totalitarian regime." (Trust 1961: 539)

The new government under Ne Win's leadership quickly started to implement measures to achieve the first aim mentioned in the document. It did so in a comprehensive and strict way. In each of the ministries headed by a civilian, one or more military officers worked in different government departments. The most relevant posts were taken by Colonel Aung Gyi who was was deputed to care for the economy and was assigned to the Ministry of National Planning and Colonel Maung Maung who oversaw matters related to security and law enforcement in the Home Ministry.³

According to the analysis of the situation of the new civil-military government, it was not possible to hold the next elections in a free and fair way within six months. This period of time was however prescribed in section 116(1) of the Constitution as the limit of a non-elected person to hold a ministerial office.⁴

1 The published text of the document starts with a quotation of the preamble of the constitution of 1947 and then divides the history of the "ideological development of the Defence Services" in six periods starting with the "B.I.A. and B.N.A. period" followed by the B.N.A and P.B.F. Period that lasted until independence. (Trust 1961: 533)

2 For the complete text see Trust 1961: 533-541.

3 For a full list of the appointments see Trust 1961: 561-567.

4 The section reads: "A member of the Government who for any period of six consecutive months is not a member of the Parliament shall at the expiration of that period cease to be a member of the Government."

This constitutional clause caused a hefty debate about if or if not the elections should be held until/in April 1959 or not. In the latter case it had to be discussed how the term of Ne Win and his cabinet could be prolonged. A variety of opinions were voiced. According to a position taken by politicians from different backgrounds, no change of the constitution was necessary and Ne Win's government could carry on for another six months with the consent of the parliament (MP II: 132-133).

Among such discussions, Ne Win took the initiative and tendered his immediate resignation on February 13, 1969 in a letter to the president two months before the originally envisaged elections. According to an American newspaper, he he stated that conditions in Burma were not yet favourable for elections and:

I cannot carry on ... I cannot be prime minister further because it is against the constitution. I have no wish to violate the constitution.⁵

Ne Win's speech in parliament shows that the unity of the political groups existing in October 1958 had perished according to his assessment. He stated that in October both factions of the AFPFL had supported his election as premier. This was different now and given as another reason for his resignation besides the fact that elections could not be held until April.

At the moment, the Stable AFPFL has stated its willingness to support my Government until elections are held in April. It has even declared its willingness to continue supporting if an extension is required. But the Clean AFPFL has changed its stance. They have accused my Government after the first three months of assumption of duty that the Clean AFPFL party and has been oppressed and arrests made. In other words it has come to show its indication of a lack of confidence in my Government. Now that I earn the displeasure of the Clean AFPFL, the organization that proposed our Governmental set-up, I feel reluctant to continue with my duties as Prime Minister. (MP II: 139)

He then talked about the options to elect member of parliament to take over the post or find some outsider to take over whose terms would however been restricted to six months as well because of section 116(1). Finally:

if a substitute can not be found and the Hluttaw [parliament] wishes me to continue functioning the, as I have stated earlier, rit would require to alter section 116 in some way. I cannot accept the post of Prime Minister you do not change this section. (MP II: 140)

This can be seen as a veiled threat to the parliament that worked. Some politicians supported the extension of Ne Win's tenure. The Executive Committee and the parliamentarians of the Clean AFPFL discussed the matter on 14 February. Three days later, Nu explained why he the party would support the amendment of the constitution:

The other side would be getting two-thirds of the votes and amend section 116 even if we vote against it. Five MPs have left the Clean AFPFL after it stayed for one day without supporting General Ne Win after he had delivered his speech in the Hluttaw. I know personally that three more would be leaving. There must be many more which I don't know. (MP I: 145)

Already on February 16, Kyaw Nyein had moved a motion in parliament to amend the debated section of the constitution that should remain in force "until the next Hkuttaw proposed a name for the for the post of Prime Minister who would then be appointed by the President." (MP 1: 147) In the following debate, on 20 February only a speaker of the NUF opposed the motion. The House of Representatives passed the amendment. The same did the Chamber of Nationalities after a short discussion on 25 February 25. One day, later, the two chambers were convened. From the 333 members present – 32 were absent – 304 approved and 29 objected. The two-third majority would have been thus reached even if all absent parliamentarians had voted against the amendment (MP I: 153).

5 *York Daily Record* (York, PA: 14.2.1949: 31.

Lawyer, journalist and author of a book on Burma's constitution of 1947 Maung Maung in March 1959 wrote an article about section 116 arguing:

Section 116 repeats in substance section 6(2) of the Government of Burma Act, 1935. In the 1935 Act parliamentary democracy was a new experiment. The Governor was, in effect the sole legislator and executive. He could kill laws passed by the legislature and appoint and dismiss ministers at his pleasure. It was necessary that if the Governor appointed any minister who was not in the Legislature the tenure of the minister should be severely limited – to 6 months. Parliament is a family affair – why an outsider be in it as a leader? The provision of the 1935 therefore worked as a check on the power of the Governor [...] In our Constitution section 116 is somewhat unnecessary because our parliament is supreme, as representing the people and section 116 can only operate as a check or check on the Parliament's own powers. Is there the need to say that a non MP. Premier can stay in office 6 months only, when it is for Parliament to decide whether it will have a non-P.M. Premier at all in the first place? [...]

Those who cry that the amendment of section 116 will deal the death blow to parliamentary democracy in Burma are being a bit melodramatic. In fact serious consideration should be given now as to whether this section should be repealed forever so that parliamentary government may in future be replenished with outside talent, if necessary. (Maung Maung 1959b: 11-12)

Maung Maung obviously advocated to eliminate a provision from the Constitution that was taken over from the British times. The amendment thus helped Burma to become a real sovereign nation. It should be considered if “outside talent” could be given the chance to take over government functions without having been elected to parliament. It is interesting to note that the last president of socialist Burma who felt a great affection to the armed forces since his short time as a soldier around the end of the war suggested a mix of shared responsibility between elected and non elected persons that was – in a special way – was institutionalised in the 2008 constitution.

In practice, parliament decided that Ne Win and his cabinet of civilians backed by military officers could continue as Prime Minister until the election of a new premier. The date of the next elections was left open, but it was understood that they should be held latest in 1960 before the four year term of the parliament expired.

3 The Tatmadaw's Cleaning Up

The “Bogyoke (General's) Government” under Ne Win's leadership renovated the country during its short tenure and the military was proud of it as the cover of a book shows that was published in 1960 to document of what had been achieved by the team of ministers and their military adjutants in the respective governmental departments.

On the cover, the Greek mythological hero Hercules is shown performing the cleaning of the Augean Stable, his fifth of twelve labours to be performed in one day, a task that had not be performed before in 30 years. A short version of the story is printed before the book's contents that emphasises not just Hercules' physical strength but his cleverness as well-

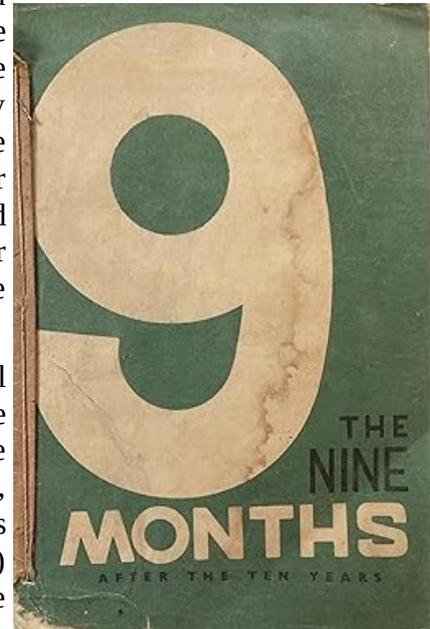


From the cover page of "Is Trust Vindicated?"

The book presents the achievements of the government on more than 560 pages and makes clear that the actions of the government were guided by the “National Ideology and the Role of the Defence Services” as adopted in October 1958. With regard to elections, it is stated that “[e]very effort was made to ensure free and fair elections” and that such elections had “been successfully held in 229

constituencies” for the Chamber of Deputies whereas polling had to be postponed in the other 21 constituencies because of the “insurgent activity” (15), “pending court decisions” (5) and “the death of one of the candidates” (1). (*Trust* 1961: 67) This is just one of the many success stories told in the four chapters of the book (Administration, National Economy, Social Welfare, and States.)

In a shorter way but even more clearly, the Tatmadaw had expressed their self-confident attitude in a booklet covering the first months of the Caretaker Government entitled “The Nine Months after the Ten Years”. The design of the cover clearly highlights the message of the contents. The government under the leadership of General Ne Win in the short time between November 1958 and July 1959 achieved more than the civilian led administration in the ten years after independence. Another reading could be: Under military leadership, the mess created by the AFPFL government had been cleaned up with lightning speed.



The foreword mentions the “strict discipline enforced against all types of law-breakers” and the “revitalisation of the entire government machinery” as the keys to the successful work (Nine Months: b). After covering the policy fields of law and order, foreign policy, economic progress and social services, the booklet’s last chapter deals with the City of Rangoon (Nine Months: 64-73) as a complete makeover of the city after having declared the former administration “incompetent” and installed a new one.

Outside Burma, the work of the Caretaker Government was assessed with applause. End of December 1959, a west-coast American newspaper summarised the achievements of the military-led government written by a journalist reporting from Rangoon:

Many changes are visible. Wild dog packs no longer roam the shady streets of the quiet capital ⁶—Rangoon’s once garbage-strewn side walks are clean, if still not always repaired. - Bandits and communists no longer prowl much of the countryside, blasting trains and robbing villagers. - Costly corruption in government has been reduced, political incompetence has been fired from some top posts and a start made to tackle Burma’s economic problems.⁷

On the day of the 1960 elections, another newspaper entitled a preview to the elections: “Today’s Elections In Burma Is A Marvel Of Our Times” for not having “succumbed to disaster soon after winning its independence from Britain in 1948”.⁸

In an article written by two Southeast Asian scholars the elections were praised as the “freest and fairest since Burma’s independence” and the other achievements of the government were highlighted:

General Ne Win has long been known in Burma as a supporter of constitutional government, and his record in restoring law and order and giving the country honest elections should come as no surprise, except to those who based their expectations on the performance of military-led governments in other countries. Burma’s army leadership apparently regarded itself only as a caretaker government. (Butwell/von der Mehden 1960: 146.)

According to such an assessment, Ne Win’s government had not just literally cleaned Rangoon’s streets from garbage and stray dogs, moved squatters to new quarters – today’s North and South Okkalapa – but acted politically correctly, too.

6 According to another newspaper record, some 50,000 dogs plus 10,000 crows had been poisoned (*The Haralston News Statesman*, Yonkers NY 18.6.1959: 66).

7 *The Spokesman Review* (Spokane WA) 30.12.1959: 19.

8 *The Courier-Journal* (Louisville KY) 6.2.1960: 6.

The two books documenting and praising the achievements of the Caretaker Government further personalise the work by highlighting the role of Ne Win by displaying his picture in different ways. The booklet presents a sculpture of his face at the frontispiece. At the same place, the big volume published in 1960 shows Ne Win together with Aung San and adds the programmatic caption “After the General, the General”.



The name of the sculptor was Ba Tin



After the coup of the 1962, such signs of personality cult were not repeated. After the enactment of the constitution of 1974, Ne Win's picture was hung up at government offices.

4 The Election Campaign

In August 1959, the government announced that elections would be held latest in the first week of February. Parliament was dissolved on December 19 by the President and Saturday, 6 February 1960 was announced as election day. From August on, the competing parties started their campaigns. From the beginning, this was a duel between the split factions of the AFPFL. The leftist NUF and smaller parties competed as well, but they played no great role in the competition of the two parts of the political body that had dominated Burma's politics until 1958.

The period of candidate nomination ended on 2 January 1960. A total of 934 of contenders were nominated for the 203 seats in former Burma proper, 122 more for the 47 seats reserved for the four States and the Chin Special Division.⁹ The Clean and Stable AFPFL contested almost all seats in what had been Ministerial Burma in British times, the NUF fielded 135 candidates, minor parties 91. Furthermore 180 independents were registered. In the States, the majority of candidates (63)

⁹ The figures are taken from Butwell/v.d.Mehden 1960: 150. As many other data, the numbers are not fully consistent.

came from local groups, 28 were independent and around 15 each could be identified as followers of the two factions of the League.

The number of candidates contesting the 125 seats of the Chamber of Nationalities is not known. These elections were held fourteen days after the polls for the Chamber of Nationalities, on 20 February

The main means to influence voters in the election campaign were rallies, signboards, and the distribution of handouts and pamphlets. Furthermore, the parties could make use of the state broadcast to air their political programs. The military and the police both supervised by Col. Maung Maung and other military officers cared for security and the absence of voters' intimidation.

At the same time, the army became a core topic of the campaign because it was allegedly siding with the Stable AFPFL. An Associated Press report from end of December 1959 paints a complex picture of the overall situation.

Ne Win praised as a true democrat by both sides, has pledged the army will be strictly neutral in the campaign and voting. Still there is a strong tendency on all levels to identify the "stables" with the military. Says stable leader Ba Swe: "I was defence minister for six years and can claim to be the father of the present government." He adds that the stabled have quietly protested some army excesses. U Nu already see campaign ammunition here.

"The issue before the people is quite clear – democracy or fascism"¹⁰ Then refusing to elaborate or name names, Nu continues: [...] "The people have been ill-treated. ... The people resent this. They (Nu's unidentified target) make us very popular. They make people resent and hate them. ..."

Nu's personal popularity plus the resentment against the army and his pledge to make Buddhism the state religion are all considered potent weapons. They are believed the main factor behind impressive victories by the "clean" faction in recent city elections. The stables won only in six of 26 cities.¹¹

The campaign from the beginning was characterised by a strong asymmetry. On the side of the Clean AFPFL, Nu was the leader of the country between 1948 and 1958 in his double role as AFPFL chairman and head of government, on the side stood two leaders who had served under Nu in a number of positions who were the challengers of the incumbent.

Accordingly, the Stable AFPFL started their campaign on August 30 by accusing Nu to be unable to govern as proven by his handing over power to Ne Win. Kyaw Nyein further attacked Nu's "Buddhist politics" by stating that abiding by the five Buddhist precepts could not make up for a clear political program and that therefore the country would "fall into an abyss" if Nu would become Prime Minister again. The newspaper of the Clean AFPFL retorted one week later with accusing the rival politician of having admitted not to observe the precepts and that no politician therefore needed to do so. He thus had been degraded "overnight" from the position of a - highly estimated - pagoda trustee to a tailless fox from whose advice – according to the moral of an Aesopian fable – should be disregarded because he tried to lower others to his own level. (MP II: 242).

The campaign thus from the beginning revolved around the topic of how to relate Buddhist morality and politics. This can be seen as a continuation of the mixture of different concepts of politics that had contributed to the personal incompatibilities preceding the 1958 split.

Nu at the same time took a position beyond all parties by emphasising his benevolent attitude to everybody – including his political rivals:

10 "Choose between Democracy & Fascism, U Nu Tells Voters" was the headline of a report on the election campaign published by *The Nation* on 11.1.1960.

11 *The Spokesman-Review* (Spokane WA) 30.12.1959: 11.

We have no grudge to our brothers from the states. We also have no grudge to the people. We don't even have a grudge to Swe-Nyein with whom we are having a great political conflict.¹²

In accordance with this saintly statement, Nu used the Maha Pasana Guha Cave near the Kaba Aye Pagoda in which the Sixth Buddhist Synod had been held between 1964 and 1956 as the location of the first mass meeting of his party. It lasted four days from 26 to 29 September 1959.. On all days, more than 10.000 people attended. On the first day, Nu gave two lectures from a 72 pages long paper, on the second day the name change of the party from Clean AFPFL to *Pyidaungsu* (Union) Party was announced, on the third day, the 15 point party program was adopted in which Buddhism was to be prescribed as the state religion in case of an election victory. The proposal was adopted despite a n objection of a prominent Muslim member. Nu in his final speech defined the elections as a “contest between fascism and democracy”. He further stated that it would not be sufficient for the public to vote for the party, they had to “donate also for the party to win.” (MP II: 245)

The Stable AFPFL failed to organise a similar mass meeting and only published a manifesto in late December after having distinctly lost the municipal elections held in November and December 1959. The arty thus thus were on the defensive from the beginning. Of the countrywide campaign. They hoped that the losses in the towns could be compensated by an increase of votes in the rural areas due to the strength of the party organisations there that were still affiliated to the Stable AFPFL. Throughout the campaign, however, the party had to fight against the allegation that it was “fascist” because it principally agreed with the measures of “cleaning up” the country undertaken by Ne Win’s Caretaker Government. At the end of the campaign, Kyaw Nyein said on this issue:

U Nu said that his party stands for democracy, thereby implying that ours is fascist. To be guilty of fascism, a party must, first of all, be possessed of power. You fully know well know if the Stable AFPFL has power no not. U Nu tries to create misunderstanding between us, the Army and the people. I want to make it perfectly clear to you that the Stable AFPFL has nothing to do with whatever the Government headed by General Ne Win. We are not responsible for anything he has done – or has not done.¹³

This statement illustrates the dilemma of the Stable AFPFL. To dismiss Nu’s unspecified allegation, it had do dissociate itself from a use of political power that it regarded as principally necessary and appropriate.

Another detail illustrates the dissymmetry of the two campaigns. Obviously, the Clean AFPFL was able to make use of a slogan that comprised a particular Burmese flavour. It was expressed by a Burmese acronym consisting of the four Burmese letters လ-တ-မ-သ (la-ta-ma-tha) meaning “person stable – vote clean”. The phrase suggested that voting for Nu’s “clean” AFPFL would be a sign that the voter was a “stable” person – different from the those adhering to the rival party. Furthermore, the word "cleans" (Burmese: *than shin*) referring to Nu’s party had a religious connotation. The word can be translated as "pure" as well. The name of the party could be seen in connection with Nu's purge of the AFPFL attempted in 1956 and 1957. His wing was the "purified" AFPFL.

Nu was reported to have made use of the phrase by saying that the the countrywide spread of the slogan would “bring some realization and repentance on the Stable camp”. He further promised to keep the promises made in September at the mass meeting in the cave in which the Sixth Synod had been held (MP II: 267) ,This might have en an answer to the attacks by the rival party on Nu’s use of his piety for political purposes. Former interior minister and Khin Maung Gale was quoted thus:

We do not want good looking men going around cheating with rosary beads in their hands. Although they appeared to hold the five precepts they were chanting the La Ta Ma Tha]slogan (MP II: 271)

12 *Bama Khit* 13.9.1959 (translation: Aung Kyaw Min).

13 *The Nation* 22.1.1960.

The speaker alleged that the use of the phrase was some defamation that not in compliance with the Buddhist precept on right or virtuous speech. He then reminded his audience that it had been Nu who brought the Ne Win government in by asking a number of rhetorical questions that were answered by the listeners with shouts of “U Nu! U Nu!”

At the same meeting, in early January 1960, party leader Ba Swe thanked Ne Win for having “saved the country from the sick man status”. (MP II: 271) The impact of such arguments did just have an impact on the actual audience of voters mostly convinced of the cause of the Stable AFPFL. In contrary, the said slogan seems to have been propagated beyond the core groups affiliated to the respective parties.

Another problem of the Stable AFPFL’s campaign was Nu’s personality that appealed to voters who held the Buddhist virtues of selflessness and compassion (*metta*) in high esteem. On this basis, he asked his followers to support his campaign by donating money and sacrificing time. *The Nation* summarised his address given on 19 January 1960 thus:

I will not spend a single Pya [*smallest Burmese coin; hbz*] on the elections. The choice of the country was clear, but Fascism was easy to achieve, whereas democracy was not. Therefore, his supporters should be those who would not turn back in spite of difficulties. In fact, they should be prepared to make sacrifices.¹⁴

He further stated that he would accept defeat in the elections if only democracy would prevail:

It is not easy to build a strong democratic system. Stable AFPFL or Clean AFPFL can’t do that alone. When the Clean AFPFL gets power, they will need the support of the Stable AFPFL. When the Stable AFPFL will get power, they will need the support of the Clean AFPFL. When we get power, the Stable AFPFL will become the legitimate opposition with full democratic rights. When the Stable AFPFL gets power, don’t give us anything but the democratic rights from the constitution.¹⁵

This statement contained a contradiction in face of the core message of Nu’s campaign that the elections would be a decision between upholding democracy or the return of fascism in Burma. Now, he foresaw to be content with the role of a “loyal opposition” if the “fascist” winning party would grant it the rights enshrined in the 1947 Constitution.

Shortly before the end of the campaign, Nu resolved the contradiction:

In a way, I feel sorry for the Stable AFPFL. Its leaders think they have no chance of winning the election by fair means. They are buying votes besides by attempting to get votes by intimidation. They are now canvassing from house to house ... A leader can win the respect of the country if he is truly worthy. It is just a matter of cause and effect. If a man has qualities of leadership and justifies the faith of the people in him, then he will always be respected. A gift of a red *tamein* [*women’s skirt; hbz*] will not win for a leader the respect of the people.¹⁶

At the same meeting, he assured a predominantly Muslim audience in a constituency in which two Muslim candidates competed that nobody had not to be afraid of being oppressed after an election victory of his party as the Stable AFPFL had alleged.

This statement refers to Nu’s promise of making Buddhism the state religion after his party had won the elections. This could have been seen as a risky promise because the 1947 Constitution did not allow to use any religion for political matters.¹⁷ The military had issued corresponding orders to safeguard clean elections. As a consequence, the Clean AFPFL had not mentioned the promise in its official political platform, at least not directly. Nu treated the promise as a purely personal matter in a very clever way.¹⁸

14 *The Nation* 11.1.1960.

15 *Khit ThitSar* 10.1. 1960.

16 *The Nation* 3.2.1960.

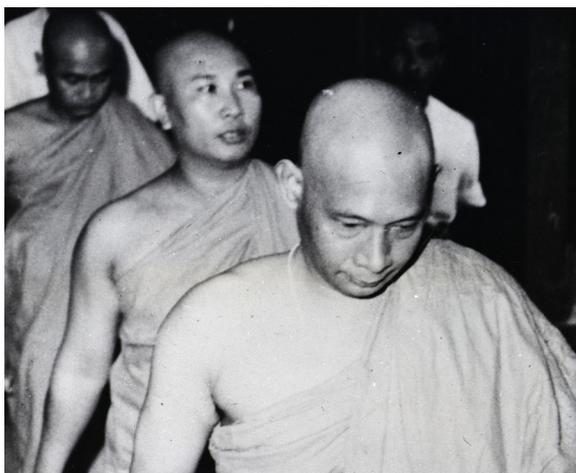
17 Section 21(4).

After he had made his promise in September 1959, he entered a monastery and then emphasised the supreme role of religion in his personal life:

... the more hardship I meet, the more I place my trust in religion. Except for the Buddha, the Dhamma, and the Sangha, I have nothing to depend upon. By doing so, the anger and the grudges my opponents bear me may disappear.¹⁹

Such a personal confession could not be brought to court. With his reference to the Triple Gem, Nu was elevated even above the constitution. By referring to the all-encompassing Buddhist spiritual-moral universe²⁰ which is beyond all personal and political differences, he relativised controversies in the political sphere. At the same time, the election campaign was reframed as a competition over Buddhist values. This “strategy” worked because Nu was credible. People knew that he had already raised the topic of making Burma a Buddhist state in connection with the Sixth Buddhist Synod that had been convened in Rangoon on his invitation.

The Stable AFPFL therefore had no choice but to show that they were good Buddhists as well by giving donations to the monks and entering a monastery, too, as Ba Swe did during the time of the election campaign together with some members of the Stable AFPFL. The president of the Stable AFPFL further stepped on the “Victory Soil” of Shwebo where the last Burmese dynasty had been originated. He paid respect to abbots there and thus tried to tap the auspiciousness of the place as a means to increase his prestige.²¹



The party further attempted to move the issue of “religion” back to the political field with an eleven-point program. It aimed at increasing the knowledge of the people about Buddhism mainly through educational means. Personal attacks against Nu continued in speeches by other members of the Stable AFPFL.

Ba Swe entering monkhood in his home town followed by some other leaders of his party
(Source: getty images)

In one of such attacks Bo Setkya,²² one of the Thirty Comrades, the nucleus of the Burmese army, made fun of Nu's religious zeal. A report on his speech was entitled “Don't Vote For U Nu. Let Him Go To Nirvana Quickly”. The speaker explained:

I have no doubt U Nu is essentially a religious man. He wants to be the next Buddha. The snag, however, is that he wants to be the next Prime Minister, too. If the bottom falls out of his political dreams then he will have all the time and energy to devote himself solely to religion. If you don't vote for him, you will help him to get to Nirvana quickly.²³

It must be doubted if such irony was helpful to convince Buddhist voters.

Another great difference in favour of the Clean AFPFL was the mastering of the problem that the split of the League had affected its “gigantic organisational machine” built up since Aung San's time. Both factions had not much time to reorganise their party networks and make plans for

18 For the following account see Fred von der Mehden 1961 Religion and Politics in Burma. *The Antioch Review* 21,2 (166-175): 173-174.

19 Mehden 1961: 173.

20 For details see Matthew Walton 2017 *Buddhism, Politics, and Political Thought in Myanmar*. Cambridge University Press, Cambridge.

21 *The Nation* 23.11.1960.

22 Bo Setkya (Thakin Aung Than) quit politics later, set up a company, married a Burmese-Austrian actress and joined Nu's rebellion against Ne Win later. He died in Bangkok in 1969.

23 *The Nation* 22.1.1960.

effective campaign strategies. The Clean AFPFL could make use of Nu's advantage of being in office since independence and his appealing personality. Nu's faction further had taken over the AFPFL headquarter in Komin Kochin Rd. from where Aung San had organised the struggle of independence.²⁴ Like Aung San, Nu was clearly the "number 1" in his party whereas his deputy Thakin Tin, three years older than Nu, had a long standing experience in the field of organisational work.²⁵



The AFPFL headquarters (Source: Wikipedia)

On the other hand, Ba Swe and Kyaw Nyein could be regarded as a team. Both of them had been student leaders and close contacts with Aung San and could be regarded as leading intellectuals of the socialist party who tried to modernise Burma along concepts borrowed from western socialists. Their party was seen as superior in organisation because most parliamentarians after the 1958 split had voted against Nu and the party could rely on a number of strong organisations. However, the leaders could not make use of this alleged assets. A Burmese newspaper commented that the party's "manifesto was [...] the work of a group of people. [...] It was not on familiar terms with the masses." It was noted that it had not been introduced to the

public at a mass meeting (MP II: 266). The party instead tried to use modern means of canvassing like calling on voters at their home which in the eyes of the rival party was a form of vote buying.

Thus, an uneven contest between a "group of people" concentrating on holding seminars and drafting programs to solving core issues of public concern and a political star trusted by the people and his supporters arose. From the big gathering in the "Great Cave" on, Nu's party attracted great numbers of listeners in various parts of the country. After returning from his retreat in a monastery in October 1959, he concentrated on work in Rangoon. Among other activities, he conducted classes for party members concentrating on the importance of integrity of the members and the party. Other prominent members of his party toured the countryside, gave speeches at rallies and did organisational work.



Prime Minister Thakin Nu, Sithu Uun Ko Han and Mrs. Aung San "stepping out" at Tiddim.

Khin Kyi (second from right) together with Nu (fourth from left) in Chin Special Division in 1951 (Source: Biography Project)

24 Today, the building hosts the German cultural institute named after the famous German poet and write Goethe.

25 He was portrayed by the British embassy in 1950 thus: "Ill educated, consumptive looking and very fond of the bottle. His rise to power is difficult to explain, it is clear he must at least have considerable organising ability. He did not attend University, but worked for some years as Municipal Secretary in the small town of Thonze in Tharrawaddy District. For a time he studied law under Thakin Mya, the well known land expert [and socialist leader; hbz] . He hitched his waggon to Thakin Mya's star and when the latter became an important figure in the Burmese Government in Japanese times. [...] Organised the "All Burma Peasants' Organisation" in 1946, with Thakin Mya as President. [...] When Thakin Mya was assassinated Thakin Tin took over the A.B.P.O., became a leading member of the Socialist Party, and eventually Minister for Agriculture and Forests in the A.F.P.F.L. Government. He speaks poor English and does not appear much in society. "

One of them was Khin Kyi, Aung San's widow who headed the League's women organisation. She spoke on many occasions in different parts of the country. In October 1959, she toured Bago region, in November she went south together with Thakin Tin. Great crowds of up to 5.000 people came to see and hear her and listen her speeches, very likely because she was Aung San's widow.

She thus adopted Nu's antithesis of "democracy vs. fascism" - the latter associated with the alleged proximity of the Stable AFPFL to the military. In January, she stayed in Rangoon for some time to help Nu and other party members who did not run in the elections but concentrate on party organisation. Later she went again to many places in the Bago region together with another member of the "election team". (MP II: 254; 267-268)

One may speculate how daughter Suu Kyi might have remembered this campaigning for Nu against his opponents during this critical period. She was 14 years old at that time and must have noticed the absence of her mother and her close relationship with Nu in his fight against his political opponents, the Stable AFPFL and the army headed by Ne Win.

Khin Kyi's support of U Nu that had started already shortly after Aung San's assassination.²⁶ Personal recollections were often propounded during the campaign. Bo Setkya, a member of the 30 comrades who had left politics and became a businessman, alleged that Clean AFPFL co-leader Tin, whom Khin Kyi accompanied on campaign tours now and some other soldiers had

wanted to assassinate her [Khin Kyi]. As a mere nurse, they thought, she was not good enough for Bogyoke Aung San. Thakin Tin and his accomplices forgot what they wanted to do only because of the brandy I lavished on them.²⁷

Bo Setkya further said that Khin Kyi was a Christian²⁸ at the time of the marriage and he was not sure if she practised Buddhism now. Tin on the other hand defended Nu against the accusation that he had not taken part in the resistance movement by claiming that Nu had saved Ba Swe's life during the time of the Japanese occupation.²⁹

This way, much energy was thus invested in accusations and counter-accusations focussing on personal weaknesses of the political actors and their attitudes and behaviour in the past. The "mudslinging" that had started after the split of the League continued.

This difference of the two parties can be condensed by another and most likely decisive difference between the former allies, the logo of the parties attached to the respective ballot boxes. The Clean AFPFL used Nu's image on a yellow - the colour of Buddhism - background. In contrast, the Stable AFPFL chose a red background and thus the colour of the undivided League. On the left hand corner was a five point white star with the acronym AFPFL printed in its centre. (MP II: 249) **[Pictures of both symbols available ??]** The party thus visualised that the individual candidate was part of an organisation that followed a tradition of political thought to be continued according to the current needs. In contrast, the boxes of the Clean AFPFL suggested that the voters directly supported the "clean" man on the top of the party. This had already happened in the municipal elections of November/December 1959 and was seen as a major reason for the victory of Nu's party members and criticised by the Stable AFPFL (MP II: 265).

26 Khin Kyi had been made head of the Public Welfare Department in 1951. Before independence, she had taken Aung San's seat in the Constituent Assembly after his assassination. In this capacity, she accompanied the premier on some of his trips. (for details see Khin Kyi's biography: <http://bios.myanmar-institut.org/2019/11/01/daw-khin-kyi-1912-1988/>; accessed 10.5.2020).

27 *The Nation* 22.1.1960.

28 This is one of the many rumours about her. Her father who looked after her children after Aung San's death was baptised in the Baptist church of Myaungmya and later buried at the Christian cemetery there.

29 *The Nation* 26.1.1960.

Different accounts of the 1960 elections' results

Party	Votes	Percent of total votes	Seats
Clean AFPFL	3,153,934	57.2	149
Stable AFPFL	1,694,052	30.7	30
NUF	262,199	4.8	0
Others*	403,710	7.3	4
Total	5,513,895	100.0	183
<i>1956 Election</i>			
AFPFL	1,775,900	53.2	135
NUF	1,258,200	37.6	44
Others	306,100	9.2	5
Total	3,340,200	100.0	184

Comparison of the 1960 and 1956 elections (Bigelow 1950: 70)

	Government	Opposition	Uncertain
Karens	1	6	0
Kachins	4	3	0
Chins	3	3	0
Kayahs	1	0	1
Shans	6	0	14
Arakanese	3	1	8
Total	18	13	23

The "ethnic vote" (Bigelow 1960: 73)

Region	Clean AFPFL	Stable AFPFL	Others	No records
Burma	156	31	1	
Shan State			24	1
Kachin Hills	1	1	5	
Chin Sp. Div.	2	3	1	
Kayah State			2	
Kayin State	1	6		
Arakan	3	1	8	5
Total	163	41	40	6

Source: MP II: 283-285

2.8.2 Chamber of Nationalities 1960

1960	Seats	%
	125	100.0
Clean AFPFL	53	42.4
Stable AFPFL	29	23.2
Minority parties	43	34.4

Source: Frasch 2001: 606

5 Results and Reactions

5.1 Results

It took some time until the ballots in all constituencies had been counted. Official results were only published on 19 September by the parliament's office (MP II: 283). This may be partly due to the fact that voting had been postponed in some constituencies mostly because of to security reasons. The available accounts informing about the numbers of votes and the distribution of seats differ somewhat. It is however evident that the Clean AFPFL won a decisive victory over its "Stable" rival. With its two-third majority, it could change the constitution. The NUF on the other hand having been regarded as a potential "third force" during the campaign received less than 5% of the votes despite having filed candidates in 123 constituencies (Bigelow 1960: 72). The "Arakan bloc" remained stable as a separate political entity, some 15 independents won seats in the States, some votes went to groups affiliated to one of the factions of the former united League, others could be regarded as "undecided". The differences in the figures shown above indicate some kind of insecurity in assessing the relations between the dominating Burmese parties and those acting at the fringes of the country. The first overview was published in May 1960 by an American graduate in Southeast Asian studies who witnessed the elections on the spot.

The comparison of the number of votes shows that much more people went to the polls in the elections of 1960 than before which might be attributed to the organisational efforts of the Caretaker Government and the increased incentive to vote as the result of the AFPFL split. The total number of eligible voters was given at 9,958,675. Giving the constituencies in which no voting took place,

the voter turnout came close to 60%. The almost disappearance of the NUF can be explained by the high degree of polarisation characterising the campaign. In the earlier election, the party composed of adherents to opposite political beliefs had exploited the dissatisfaction with the still united AFPFL. The election campaign however shows that the – alleged - relationship of the two rivals with the military might have caused the “protest factor” against the military hat benefiting the Clean AFPFL despite the fact that Nu had invited Ne Win to take over the government to organise clean and fair elections.

The effect of the first-past-the-post system on the distribution of seats in favour of the stronger party had a bigger effect in 1960 than four years before. It can further be noted that the Clean AFPFL won by a greater margin against its rival than the united AFPFL had done against the NUF in 1956

In the regions in which ethnic Burmese did not constitute the majority, a tendency towards more fragmentation of the ethnic political bodies can be noted as a likely side effect of the League's split. In Arakan and areas with a large Mon population, politicians used the elections to campaign for an own state and thus more autonomy. In the Karen State, the Stable AFPFL clearly dominated. Different from 1958, Nu refrained here from nominating the head of state who automatically was a cabinet member and accepted the Karen leader Dr. Saw Hla Tun who was close to the Stable AFPFL. In the Chin, Kachin and Karenni States, the political elites were obviously split. Thai scan be attributed to interethnic differences in States that were not ethnically homogenous like the Shan³⁰ and Kachin State as well as to personal affiliations.³¹

Finally, it can be noted that the defeat of the Stable AFPFL was less dramatic in terms of the difference of seats won in the Chamber of Nationalities compared to its rival (see above chart). According to the constitution, the ratio of seats for members elected by five ethnic groups and by the Burmese was 72 : 53. The two AFPFL fractions thus won 29 (72 minus 43) in the "minority" areas. More details are not known yet. With regard to the Chamber of Deputies, the Stable AFPFL won more seats than its Clean rival. The 25 representative from the Shan State in the Chamber of Nationalities however were still elected by the traditional princes according to the agreement reached in 1959.

5.2 Reactions

The victories of all Clean AFPFL's candidates over their rivals in all Rangoon electoral duels dominated the reactions of the Burmese press after the release of the first vote counting. *The Nation* on February 8 commented under a headline, emphasising Nu's “invincibility” in the capital and pointing to a “Clean Majority” of Nu's AFPFL that could be expected after the first results coming in from the countryside as well. The results were seen as a big surprise:

THE MOST EXPERT CRYSTAL GAZERS AND THE LEADING POLITICAL ANALYSTS WERE CONFOUNDED YESTERDAY WHEN THE VOTES WERE COUNTED AND IT WAS PROCLAIMED THAT THE CLEAN AFPFL HAS SWEEPED THE POLLS IN EVERYONE OF THE NINE RANGOON CONSTITUENCIES.

Both U Ba Swe the President of the Stable AFPFL, and U Kyaw Nyein, went down to defeat, by margins that left no room for doubt that the voters considered the magic of their names less potent or less efficacious than that of U Nu.



THE VICTORY SHOUT:
These young men, who braved the afternoon sun, are cheering the announcement that U Kyaw Nyein has lost.

Source: *The Nation* 8.2.1960

30 For different groups in Shan State see Lintner 1984: 513-515.

31 The Karenni leader Sao Wunna had good relations to Nu.

By winning in Rangoon with clear-cut majorities, the “Clean” AFPFL succeeded in virtually “beheading” the rival “Stable” AFPFL, removing at one stroke the leadership not only of U Ba Swe, a former Prime Minister, and U Kyaw Nyein (Deputy Prime Minister), but U Khin Maung Gale, U Khin Naung Lat, U Tun Tin and U Tin Nyunt, all former Cabinet Ministers and ranking members of the Party.

All day, when the counting of votes was done inside the City Hall, large crowds stood constantly on the pavement outside, raising a cheer as each count was completed and announced. The most dramatic moment came late in the afternoon, when U Kyaw Nyein’s final vote was given out as 9,232. There was deadly silence, almost on disbelief, and then a great roar went up from the throats of “Clean” supporters. Of a total vote of 42,629, Thakin Tin managed to secure no less than 20,636.³²

In contrast with such emotional reporting, the London newspaper *The Guardian* wrote about the first reactions to the foreseeable landslide victors of the leader of the winning party this way:

U Nu appealed to his reporters to remain calm, and not to hold demonstrations. Party newspapers were restrained to-day. [8.2.1960; hbz] One pointed out that since the Opposition was likely to be week , U Nu would face a tremendous responsibility and “should seek the people’s counsel in close co-operation.”³³

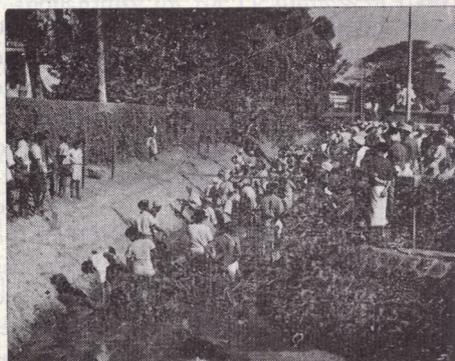
A foreign academic observer commented

The two-party system that seemed to have established itself in Burma under the caretaker administration appeared to fall like a house of cards in the February 6 elections.”³⁴

Almost all observers pointed to two main reasons for the victors of Nu’s party besides the “Nu factor”, the promise to make Buddhism the state religions and the aversion to the 15 months of military rule combined with the reform agenda proposed by the Stable AFPFL. Veteran politician Ba Maw commented by referring to the “Burmese belief that all government was evil”:

They [the people] just want to be left alone by the Government. Progress means change and all sorts of rules and regulations they cannot understand, and so it is interference with their lives, or fascism as it is called in Burma nowadays. (Butwell/v.d. Mehden 1960: 154.)

The votes for the Clean AFPFL was widely interpreted as a “protest vote” against the measures of the Bogyoke government to “clean up” the country. Furthermore, the fact that the Stable AFPFL won no seat in Rangoon (as in Mandalay) could be connected to the military’s drastic measures that particularly effected the few big cities. In sharp contrast, the "chronicle of the various accomplishments" of the Caretaker Government had highlighted the success of revitalising the Corporation of Rangoon. An important part of this success story was attributed to the “Sweat Scheme” and the participation of the people in it. (Trust 1961: 69-84).



Citizens of Rangoon themselves take part enthusiastically in the cleaning up of the city’s drainage system

Source: Trust p. 71

According to this analysis, the electorate gave a clear answer to the question that was printed on the title of the book: Trust in the military was not vindicated. The positive assessment of the military’s measures given by foreign observers shows that western insight in the Burmese mindset was limited.

With regard to the “Buddhist factor”, it can be added that one of the cleaning-up measures in Rangoon had been to remove the many stray dogs “in one sweep” by distributing poisoned meat.³⁵ This action was not reported in the military’s account, but might have been seen as an offence

32 *The Nation* 8.2.1960; Kyaw Nyein won just 28%.of the votes, Ba Swe only 30% in his constituencies against Nu.

33 *The Guardian* (London) 9.1.1960: 9.

34 Richard Butwell 1960 The New Political Outlook in Burma. *Far Eastern Survey* 29,1 (21-27): 25.

against one of the five precepts, not to kill any living being. According to a newspaper report, under Nu's government male and female dogs had been planned to be resettled on different islands.³⁶ The same might apply to the government's permission to kill cattle in order to produce beef for consumption. One of the first acts of Nu's government after the election victory was to restore the ban on the slaughtering of cattle (Bigelow 1960: 74).

It is further reported that Nu thanked the people for their support as well as Ne Win and government officials who had "done their utmost to hold free and fair elections." The Clean AFPFL further called up its supporters from all religious groups to hold prayer meetings

for freedom from danger, and for the disappearance of acts of coercion and cruelty and ominous rumours and the insurrections which are now rife in the country.³⁷

These words are based on a Buddhist formula that had been used by Nu as well in his thank-you address to his voters.

A Burmese newspaper comparing the elections with held previously wrote that "the recent election was

- (i) an election accused of falsehood and the most excessively fiddlesticks upon one another
- (ii) the most excessively reviled elections; where friends and comrades' reputation were put to shame and ruined
- (iii) an election where spits occurred between daughters and mothers, sons and fathers
- (iv) an election where chameleon eggs are discovered when the roots of the banyan tree are dug³⁸
- (v) an election which the pupil challenges his teacher and the teacher trods his pupil. (MP II:285-286)

6 Civil-military Relations - the Manifestation of Mutual Mistrust

The above assessment illustrates the fact that the mistrust between AFPFL leaders that was observed in the exchange of letters after the 1956 elections between Kyaw Nyein and Nu had spilled over to the electorate in 1960. It can safely be assumed that the Bogyoke Government's actions between 1958-1960 heavily contribute to the frictions in the Burmese society. What western observers assessed as a swiftly accomplished cleaning-up of almost all segments of Burmese society, caused an impression on the people's minds. They might have enjoyed more safety and the removal of corrupt persons close to them, but they resented the measures forcing them to abide by the rules of a "disciplined democracy". The army leadership was mistaken by believing that the cooperation of the people in its measures to renovate the city's drainage system and clean sideways was a sign of voluntary cooperation. The Tatmadaw, originating from the *Do-bama Asiayone* was an army dominated by ethnic Burmese officers, but it was never a "Buddhist army".³⁹ Given the antagonistic political climate in Burma after the AFPFL split and the personal ties between army officers and a number of Stable AFPFL politicians going back to the resistance against the Japanese, the armed forces could not but get entangled in the controversy between the two factions of the League. After being appointed to take over the government, the army unavoidably became an active political force. It could not remain neutral any more. It had to take

35 *The Guardian* (London) 29.1.1960: 14.

36

37 *The Nation* 15.2.1960.

38 Burmese proverb with the meaning "Who lives in a glass house should not throw stones".

39 The Kandy plan to establish a multi-ethnic Burmese army failed as a result of the civil. The leadership of the modern Tatmadaw is dominated by Buddhist-Burmese officers. Its ideology shaped by Aung San and Ne Win was however shaped by a "secular" Burmese nationalism. For Ne Win's attitude towards Buddhism see Taylor 2015: 235-236. After 1988, leading officers of the Tatmadaw however very often demonstrated their Buddhist piety.

decisions affecting the everyday life of the people. On the other hand, it had to organise the next election impartially.

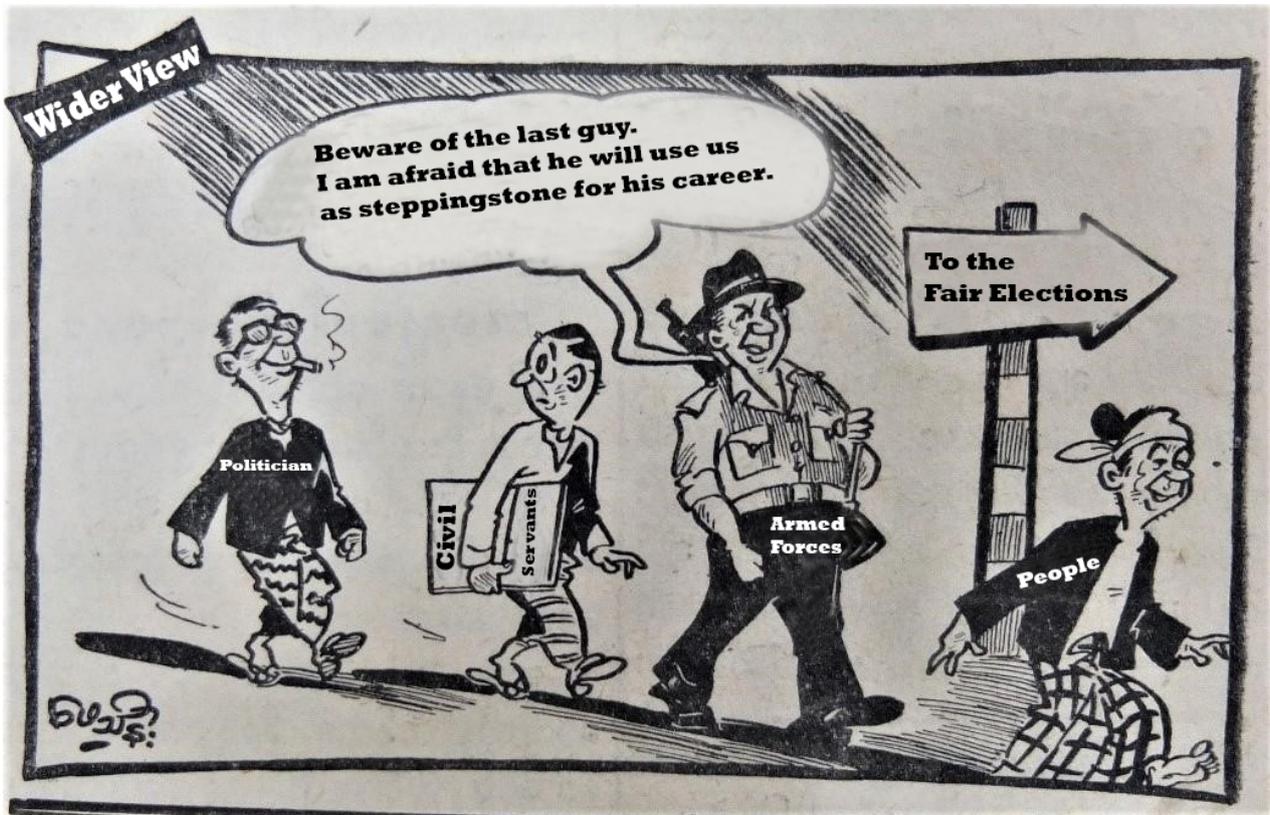
This dilemma can be illustrated by a scheme of the Caretaker Government, that can be seen as a follow-up measure to the previous government to implement some kind of “grassroots-democracy” through the Ministry of Local Administration. The National Solidarity Associations (*kyant kyaing ye aphwe*) founded by the

Bogyoke Government served the same aim in a different way and was regarded as a promising initiative by observers (Butwell 1960: 23-24). The associations were established in rural and urban areas to help administering local communities in a non-partisan manner (Nine Months: 17-18). However, the associations were a



A woman unit of the National Solidarity Association wield bamboo sticks at a meeting, at which pledge-taking ceremonies were taken, sport activities and pwes performed in the presence of the civilian Home Minister (Source: Nine Months: 18)

brainchild of the army and the association were supervised by high ranking military officers like Maung Maung and Aung Gyi. As the above picture shows, the activities of associations included military-like performances. The army thus became involved in the political process though a n d because the associations were established to serve as “a watchdog for the Constitution” (Butwell 1960: 24).



Source: Hanthawaddy newspaper 3.9.1959 - English editing: Aung Kyaw Min

From the side of the voters, this involvement resulted in mistrusting the military as a political force instead just securing law and order and protecting the sovereignty of the state. On the other side, the military had been sceptical about the ability of politicians to implement democracy in Burma as shown by the deliberations on the armed forces role in the "National Ideology". As long as undemocratic actors like the "aboveground communists" could play a decisive role as happened in the vote on the no-confidence motion in June 1958, democracy was severely endangered. The cartoon illustrates the mistrust on the side of the concerning politicians. This scepticism can be seen as a repetition of the bad image of the new class of policy makers that had emerged during the colonial period. At the same time, this attitude corresponded with Nu's intention to "purge" the AFPFL after the elections of 1956.

With regard to the issue of "trust", another interesting aspect of the interregnum of the army between 1958 and 1960 is the prevalent western perception of the role of the military in the holding of the 1960 elections. The Burmese military was seen as the exception of the rule in Asia after in 1958 in Thailand and Pakistan the military had taken over power as in Burma. An Australian newspaper commented:

Now Burma is coming back to responsible government by the army's voluntary abdication of power. If this can be successfully achieved it means that the traditional conflict of military and parliament has been replaced by a working partnership which reinforce democracy.⁴⁰

The British *Guardian* contrasted Nu's pre-election opposition of (fascist) Dictatorship vs. Democracy with the actions taken by Ne Win. In a 1959 May Day the text of which was later published in a book U Nu said that the whole Union of Burma was "in misery and in tears." He accused the Army - the rulers of the country - of favouring his political rivals. the stable faction of the Anti-Fascist People s Freedom League and went on:

If nothing is done. and if the situation is allowed to deteriorate further. it is a certain thing that the Union will become a dictatorship. Dictatorship is within the reach of the authorities, and will materialise the day they want it to materialise.

General Ne Win evidently did not want it to materialise. and the elections just held have been so free that U Nu's "clean" faction has overwhelmed its "stable" opponents. When U Nu takes over as Prime Minister in April (as presumably he will), it is he who will be subject to those temptations of power against which he gave so striking and courageous a warning for to judge from the results so far announced he will have little opposition in Parliament.⁴¹

In this statement, further political problems were anticipated with regard to a misuse of power by Nu whose party did not face any opposition in parliament. Ne Win was seen just as seen as an umpire who had organised a fair competition. The mistrust of the people against the people and the lack of confidence of the army leadership in the politicians who had been elected by the people were overlooked.

7 The Constitution and the States

Another issue not considered by most foreign observers who just concentrated on the issue of "democracy" was the "Federal Dilemma" affecting the relationship of the Burmese majority and the other ethnic living mostly at the fringes of the country. An American scholar worded it already in 1959 this way:

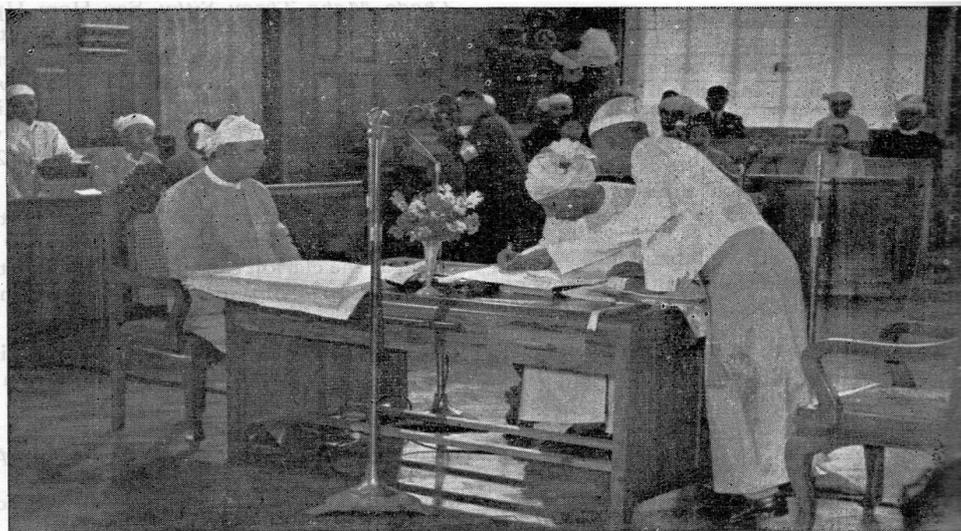
Officially, the government supported the constitution and its objectives; unofficially it sponsored and advocated policies which ran counter to its formal pronouncements and sought unity through the Burmanization of the people (Silverstein 1959: 97).

40 *The Age* (Melbourne) 8.2.1960: 2.

41 *The Guardian* 9.2.1960: 8.

The "official" version - according to the author - was "the creation of a federal union" in which "the desire for national unity and the determination to maintain the independence of each separate state" were harmonised (Silverstein 1959: 97). This definition was taken from a textbook published in 1893 written by a British constitutional theorist strongly opposing Home Rule for Ireland. At the end of the article, the author stated - quoting J.S. Furnivall's last book *The Government of Modern Burma* - that the present Caretaker Government under Ne Win was trying to carrying out the task "to create unity in a disintegrated social order". The author was sceptical about the success of the attempt (Silverstein 1959: 105). One of the achievements of the military government highlighted in its chronic to correct the "disintegrated order" was the "installation of the democratic administration machinery in the Shan State". On April 24, 1959 an agreement with the 33 Sawbwas, the traditional rulers of the States, was signed in which they "relinquished their hereditary, administrative, judicial, and revenue powers". This was regarded as a "historic achievement" because it made an end to feudal rule in post-colonial Burma in the largest of the country's non-Burmese regions.⁴²

Among the achievements of the military government highlighted in its chronic to correct the "disintegrated order" was the "installation of the democratic administration machinery in the Shan State".



The Head of the Shan State and other Sawbwas sign the document voluntarily renouncing their feudal rights and privileges.

Source: Trust 504

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One of the prerogatives of the Sawbwas related to the parliamentary procedure had been that they could choose the 25 representatives of the Shan State in the Chamber of Nationalities. (Trust 1961: 503-504) They were however not eligible for the Chamber of Deputies. The 26 MPs elected to this chamber and the 25 Sawbwas together formed the Shan State Council that was entitled to adopt bills to be endorsed by the President. As in the Councils of the other States provided by the Constitution (Kachin, Karenni and after 1951 the Karen State plus the Chin Special Division that only in 1974 became a "state"), a cabinet minister was selected by the Prime Minister from the

42 The Shan State covers almost a quarter of Myanmar's territory. Around 10% of the population live there, but many of them belong to other than the ethnic Shan group the speaks a Tai language. - In October 1922, the British administration had created the "Federated Shan States" comprising of the regions rules by 33 Shan Sawbwas, two Kayah chiefs and the Wa region. The special significance of the largest of the "excluded areas" by the British is the participation of one of the rulers in the 1931/1932 Round Table Conference.

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members of the two houses of parliament. She⁴⁴ or he automatically became head of the respective State. This provision allowed the Prime Minister to appoint a Head of State who did not necessarily represent the majority of elected parliamentarians. After the victory of the Nu-Tin faction in the no-confidence motion in June 1958, Nu changed dismissed the previous Heads of State because they belonged to the rival group and replaced them with parliamentarians close to the Clean AFPFL. (Silverstein 1959: 101).

With the introduction of a bicameral parliament, the Constitution of 1947 tried to combine traditional political conditions with “modern” democratic practices. Quite naturally, this innovation resulted in a number of tensions. The Shan State, the largest and most diverse of the non-Burmese entities of the new Burmese regions was affected most of all in terms of constitutional matters. The end of the traditional Shan rulers’ privileges was preceded by splits within Shan society after the AFPFL had taken the lead in the politics of post-war Burma. This system existing from “time immemorial” was challenged by the appearance of the AFPFL as Burma’s dominating political force. In 1945, the Shan State People’s Freedom League (SSPFL) was founded. As a consequence, tensions arose before the Panglong Conference between the traditional power holders and parts of the young generation siding with Aung San and his League.⁴⁵ After the Panglong Conference the Shan branch of the AFPFL was transformed into the United Hill People’s Congress and “kidnapped” by the Sawbwas. Its President Saw Shwe Thaike became the first President of independent Burma.

In the 1951 election, the Congress won 39 seats compared to only 14 in 1956. Two other Shan parties had joined the race by then, the All Shan State State Organisation (ASSO) and the Shan State Peasant Organisation (SSPO), the former winning four and the latter two seats in the Chamber of Deputies. The SSPO was headed by Tun Aye, a co-founder of the SSPFL. In the vote on the no-confidence motion against Nu on June 9, 1958, the six Shan votes in favour of the motion most likely came from the “anti-Sawbwa” parties whereas the majority of the Shan parliamentarians supported Nu.

The parliamentary elections in 1956 and the vote in parliament in 1958 show that the unity among the Shan politicians had come to an end by a variety of schisms. One of them was caused by differences related to the issue of how to handle the traditional role of the Sawbwas. In June 1958, the “traditional” Shans supported the “traditionalist” Nu, whereas the “modernist” voted with the Stable AFPFL. What pertains to the splits within Shan politics, concerns the other ethnic groups as well for different reasons. In 1958, votes of other ethnic groups were given two both sides as well. The majority of the Karen voted against the Nu-Tin fraction and so – maybe – for an autonomous Karen State that was pursued by the KNU through military means. After the elections of 1960 and before the coup of 1962, Kachin activists founded the Kachin Independence Organisation (KIO) and its armed wing, the KIA. In addition, the Shan State had become the scene of war, too, after Kuomintang troops had occupied parts of the country and the Tatmadaw had come in to repel them (Lintner 1984: 413-415). The parliamentarians from Arakan (Rakhine) voted for the Clean AFPFL, most likely because Nu had promised to care for creating an Arakan State after his election victory – as he had done with regard to similar claims of the Mon.

The “language question” that had been hotly debated in the parliaments under colonial rule with regard to the mandatory use of English surfaced again, now related to Burmese as the language to be used in parliament. It is reported that an Arakan parliamentarian who had obtained a degree in

44 The first minister of the Karen State was Claribel Ba Maung Chain, the daughter of the Karen leader San C. Po. She resigned however after half one year (see <http://bios.myanmar-institut.org/2018/10/03/claribel-ba-maung-chain-irene-po-1905-1994/>).

45 For details see Pe Kin 1994: 34-35;; Shwe Ohn 2014: 94-95. - Both authors participated in the Panglong Conference and are Shan. Pe Kin was born 1912 in Taunggyi and participated in the AFPFL’s mass meeting at the Shwedagon Pagoda in January 1946 as a delegate of the Burma Muslim Congress. He later joined the League, belonged to Aung San’s entourage at the Panglong Conference in February 1947 and later became Burma’s first ambassador to Pakistan. - Shwe Ohn, born 1923, was a politician journalist and historian. He joined the Shan State People’s Freedom League founded in 1988 and competed in the 1990 elections.

Cambridge took lessons in Burmese before addressing the house despite the fact that both languages were very similar (Silverstein 1959: 102).

All these developments point to two trends. The split of the AFPFL contributed to a diffusion of political groups in the non-Burmese states and strengthened centrifugal political and military forces aiming at greater autonomy of some states or even the secession from Burma. The Constitution of 1947 had granted the Shan and Karenni States the right to leave the Union of Burma after a period of ten years and a complicated procedure.⁴⁶ The parliaments provided the opportunity for the non-Burmese parliamentarians to influence the affairs of the Burmese dominated central government, but no debates on essential issues regarding the political, economic and cultural concerns of the States took place in parliament. The Chamber of Nationalities in which parliamentarians from the States were represented over-proportionately led a shadow existence.

8 The Way to the Military Coup

Discussions inside and outside of parliament after the new government under the leadership of the renamed Union Party concentrated on two issues of amending the Constitution: first to make Buddhism the state religion, and second, to create new states in connection with discussions on the issue of federalism. The first issue was settled by two amendments to the Constitution adopted on August 26 and September 25 respectively. First, the two houses of parliament voted for the amendment with the large majority of 324 to 28. The second change, introduced after protests of other religious groups, strengthened the rights of all religions and was passed with slightly less aye-votes despite hefty protests of monks who had tried to prevent the voting (for details see MP III: 60-112).

Like the discussions about the status of Buddhism, the second issue circled around the question if the constitutional changes would damage Burma's unity or not. The statement of Brigadier Aung Gyi, member of the Revolutionary Council that had taken over power on 2 March 1962 on the reasons for the coup features the opinion of the Tatmadaw:

The seizure of state power usually takes place due to political economic causes. In [Burma]⁴⁷ the reason for the seizure of state power were not only due to economic, political reasons, but also due to religious reasons as well as the issue of federalism. The Revolutionary Council did not seize power by force because we want power. This can be clearly seen from the fact that two years ago power has been returned to the people's government (MP III: 176).

The soldier that already had played a significant role in what was later called the "first coup" of the army in 1958 further referred to the danger of secession and added that a small country like Burma should not be divided into several states.

The federal issue had been from time to time discussed for a long time in and outside parliament but without any taking of a decision. The same happened after April 1960 when it was deliberated at length how to satisfy the wishes of the Arakanese, Mon and Chin to get states like the signatories of the Panglong Agreement and the Karen. Nu was sympathetic but cautious, the Stable AFPFL warned to take premature steps.

To deal with the problem, Justice Minister E Maung in the in parliamentary session of September 1960 proposed to establish a "Constitution Revision Committee" composed of MPs and "other suitable persons to advise the Government on the revision of such provisions in the Union Constitution which are no longer tenable and are susceptible to undemocratic interpretation". (MP III: 265) In 1947, the constitution had been "hastily" drafted, he argued. That had resulted in some flaws that should be corrected.

46 The Kachin State was not granted this right. This might be connected to the provision of the Constitution that half of the 12 Kachin members of the Chamber of Nationalities were reserved for non-Kachins (Section 166 (2) of the Constitution).

47 "Myanmar" in the quote of the source.

The idea created a peculiar echo in the Shan States. In early 1961, a “steering committee” comprising of 30 representatives of various parties and independents adopted a document called the “Shan Federal Proposal”⁴⁸ The proposal stated:

In revising the Constitution, it will be worse than useless to try to conduct a mere patch-up job by tinkering with the defective sections [...] What is needed here is to discard the whole Old Constitution as well as the principle on which is based, and to replace it with a completely different Constitution, based on genuine federal principle. (Federal Proposal: 41)

This was a much more radical proposal than what E Maung had proposed. The proposal was summarised by five basic principles:

1. Establishment of a Burmese State; - 2. Assignment of equal powers to both Chambers of the Union Parliament; - 3. Each State to be represented by an equal number of representatives in the Chamber of Nationalities; - 4. The following Departments shall be vested in the Central Union, while all other powers, rights and entitlements shall be transferred to the States. (a) Foreign Affairs; (b) Union Defence; (c) Union Finance; (d) Coinage and Currency; (e) Posts and Telegraphs; (f) Railways, Airways and Waterways; (g) Union Judiciary; (h) Sea Customs. Duty. - 5. Union revenue to be distributed equitably. (Federal Proposal: 2)

The main and most controversial new element was point the formation of a separate Burma State on equal level with the other seven States.

Since the revised new Constitution of the Union of Burma will be of the genuine federal type, the States shall each have their own State Constitution, their own State Legislative assembly, their own separate State Government, and their own State Constitution, their own State Legislative assembly, their own separate institute Judiciary and Courts of Law, provided that these State institution are not inconsistent with the Central Union Constitution. (Federal Proposal: 41-42)

The proposal was discussed by the Revision Committee and again at an “All States Conference” held in Taunggyi in June 1961, the capital of the Shan State. 226 delegates from the four States recognised by the constitution and of the three ‘applicants’ took part. At the end of the meeting, an “All-States Unity-Organization” was formed that included members from all seven non-Burmese ethnic groups officially recognised as “indigenous”. In the discussion on the Shan proposal the question was raised if parliament had the right to write a new constitution or was just entitled to amend it. The issue could not be resolved. The final resolution was a rather non-committal statement that the Constitution should be “revised [...] based on the principle proposed by the Shan State” and called for the immediate “National Convention of all nationalities in the Union [...] to ensure the development and prosperity of the Union of Burma”. (MP IV: 55-76)

At the same time, another Shan delegation presented their views in Rangoon. It was headed by Htun Aye who had been a member of the Shan branch of the AFPFL in 1945 and was a founder of the Shan States Peasant Organisation that won four seats in the 1956 elections. The delegation accused the Sawbwas of planning to secede from the Union and commencing a civil war in the Shan State (MP IV: 87-89).

Nu’s government asked an advisory commission of judges headed by former President Ba U to review the proposal (MP IV: 99-101). The commission rejected most of the proposals and stated that the Constitution of 1947 provided for a “true federation” (MP IV: 96).⁴⁹ With regard to the claim to make Burma proper a constituent state of the Union, the commission referred to the German Empire before the First World War when Prussia “more or less” as identical with the German government (MP IV: 99).

48 For the text see <https://www.google.com/search?client=firefox-b-d&q=Burma+Federal+Proposal> (accessed 16.5.2020). - Quoted as “Federal Proposal”.

49 The commission named three “essential characteristics” of a federation: 1) Association of free states done voluntarily; 2) Right of secession; 3) complete autonomy and argued that the Constitution of 1947 fulfilled all these requirements.

Finally, the cabinet on 13 February 1961 decided that matters related to the constitutions should be discussed at the National Convention and not in parliament. The latter was scheduled to meet again on 15 February 1962, the former was convened on 24 February in the Main Hall of the Burma Broadcasting Station.

At the beginning of the first session, Premier Nu took compared the Union of Burma to a family.

There are roughly to ways in which discussions can be held. One is discussions as between enemies and the other, as between members of a family. [...] In a family discussion, the members of the family, brothers and sisters, present what each of them wants and in so doing there may be a difference of opinion, but such differences will be overcome by a give-and-take attitude on the part of each party (MP IV: 111-112).

In contrast, the speaker presenting the viewpoint of the Shan stated with regard to the constitution:

Burma proper, [...] although a unit of the Union, has not been designated as a State, but has been amalgamated with the Union Government, so [...] our Shan State has, in effect, fallen under the authority of Burma proper. In other words, Burma proper, [...] is now lording over the States. [...] That is why in presenting our Federal Principle, in order to ensure equality, we have insisted on the establishment of Burma proper as one of the constituent states as the first requirement. (MP IV: 111-129)

Here, the “Union family” was depicted as a hierarchical body dominated by a Burmese Lord. Consequently, instead of a give-and take attitude, the ethnic groups “insisted” to achieve equality with the Burmese by a constitutional change. After the presentations of these antagonistic statements, the Convention met again in the evening of March 1. Thakin Chit Maung from the NUF and Ba Swe from the AFPFL explained why they rejected the proposal. Nu adjourned the session until March 7 and other participants had chats over the refreshments offered.

Early next morning, from 2 a.m. on, many of the participants were arrested by army personal in course of the coup. Many of them were temporarily brought to the Broadcasting Station and later were transported on army trucks to Mingaladon.⁵⁰ On 8.25, Ne Win via broadcast informed the public about the coup.

9 Summary

Much speculation exists about the “real” motives behind the coup. The western press argued that “aggressive anti-communist” Ne Win had wanted to prevent Nu to continue flirting with the leftist inside the country and nationalise more industries.⁵¹ Other commentators mentioned the fractions in Nu’s Union Party and other internal problems, among them the question of federalism.⁵²

Inside Myanmar old Ba Maw who later entitled his autobiography “Memoirs of a Revolution” stated the lack of “revolutionary spirit” in Nu’s policies and his loose usage of democracy that made it to become “a mockery”.

[...] democracy, as U Nu made the people to believe, came virtually to the right to live and to act as one pleases, with maximum rights and minimum obligations, worst of all without any duty to progress or help the country to progress to live and to act as one pleases. [...] U Nu tried to replace politics with religious faith and all sorts of superstitious observances.⁵³

This observation could be illustrated by his handling of the problem posed by the Shan Federal Proposal that called for a complete re-writing of the constitution and by the dynamics it had triggered. The initiative had put the relations between all non-Burmese ethnic groups and the ethnic majority to the test. Nu’s “strategy” was to please almost each and everybody, to avoid to take distinct decisions and give clear political guidance.

50 For details and names of the detainees see MP IV: 166; 168-169.

51 *The Tampa Observer* (Tampa FL) 3.3.1962; 1.

52 *The Guardian*, 5.3.1962: 9.

53 *The Nation* (Rangoon), 9.3.1962.

He just postponed the solution of the problem by convening the National Convention that was terminated by the coup.

Nu did not make the question of constitutional reform an issue to be discussed in parliament as had been projected. The outcome of the deliberations of Constitution Revision Committee established in September 1960 was thus practically disregarded. After the Federal Proposal had been adopted and at least partly assumed by other ethnic groups, the premier appointed a committee to revise the proposal without making use of its findings. The committee was scheduled to inform the parties invited to the meeting.

In contrast to such manoeuvring without set developed decisive political ideas. It further hindered and organisational and administrative capacities in Shan State in regions where civil administration by Government, many of its officers had been assigned to work in government departments. The results of its work had been lauded worldwide.

The Tatmadaw therefore had good reasons to assume that it was qualified to take over the reins of government again – this time for a longer period of time but still as a caretaker to achieve the three tasks of its “national ideology”. Peace and law and order had to be restored and further strengthened; a new way had to be pursued to practise democracy and a functioning socialist economy had to be developed to fulfil the legacy of the revolution of Aung San – the father of the army and the nation.

The discussions about the "federal dilemma" was finally ended by the military coup but by no means solved. A solution was postponed in a very different way than the one taken by Nu. A complete new frame for solving the problems of how to implement democracy and organising the co-existence of the different ethnic groups commenced after March 2, 1962 based on the discussions within the Tatmadaw.

Ba Maw finished his review of the coup with a historico-philosophical remark:

[...] the present seizure of power must make all further seizures historically unnecessary, and therefore impossible. It can do this by building the foundations for a true and well-protected democracy to follow the revolution. In this way it must be a seizure to end all seizures in future.⁵⁴



Source: *The Tampa Tribune*, 3.3.1962 (The cartoon obviously was drawn originally to illustrate a political event in India.

54 *The Nation* (Rangoon), 9.3.1962.