

## 8 November 2015: A Second almost Clean Sweep and a Second Democracy

### 1 Introduction

The elections were the first polls held under the 2008 constitution in which the NLD fielded candidates in all constituencies of the country. The same did the USDP that had won the elections of 2010 in the absence of Aung San Suu Kyi's party. Expectations were therefore high and even before polling day, the event had been called "historic" both inside and outside Myanmar.

The foreign press highlighted its import as a date of "hope for a better life for millions of Burmese people of desperately poor people", but first of all focussed on Aung San Suu Kyi. The elections "may prove to be Aung San Suu Kyi's moment of destiny – a chance to seize the victory the junta stole from her 25 years ago" and foresaw that a "National League dominated parliament would be a democratic milestone for the country

in contrast President Thein's address to the people made public through the state media was more sober

Fellow citizens, the November 8<sup>th</sup> general elections are an important historical step towards accelerating the reform process in Myanmar. I applaud political parties and candidates for respecting campaign laws. Regulations, rule during the campaign period. I also praise the citizens showing their support for their candidates and parties. <sup>1</sup>

This can be seen as a statesmanlike statement as well as a self-assertive expression of the assessment that the "disciplined democracy" was on the right track.

Besides such different optimistic views, scepticism was worded as well. It was noticed that according to the constitution of 2008 the military would remain a powerful political player even if the NLD would win the elections. Another issue was the clause in the constitution pretermitted Aung San Suu Kyi to take over the post of president. Finally and in continuation of all previous elections, it was doubted if these polls would be conducted in a free and fair way.

This next section gives an overview about the work of the election commission (2) followed by information about article 59f prohibiting citizens having close relatives holding foreign passports to hold high offices (3). Next, some features of the run-up to the election will be outlined (4) and some impressions from election day will be given (5.) Then, the election results and some commentaries on them (6) and a summary plus outlook will be presented (7).

### 2 Free and Fair ?

According to external observers, the period under president and ex-general Thein Sein's government "initiated a major political liberalisation". Press censorship was abolished, the access to the internet opened, political prisoners were released, the NLD invited to take part in politics and attempts were made to end the civil war. However, Myanmar was still regarded as "an unlikely democracy" because of the provisions of 2008 constitution guaranteeing the military a decisive say in politics (Bunte 2015) and due to the related decades long mistrust against the institution that had dominated the country's politics since 1962. As a consequence, it was doubted that the elections would be held in a free and fair way.

Tin Aye, chairman of the government-installed electoral commission, was the focal point of such discussions. His independence was put to question time and again. He had been a general before winning a seat for the USDP in the 2010 elections. When President Thein Sein who had been

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<sup>1</sup> <https://www.burmalibrary.org/sites/burmalibrary.org/files/obl/docs21/GNLM2015-11-08-red.pdf> /accessed 9.5.2024).

trained with him at the Defence Services Academy in Poyin-Oo-Lwin named him chairman of the electoral commission in 2011, Tin Aye left the party and vacated his seat parliament in accordance with the law. In a newspaper interview, he pointed to the 2012 by-elections as proof of his independence – after all, the NLD had prevailed over the USDP in that instance. He admitted to irregularities during the 2010 elections and said that improvements had been made. On the other hand, he was quoted as having expressed his pro-USDP tendencies: “As a chairman, I am not supposed to have attachment to the party.... I have an attachment, but I don’t put it at the forefront of my mind.... I want the USDP to win, but to win fairly, not by cheating.”<sup>2</sup>

The debates on the role of the electoral commission were mainly focused on the drawing up of an accurate electoral register. For the first time in Myanmar’s history, a large computerised and centralised database of names in Myanmar script was created. Critics argued that because of the large number of internally displaced people and the many citizens living in other countries, a great number would be excluded from voting. It was estimated that this number could amount to four million, more than 10% of the suffrage. Furthermore, the majority of the Muslim voters in Rakhine State known as Rohingya had been disenfranchised (Reuters 2015)-. Furthermore, the election commission had disqualified around 100 candidates because of their their questionable citizenship. 11 Muslim candidates however were reinstated on appeal (Tin Maung Maung Than 2016: 243)..



*Tin Aye announcing election results on November 10, 2015 (Bangkok Post)*

The role of internal and external observers, the ruling party's dominance over the state media and the lack of independent and impartial complaint mechanisms were also brought forward. (Human Rights Watch 2015).. On the other hand, both national and international observers were invited. According to the the election commission, "1118 foreigners, 906 locals and 209 media personnel from 45 news agencies were issued identity cards as official election observers." (Tin Maung Maung Than 2016: 244-245)

Another disputed question was whether elections should be held in areas where civil war-like conditions prevailed and where no polling had taken place since colonial times. Finally no elections for the House of Representatives took place in seven of 330 townships and in 15 constituencies of Shan State for the parliament of the state. Another open question related to the length of the campaigning period. In relation to this, Tin Aye had announced that campaigning would last two months instead of one as per the parties' request. Some restrictions were, however, deemed necessary to ensure smooth proceedings. <sup>3</sup>These included restrictions on aggressive or insulting electoral advertising.

The elections were closely watched by a number of agencies. The Carter Center summarised the finding of its in-depth study with a double compliment: that echoed President Thein Sein’s address given before the polls.

The Center reaffirms its congratulations to the people of Myanmar, who exercised their political rights with pride and enthusiasm. [...] Despite flaws observed, the post election period confirms the Carter Center’s view that Myanmar appears to be on a positive trajectory toward a peaceful, democratic transition as a result of these elections. (Carter Center 2016: 5)

2 <https://www.irrawaddy.com/in-person/interview/i-want-the-usdp-to-win-but-to-win-fairly.html> (accessed 15.4.2021).

3 For details of the electoral issued see Tin maung Maung Than 2018: 243.

### 3 Debated about Article 59 (f) and other Provisions of the Constitution

Regardless of how the work of the election commission was assessed, provisions of the 2008 constitution overshadowed the elections from the beginning. Most prominently, Article 59(f) describing one of the qualifications of the president and the two vice-presidents was worded:

shall he himself, one of the parents, the spouse, one of the legitimate children or their spouses not owe allegiance to a foreign power, not be subject of a foreign power or citizen of a foreign country. They shall not be persons entitled to enjoy the rights and privileges of a subject of a foreign government or citizen of a foreign country;

The article is worded in the tradition of securing Burma's/Myanmar's sovereignty by emphasising the loyalty of office holders and all citizens as expressed in the country's citizenship laws.<sup>4</sup> Another article of the constitution prevented "person who owes allegiance to a foreign government, or subject to a foreign country" to become a representative of the *Pyithu Hluttaw*, the Chamber of Deputies (Article 121(e)).

Article 59(f) was generally regarded as a means to prevent Aung San Suu Kyi whose two children held British passports, of taking Myanmar's top political post.<sup>5</sup> As a consequence, attempts were made to change the article which was only possible with a three-quarters majority. As a consequence, the NLD attempted to change the constitution, a measure that had been acknowledged by the president in early 2014. In June of that year however, the majority of members of the parliamentary committee dealing with such changes rejected to modify Article 59(f).<sup>6</sup> Already earlier, the NLD had started a signature campaign end of May aiming at changing Article 436 that prescribed the 85% clause for constitutional amendments.<sup>7</sup> The campaign was a big success, on July 19, Martyrs' Day it was reported that almost five million signatures had been collected.<sup>8</sup>

In November 2014, parliamentary speaker Shwe Mann made clear that no change of the constitution would happen before the election of 2015.<sup>9</sup>

It can also be noted that Myint Swe, the present acting president of Myanmar, was nominated as vice-president after Tin Aung Myint Oo had because of ill health in 2012. He did however not get the post not become Vice-President because his daughter was married to an Australian citizen Australian citizenship. He was



*Aung San Suu Kyi depicted as president by an artist  
(Photo: H.-B. Zöllner)*

4 Already the first citizenship law of 1948 connected the status of "natural" citizens to the colonial period by stating that all people the ancestors of whom could be supposed to have lived on Burmese soil before 1823 – one year before the first Anglo-Burmese war started – could be regarded as "indigenous".

5 Michael Arid, Aung San Suu Kyi's husband, had died in 1999.

6 <https://2009-2017.state.gov/r/pa/prs/ps/2014/06/227658.htm> (accessed 12.5.2024).

7 <https://thediplomat.com/2014/07/myanmars-constitutional-uncertainty/> (accessed 12.5.2024).

8 <https://www.reuters.com/article/idUSKBN0FR0XT/> (accessed 12.5.2024).

9 <https://www.theguardian.com/world/2014/nov/19/burma-rules-out-changing-constitution-aung-san-suu-kyi> (accessed 12.5.2024).

however nominated as vice-presidential by the military in 2016. Allegedly, the son-in-law or the son had got the Myanmar citizenship by now.<sup>10</sup>

In connection with the visit of US President Obama to Myanmar in November 2014, Aung San Suu Kyi warned not to be over-optimistic with regard to the reform process. With regards to the wish of the people to become the country's president, a few days before the elections were held, she made a statement that has been cited often since: "If we win, and the NLD forms a government, I will be above the president. It's a very simple message."<sup>11</sup>

This can be seen as a rather pragmatic political statement. In case of a clear election victory, she would be the most influential civil politician no matter who was elected as president by the NLD majority in the Union Parliament. On the other hand, the statement was in line with the concept of elections as described in a Buddhist text that was quoted by Aung San Suu Kyi as a foundation of the Burmese concept of democracy. The mythical first president, the *Maha Sammata*, was elected because of his virtues by way of a social contract between the people as a whole and one qualified leader (Zöllner/Ebbighausen 2015: 92).

Aung San Suu Kyi's statement on standing above the president might be interpreted as follows: The people would elect the new leader entrusting to her to take care of all other matters, including the choice of a president and working for a better constitution. This was a convincing electoral objective in the context of the Buddhist traditions of the country. On the other hand, the NLD leader stressed the importance for national reconciliation. "It shouldn't be a zero-sum game where winner takes all and loser loses everything. This is not what democracy should be." (Tin Maung Maung Than 2016: 247)

She further explained:

Constitutions are made by people and they are not eternal. There is no law that says the Constitution is eternal. Even in this Constitution, there are provisions for changing it, but with great difficulty, I admit. But I don't think that is something that should be seen as an impossible obstacle. If the support of the people is strong enough, I don't see why we should not be able to overcome a 'minor problem' like amending the Constitution.<sup>12</sup>

#### 4 The Run-up to the Elections

On 8 July 2015, the electoral commission announced that the elections would take place on 8 November. It asked the parties to name their candidates within one month. The deadline was extended to 14 August after heavy rainfall had led to devastating floods in the country at the end of July. By this point, 73 parties had been admitted to participate in the election. The applications of 14 others remained under consideration. A total of 91 parties finally took part in the elections. About two-thirds of them fielded candidates only in certain regions of the country.<sup>13</sup>

Already before this announcement, the only provision of the constitution that practically debarred Aung San Suu Kyi from becoming president and other of its regulations had been disputed. Already on 24 May 2014, the anniversary of the 1990 elections, the NLD had started a petition together with veterans of the 1988 student movement to make the constitution more democratic. The focus was in Article 436 that required a majority of 75% of votes in the Union parliament to change some core provisions and article 59f prohibiting citizens whose relatives held foreign passports to run for the top posts of the country. Some five million signatures were collected by

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10 <https://thedi diplomat.com/2021/03/did-the-myanmar-coup-install-an-illegitimate-president/>; According to another version, his son had obtained Australian citizenship. <https://www.newmandala.org/myanmars-next-president/> (accessed 25.5.2024). The disouted person however was of Burmese descent.

11 <http://www.reuters.com/article/us-myanmar-election-idUSKCN0SU0AR20151105> (accessed 15 August 2016).

12 <https://www.rfa.org/english/news/myanmar/aung-san-suu-kyi-eyes-leading-in-myanmar-despite-constitutional-ban-11052015161407.html> (accessed 28.3.2021).

13 For details of a number of pre-election data see Enlightened Myanmar Research (AER) 2015.

Martyrs' Day on 19 July of the year according to the NLD. The signatures were presented to parliament in August but nothing changed.

During President Barack Obama's visit in November 2014, Aung San Suu Kyi once again repeated that the constitution was "unfair, unjust and not democratic". What could be seen as a programmatic statement defining the top priority of her party's political aims. Later on, she considered boycotting the elections.<sup>14</sup> This speculation came to an end when she registered herself as a candidate at the end of July 2015 in the presence of large crowds of journalists and supporters who shouted, "long live Mother Suu!"



A Rally in Yangon, 1.11.2015 (Bloomberg)

On the other hand, there was one initiative to reform the electoral law in parliament. This came from the NDF, which had split from the NLD in 2010. Parts of the USDP supported the proposal, which aimed at introducing elements of proportional representation, as is the case in Germany for example.

The NLD rejected the proposal. Changing the first-past-the-post system acquired from the British would mean a weakening of the NLD's position. Its decisive 1990 and 2012 electoral victories were only possible because of it. A commission drafted a total of eight different options of voting systems.<sup>15</sup> No decision was reached, however, mainly because a fundamental reform of the voting system would have required more time. So, in May, the electoral commission announced that the country would keep the old system. The issue of Rohingya participation was also discussed on the side lines of a debate around the referendum required for a change in the constitution. Here the

NLD supported the opposition to any such possibility, which was being considered by the government.<sup>16</sup>



RUNGROJ YONGRIT/EUROPEAN PRESSPHOTO AGENCY

Source: The Boston Globe

As before previous elections the parties focused less on content and manifestos in their election campaigns and much more on the presentation of their candidates. This was particularly true for Aung San Suu Kyi's NLD. Like in 2012, large crowds came to see and hear her wheresoever she went. On her 70<sup>th</sup> birthday celebration on 19 June 2015, she encouraged her supporters to aim for a "landslide" victory as in 1990. The main slogan of her party was "Time for

14 <http://www.bbc.com/news/world-asia-30049266>(accessed 28.3. 2021).

15 [http://www.mmmtimes.com/index.php/national-news/12071-electoral-reform-body-submits-second-report.html;chrome-extension://efaidnbmnnnibpcajpcglelefndmkaj/https://themimu.info/sites/themimu.info/files/documents/Ref\\_Doc\\_The\\_Importance\\_of\\_Process\\_in\\_Electoral\\_System\\_Reform\\_IDEA\\_Dec2014.pdf](http://www.mmmtimes.com/index.php/national-news/12071-electoral-reform-body-submits-second-report.html;chrome-extension://efaidnbmnnnibpcajpcglelefndmkaj/https://themimu.info/sites/themimu.info/files/documents/Ref_Doc_The_Importance_of_Process_in_Electoral_System_Reform_IDEA_Dec2014.pdf) (accessed 27.3.2021).

16 <http://www.mmmtimes.com/index.php/national-news/16158-courting-of-rohingya-in-2010-comes-back-to-haunt-usdp.html> (accessed 27.3.2021).

change". The USDP candidates tried to convince the people by the many positive changes that had happened during the past five years.

The campaign officially began on 8 September and concluded at midnight on 6 November. Up to mid-October, campaigning was largely limited to the USDP and the NLD and some of the larger ethnic parties. A Political Parties Code of Conduct (CoC), a set of ethical principles drawn from electoral law, was finally signed by 88 of the 91 registered parties and was widely disseminated by the parties to their candidates and members. Different from the campaign directives prescribed by the election commission, among the prohibition to undermine the constitution, the solidarity of the Union of the Republic of Myanmar, or the dignity of the Tatmadaw. no sanctions were provided in cases of violating the code . As in earlier elections held, all parties were given the chance to present their programs on state TV and radio. The texts had to be submitted before.

On the background of the communal clashes between Buddhists and Muslims in Rakhine in 2012 and the anti-Muslim riots in central Burma one year later, anti-Muslims sentiments played a role. In September 2015 President Thein Sein signed four laws adopted by parliament designed to protect "race and religion" which were seen as advancing an anti-Muslim, ultra-Buddhist nationalist agenda. It was argued that Ma-Ba-Tha (Patriotic Association on Myanmar monks' organisation founded in February 2014. It aimed at protecting Buddhism was widely regarded as a supporter of the USDP and anti-NLD. Both parties fielded not a single Muslim candidate even in constituencies with a large Muslim population.<sup>17</sup>

Other incidents arousing less interest in the west were two events concerning the two big parties that were called "coups" by a Burmese commentator who in a pre-election article stated that coups are more important in Myanmar than elections (Zeya Thu 2015). Three months ahead of the election, the USDP ousted Thura Shwe Man, its acting party's chairman and the Speaker of the *Pyithu Hluttaw*, who had been regarded as a candidate for the presidency after a power struggle within the party. It was said that he was on good terms with Aung San Suu Kyi.

Shortly before, prominent members of the 88 student generation, ex-students who had led the protests in 1988 and served long prison terms later, were not accepted as NLD candidates. The most notable was Ko Ko Gyi who was seen as a potential presidential candidate as well. Like some others, he was however not chosen by the party leadership. According to a Myanmar analyst, the broader pro-democracy movement was thus split (Zeya Thu 2015). One may say therefore that the competition within the big parties was stronger than between them, ,

The tough regulations imposed by the election commission, the novelty of the option of polls offering a real choice, the lack of distinct programmatic party profiles, the many participating parties and the first-past-the-post electoral system contributed to the lack of a vibrant contest.

#### 4 Polling Day

Due to the many observers of the elections and the zeal of the government to care for as much transparency as possible, a number of sources are available that allow an insight in the atmosphere on the day of the "historic" elections as they were almost in unison named by the foreign press. Below, some impressions from different perspectives will be introduced, starting with some quotations collected by western journalists from the proverbial "man on the street":

"This is the first time I have voted," said U Okkar Oo, a betel nut seller on a street corner in Yangon. "Of course I am excited." - Okkar Oo entertained passers-by with a song, "Mama has to win!" It was an ode to Suu Kyi. - "We've been suppressed for a very long time by the government," says U Saan Maw, 63, who votes Sunday and make sure, his friends and family did, too. "This is our chance for freedom." - Aung Kyaw Kyaw, a 29 year pharmacist, said he didn't vote for the ruling party because "they were only former military people. If I voted for them, that means that I am asking my own

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<sup>17</sup> <https://www.bbc.com/news/world-asia-34182489> (accessed 28.3.2021).

enemy to come back into my house." - I'm really happy because from what I heard the NLD is winning. I Could not sleep until 11 or 12 because I was looking everywhere for results", said San Win, a 40 years old newspaper vendor.<sup>18</sup>

Official international election observers reported that all over the country it was tried to make the polling a success. On the day before the election, voter registers were hung up in front of election offices. Even before the stations opened on 6. a.m., queues of people waited on the streets to cast their votes. They were "proud" to participate, it was noted by an observer in Kayin State who had performed election training before on behalf of the European Union. In general, the atmosphere was relaxed. Officials admitted small mistakes. In general, some of them were more strict, some more liberal. The head of the EU's mission of observers noted that "the monitoring mission on election day is very technical. Are the ballot boxes here? Are they empty and sealed? What about the voter lists? The most important thing is that people can cast their ballots in secrecy, without any outer influences or distractions." (Ebbighausen 2015)



*Polling Station in Anawrahta Rd., Downtown Yangon (R. Ebbighausen)*

In contrast, an American sociologist with close contacts to the activist scene in Yangon notes a deep mistrust among his contact persons:

As we sat at a downtown beer stall days before the poll, they listed the numerous ways in which the military-backed Union Solidarity and Development Party (USDP) would steal the election from the favoured National League for Democracy (NLD): the voting list identifying eligible voters was irredeemably incomplete, disenfranchising legitimate voters; 'advance voting' would act as a ballot stuffing technique to steal whole constituencies; overcrowded polling stations would deter voters; and state agents could instigate non-religious conflict to disrupt voting. The activists even identified a suspicious nationwide electricity cut the week prior as a harbinger of a potential chaos-inducing election day blackout.<sup>1</sup> According to one of their leaders, Ko Taw: 'We have to watch and record for the international community, but I do not believe [it will make a difference]'. (Prasse-Freeman 2016: 3)

In course of the day, such stories dissolved and in the evening the visitor joined the jubilant crowd outside the NLD central office in Shhwegondine Rd. celebrating the incoming news of NLD victories from around the country.



*NLD supporters at the NLD office (DW)*

## 5 Results and Assessments

In course of the next days, the reports published by the media showed that the NLD had won an overwhelming victory. In terms of seats won, the party took the place that had been occupied by the USDP five years before. It got 79.4% of the contested seats in the two chambers of the Union legislature against 78,7% of the USPD. In terms of votes received, the ration was 57,06 to 56,67 % (Pyitthu Hluttaw only). The voter turnout was 69 against 75 % in 2010. In the States and Regions,

<sup>18</sup> The Boston Globe: A 3; The Olympian A8; Chicago Tribune: 4; The Sacramento Bee: 8.

the NLD won a majority in all Regions and in four of the States. Only in Shan State, the USPD won more seats than the party.

On the national level, four parties, among them the National Democratic Front that had split from the NLD before the 2010 elections had fielded hundreds of candidates but none of them won. The same happened to most of the prominent USDP candidates who often were defeated by their unknown NLD contenders (Maung Maung Than 2016: 256-257).

The defeat was acknowledged by the defeated party. Outgoing president Thein Sein who had not contested the elections, Commander-in-Chief Min Aung Hlaing, and the head of Burma's last

Party	Lower House	Upper House	TOTAL	% elected	% incl. mil
National League for Democracy (NLD)	255	135	390	79.4%	59.4%
Union Solidarity and Development Party (USDP)	30	11	41	8.4%	6.2%
Arakan National Party (ANP)	12	10	22	4.5%	3.3%
Shan Nationalities League for Democracy (SNLD)	12	3	15	3.1%	2.3%
Ta'ang (Palaung) National Party (TPNP)	3	2	5	1.0%	0.8%
Pao National Organization (PNO)	3	1	4	0.8%	0.6%
Zomi Congress for Democracy Party (ZCDP)	2	2	4	0.8%	0.6%
<i>Independent candidates</i>	1	2	3	0.6%	0.5%
Lisu National Development Party (LisuNDP)	2	0	2	0.4%	0.3%
Kachin State Development Party (KSDP)	1	0	1	0.2%	0.2%
Kokang Democracy and Unity Party (KDUP)	1	0	1	0.2%	0.2%
Mon National Party (MNP)	0	1	1	0.2%	0.2%
National Unity Party (NUP)	0	1	1	0.2%	0.2%
Wa Democratic Party (WDP)	1	0	1	0.2%	0.2%
	<b>323</b>	<b>168</b>	<b>491</b>	<b>100.00%</b>	<b>74.73%</b>
				<b>Military:</b>	<b>25.27%<sup>51</sup></b>

*Crisis Group 2015: 15*

military junta, retired General Than Shwe met with Aung San Suu Kyi and accepted her future role as leader of the NLD-led government. Some days after the polls, a commentary published in the state newspaper stated:

In the history of the world, many empires, from that of the Romans centuries ago to that of the British decades ago, collapsed. The reason was that they were built on military might alone. As a result, they were defeated when their military might weakened or their rivals' military might surpassed theirs.

In the history of Myanmar, some kings established empires that were bigger than the nation's modern territory. These empires collapsed long ago, and Myanmar was even colonised by the British for about a century. Myanmar was defeated in three wars with the British and lost her independence. Some attribute the defeat to Myanmar's lack of modern military technology. However, the main reason for the loss of Myanmar's sovereignty was that the empire was built on military might alone.

People build a better society based on the experience and knowledge of the older generations. Therefore, it is necessary to build a new Myanmar society based on the unity of all people living in it. For people to be united, it is important that all members of the society enjoy equal rights. The idea that a country can be united through its military might is a false one. Military might alone cannot unite people and may even lead to war and bloodsheds. It is time for Myanmar to exert efforts for genuine national reconciliation.<sup>19</sup>

Such conciliatory attitude was also reported from Aung San Suu Kyi's meeting with Min Aung Hlaing, her future partner in government (Crisis Group 2015: 7, fn 29 and 30) and with Than Shwe who reportedly said: "I will support her with all of my efforts."<sup>20</sup> Aung San Suu Kyi had already before the meeting repeated her readiness to work together for national reconciliation with all other parties.<sup>21</sup>

Observers however were cautious. A senior Myanmar researcher living in Singapore argued that "enormous expectations await the NLD's rule and at this stage the future of Myanmar rests squarely on the shoulders of "the lady"; not so encouraging for those who believe in strong institutions, collective leadership and shared responsibilities." (Tin Maung Maung Than 2016: 257) And Robert Taylor argued that the cooperation with the armed forces would not be easy: "Myanmar enters uncharted territory with a new form of dyarchy in place" he wrote referring to the system of dual rule established by the British after 1920 that was denounced then by almost all Burmese nationalists. "Now the army will share power with the National League for Democracy. Sworn enemies for twenty-five years, they will now have to work together on a daily basis." (Taylor 2016: 235)

The "activists" who had expected the elections to be rigged were extremely sceptical after the outcome as well, the American scholar noted. "Yet, despite this significant symbolic victory, there was a lingering feeling of dis-ease, a sense that this victory was not a victory at all." Cronyism had infiltrated the party, no Muslim candidates had been fielded, decision were taken top-down, in short: "What is the purpose of an opposition party if it does the same things as the government?". (Prasse-Freedom 2016: 3)

## 6 Summary and Outlook

Without doubt, the outcome of the 2015 election marks a turning point in Myanmar post-independent electoral history. For the first time, a very special kind of great coalition came into being, however a very strange one. The parers, the military and the NLD had not chosen it, the co-operation was forced on them b the constitution of 2008 inspired by the military leadership's conviction that - at least for the time being - the Tatmadaw must play a decisive role in the country's politics and the desire of Aug San Suu Kyi and her party to represent the people's wish to enter parliament and take governmental posts.

Naming this 'coalition' a "dyarchy" made clear that it was very much lopsided. The Tatmadaw had created the condition of its emergence against the erstwhile absolute opposition of the NLD that had rejected the 2008 constitution. As a consequence, the "coalition" - like the constitution enforcing Dyarchy in 1923 - was an arrangement that the NLD, representing the people after the election victory, wanted to gchange as the party's main campaign slogan indicated.

The election result and what is known about the peoples' motives underlines this argumentation. Without doubt, the election victory was mostly due to the popularity of Aung San Suu Kyi, but it can be regarded first of all as a rejection of the military and its proxy party that were seen as the

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19 <https://www.gnlm.com.mm/time-for-genuine-national-reconciliation/> (accessed 16.4.2021).

20 <https://www.theguardian.com/world/2015/dec/06/former-myanmar-dictator-backs-aung-san-suu-kyi-with-all-of-my-efforts-report> (accessed 16.4.2021).

21 <https://www.france24.com/en/20151111-burma-aung-san-suu-kyi-calls-national-reconciliation-talks-military-president> (accessed 16.4.2021).

"enemy". Here, the parallel to the elections of 1960 can be drawn. The "Stable" AFPFL lost because it was regarded as a proxy of the Tatmadaw and its "cleaning up" measures during the time of Ne Win's premiership. In both instances, the successes of the government - after 2010 the liberalisation and other reform actions taken - were absolutely not rewarded by the majority of the voters.

The catchword "change" used by the NLD was thus very likely not understood by the majority of the NLD voters as a step-by-step reform program but as a complete change towards "freedom" as one of the interviewed in election day worded it. Aung San Suu Kyi had connected "change" to the amendment of the constitution and suggested that this was a "minor problem" - if the people would stand behind her. Given the conditions of the "new dyarchy", this undertaking was only possible with the consent of the military leadership. As a consequence the stability of the "cohabitation" of the two unequal partners depended to a great extent on the personal relationship between the leaders, Aung San Suu Kyi representing the civilian wing of the new government and Min Aung Hlaing standing for its military counterpart.

As the Yangon "activists" had remarked, the two partners were rather similar in some way - the NLD being as top-down structured as the military. Ironically, the voters - furthered by the first-past-the-post electoral system - had by almost fulfilling the dream of the NLD of a clean sweep of all seats eliminated any opposition in parliament with the exception of the institutionalised 25% of parliamentarians hand-picked by Min Aung Hlaing. Obviously, the understanding of "democracy" was rather different between the new young urban activists and the "ordinary" voters.

The elections of 2015 had thus created a very tense situation of a double rule the stability of which depended to a great extent on the ability of the civil and military leader to outbalance the fundamental different views on how to deal with the constitution. One can say, that the election result of 2015 was the beginning of a key constitutional crisis.