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VOTING AND VIOLENCE IN MYANMAR

Nation Building for a Transition to Democracy

===== Ian Holliday
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Abstract

Democratization studies now highlight potentially derailing problems such as warlike nationalism and violent ethnic conflict. In Myanmar, where ethnic tension runs deep, the risks are especially great. Political reformers should work within the framework of the military junta's planned 2010 general election, and pay close attention to nation building.

Keywords: Burma, democracy, democratization, Myanmar, nationalism

A prominent feature of the pessimistic turn recently taken by democratization studies is heightened scrutiny of the problem of transitional violence. In a stream of work published since the mid-1990s, Edward D. Mansfield and Jack Snyder warn of the danger of war in early phases of political reform. Acknowledging that mature democracies are characterized by internal stability and external order, they hold that democratizing states exhibit more belligerent traits. Noting further that transitional violence is generally fueled by aggressive nationalism, they seek through detailed empirical analysis to determine why conflict arises and how it can be minimized or even averted. Their argument is that nationalism is usually not a pre-transitional given that should, as a first priority, be

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managed through political devices such as federalism and consociationalism or, worse, social mechanisms such as population transfer and ethnic cleansing. Rather, nationalism is a product of elite competition and strategizing in the transition process itself. Once present, it marks a society for generations. Their policy prescription calls for close attention to social foundations before a transition is attempted. In the short run, steps should be taken to contain nationalist conflict. In the long run, a thick network of bonding civic institutions should be created. Only then should a nation turn to democracy.

These themes are of direct relevance to Myanmar. Established as a functioning democracy at independence from Britain in 1948, Burma (as it then was) saw a barely constitutional caretaker government take office for 18 months in the late 1950s and witnessed a full-blown military coup in 1962. For nearly half a century since then, it has not succeeded in restoring democracy, although nationwide protests in 1988, a general election in 1990, and a monk-led "safron uprising" in 2007 indicated there was ample support for doing so. Indeed, democracy talk now dominates political debate to such an extent that the military junta has made its own plans for a general election, of sorts, in 2010. At the same time, the country has long been prone to nationalist conflict. Within months of independence, Burma was torn apart by ethnic rebellion. For the rest of the period down to the 1962 coup, ethnic issues were so pressing that army leaders used them to justify their power grab. Under successive authoritarian regimes, nationalism has remained a central feature of the political landscape. For six decades of this sovereign state, the political agenda has thus been dominated by problems of democratization and nationalist conflict.

In these circumstances, one question that arises is whether the policy recommendations advanced by Mansfield and Snyder might be useful to Myanmar. To answer it, this article is divided into six main parts. The first reviews the literature on transitions to democracy, paying particular heed to debates about nationalist violence. It develops prescriptions for peaceful and sustainable change. The second examines democracy in sovereign Burma since the late 1940s. It demonstrates that the country has a searing knowledge of both nationalism and democracy. The third looks at the junta's current road map to democracy in 2010. It shows that the main aim is to build a façade for entrenched military rule. The fourth considers the applicability to Myanmar of the prescriptions advanced by Mansfield and Snyder. It reveals that there is some support for reading them into a future transition, but also good reason not to. The fifth floats a democratization proposal. It holds nation building to be critical and considers how appropriate policies might be implemented in the wake of the 2010 general election. The sixth part thinks through how outsiders might facilitate a

transition to democracy in Myanmar. It makes a case for targeted and sustained intervention.

This article's argument is that the work of Mansfield and Snyder is centrally relevant to Myanmar. A unitary democracy, though favored by the military junta and designed for implementation through the 2010 general election, is not viable in the long run. The generals' polity will be democratic in name only and will lack much necessary substance. Nevertheless, the political system instituted in 2010 can form the basis for a real transition further down the line. It should be used as a platform for nation building efforts designed to graft a common national identity onto regional and local affiliations. The article therefore focuses on the roles both insiders and outsiders might play in a post-2010 process that seeks first to contain nationalist conflict, second to construct a national civic safety net, and third to make a sustainable transition to democracy.

Voting and Violence

The optimism generated by the breaking of democratization's third wave across East-Central Europe in 1989 has latterly been challenged by more-pessimistic analyses. Five years on from the Bush administration's attempt to roll out democracy across the Middle East through the triggering effect of regime change in Baghdad, popular sovereignty is viewed as a difficult implant in uncultivated terrain. Moreover, several writers now argue that it is not only in Iraq that problems are found; they posit a general association between democratization and violence.¹ While concerns of this kind reach back at least as far as the early 1970s, they are raised more insistently today by Mansfield and Snyder, who urge policymakers to look beyond democracy's long-term benefits, found internally in ordered societies and externally in the democratic peace.² Equally important are short-term costs, notably warlike nationalism and violent ethnic conflict. Transitional societies often

1. Samuel P. Huntington, *The Third Wave: Democratization in the Late Twentieth Century* (Norman, Okla.: University of Oklahoma Press, 1991); Larry Diamond, *Squandered Victory: The American Occupation and the Bungled Effort to Bring Democracy to Iraq* (New York: Times Books, 2005); Amy Chua, *World on Fire: How Exporting Free Market Democracy Breeds Ethnic Hatred and Global Instability* (New York: Doubleday, 2003).

2. Robert A. Dahl, *Polyarchy: Participation and Opposition* (New Haven, Conn.: Yale University Press, 1971); Alvin Rabushka and Kenneth A. Shepsle, *Politics in Plural Societies: A Theory of Democratic Instability* (Stanford, Calif.: Stanford University Press, 1972); Edward D. Mansfield and Jack Snyder, "Democratization and the Danger of War," *International Security* 20:1 (Summer 1995), pp. 5–38; Edward D. Mansfield and Jack Snyder, "Democratization and War," *Foreign Affairs* 74:3 (May 1995), pp. 79–97; Edward D. Mansfield and Jack Snyder, *Electing to Fight: Why Emerging Democracies Go to War* (Cambridge: MIT Press, 2005).

erupt into inter-ethnic conflict, as in the former Yugoslavia in the 1990s and Iraq today. Such societies can also threaten their neighbors. The force that drives this belligerence is usually nationalism.

Snyder's *From Voting to Violence* presents two accounts of why democratization entails a heightened risk of nationalist violence.³ The popular-rivalries view focuses on atavistic ethnic tensions unleashed by a transition. By contrast, the elite-persuasion view rejects the notion of raw ethnic divisions, holding conflict to be fomented by transitional elites seeking political gain. It is critical to determine which view is correct, for while one points to separating ethnic groups prior to a transition or building ethnic safeguards into a democratic settlement, the other argues for inclusive civic identities and cross-ethnic political alignments during the fluid early phases of democratization.

Snyder himself favors the elite-persuasion argument, contending that mass nationalism has rarely been well developed prior to democratization. Although individuals in non-democratic states may be aware of racial differences, they do not give them political salience because politics is chiefly an elite business. Rather, mass nationalism typically emerges when the bulk of the population gains a political voice in the initial stages of reform. At this point, when political identities are up for grabs, allegiance may develop a nationalist tinge. If it does, it is generally because political leaders seek to mobilize mass support without conceding political power. Whether a nationalist turn actually takes place then depends on their motivation and opportunity to do so. Snyder argues that elite motivation varies in direct proportion to the threat posed by full democracy. He holds that elite opportunity varies in inverse proportion to the strength of political institutions. Militant nationalism is likely to emerge when a political elite feels deeply threatened by popular sovereignty, and political institutions are weak.

On these grounds, Snyder argues against the shortcut of instant mechanical democracy, holding that the social context must be attended to first. At the same time, he rejects early institutionalization of ethnic divisions through devices such as federalism and consociationalism. These, he maintains, should be adopted only as a last resort, because they run the risk of politicizing and locking in inimical cultural distinctions. Similarly, ethnic cleansing should not be a starting point but rather a reluctant final expedient. In addition, he makes a case for accommodating authoritarian rulers and including them in the transition process in order to minimize their fear and reduce their incentive to play the ethnic card. He also con-

3. Jack Snyder, *From Voting to Violence: Democratization and Nationalist Conflict* (New York: W. W. Norton, 2000), pp. 31–33.

tends that rapid creation of a free press is likely to be counterproductive because open media can readily become vehicles for nationalism.

In short, this prescription for successful democratic transition holds that at the outset all possible means, including coercion, should be used to contain nationalist conflict. At the same time, sustained moves should be made to create a thick network of civic institutions capable of defusing motives for belligerent nationalist mobilization. Only when this social safety net is securely in place should elites embark on a transition. This “sequencing” approach is not without critics. In a recent exchange, Thomas Carothers attacked what he calls the sequencing fallacy, arguing instead for gradualism in tough contexts. Never put off democracy, is his core message. Similarly, Sheri Berman wrote of the vain hope for “correct” timing, holding that most democracies have difficult beginnings, and noting that democratization will not be completed unless a start is made somewhere. Nonetheless, there is widespread endorsement of the turbulent democratization argument advanced by Mansfield and Snyder, and clear concern about what they term “the lasting birth defects of untimely democratic transitions.”⁴

Democracy in Burma

Myanmar is no stranger to democracy, though most of the relevant experience came during its prior incarnation as Burma. An initial transition took place during the decolonization process in the late 1940s and was sustained for the best part of a decade and a half to the early 1960s. Arguably a second democratization attempt was made in the mass uprising of 1988, and an echoing third attempt could be found in the monk-led protests of 2007. Any future transition will therefore take place not on virgin territory but rather on terrain marked and scarred by historical struggles that remain alive in the hearts and minds of the people. Critical to analysis of the form democratization might take in the future, then, is an understanding of the past.

Burma's transition in the late 1940s had a prehistory in British attempts to broaden the popular base of the colonial polity and, later, prepare the Burmese for self-rule. In local government, voting was instituted on a limited basis in 1882 and expanded notably through reforms undertaken in 1921. In national government, the principle of election was introduced in 1909, when the Rangoon Chamber of Commerce was allowed to elect one individual to the 15-member Legislative Council. In 1923, the Legislative

4. Thomas Carothers, “The ‘Sequencing’ Fallacy,” *Journal of Democracy* 18:1 (January 2007), pp. 12–27; Thomas Carothers, “Misunderstanding Gradualism,” *ibid.*, 18:3 (July 2007), pp. 18–22; Sheri Berman, “The Vain Hope for ‘Correct’ Timing,” *ibid.*, pp. 14–17; Edward D. Mansfield and Jack Snyder, “The Sequencing ‘Fallacy’,” *ibid.*, pp. 5–9, 7.

Council was expanded to 103 members, of whom 79 were elected through household suffrage at age 18, with no gender discrimination.

A further extension of popular control took place in 1937, when Burma was separated from India and became a free-standing British colony. An assessment made by colonial official and scholar J. S. Furnivall in the late 1940s was nevertheless scathing: "[T]he Council had no root among the people . . . ; in reality it represented only the western superstructure divorced from national life." Driving this contempt was a famous analysis that ascribed to colonial rule the creation of a plural society in which a "medley of peoples . . . mix but do not combine." For Furnivall, the four main racial groups in British Burma—European, Chinese, Indian, and native—were held together solely by an economic nexus and had no social or cultural ties. It was therefore impossible for a national will to develop. As early as 1931, he argued for social reconstruction: "Nationalism in Burma is morally right." However, as events unfolded before and after independence in January 1948, it was not an inclusive Burmese nationalism that emerged. Rather, ethnic divisions came to the fore.⁵

The first elections to the legislature of a sovereign state, held in April 1947, were won in a landslide by the Anti-Fascist People's Freedom League (AFPFL). Led by war hero General Aung San, this was a popular-front party built on inter-ethnic alliances formed in 1945 to drive Japan from Burma. An agreement reached with ethnic minority leaders at Panglong in Burma's Shan States in February 1947 and later fed into constitutional clauses gave Aung San a fair claim to lead the nation.⁶ In July, however, he was assassinated alongside several members of his cabinet-in-waiting. In April 1948, a Communist revolt was launched and soon after, ethnic tensions exploded in uprisings by the Karen and other groups. In its early years, sovereign Burma teetered on the verge of collapse as rebel forces threatened the capital, Rangoon. "There is little danger that Burma will go Communist, but great danger that it may go to pieces," Furnivall wrote in August 1949.⁷

Ethnic division in Burma in the late 1940s was chiefly the product of British colonial practice in ruling Burma Proper directly, and other parts

5. J. S. Furnivall, *Colonial Policy and Practice: A Comparative Study of Burma and Netherlands India* (Cambridge: Cambridge University Press, 1948), pp. 71–72, 160, 165, 304; J. S. Furnivall, *An Introduction to the Political Economy of Burma* (Rangoon: Burma Book Club, 1931), p. ix.

6. The Panglong Agreement is a brief document signed by Aung San and some of Burma's ethnic minority leaders that paved the way for creation of a sovereign Union of Burma. It retains iconic status among proponents of greater autonomy for minority ethnic groups.

7. J. S. Furnivall, "Communism and Nationalism in Burma," *Far Eastern Survey* 18:17 (August 24, 1949), pp. 193–97.

of the territory indirectly. In those parts lived a set of minority ethnic groups generally held to constitute about one-third of the total population. Even constitutional reforms introduced by the British to prepare the colony for self-government were ethnically segregated. "Burma was fitted up with the machinery of responsible government on the fashionable model of western democracy . . .," wrote Furnivall, "[t]his however was restricted to Burma proper, excluding the Shan States, Karenni and Tribal Hills."⁸ Partial democratization of colonial Burma was thus discriminatory in its effects, as were associated developments in mass political culture. Political evolution ran at different speeds on separate tracks. Notwithstanding initiatives taken at Panglong and elsewhere in the independence phase, those tracks had not been fused by the time of the sovereignty transfer in January 1948.

During Burma's first democratization, nationalist politics derived chiefly from the elite persuasion that Snyder prioritizes. Colonial divide-and-rule tactics, supplemented by often petty squabbling and maneuvering on the part of ethnic leaders, ensured that communal rivalries came to the fore. Violence was then intensified and prolonged by the historical accident that saw part of the Chinese Revolution migrate to Burmese soil in a contingent of 12,000 Kuomintang (Nationalist Party, KMT) soldiers. Taking refuge in ethnic minority areas, notably Kachin and Shan States on the border with China's Yunnan Province, KMT troops were supported by U.S. technical advisers employed by the Central Intelligence Agency. In response, as Mary Callahan puts it, "[M]ilitary and civilian leaders had few choices but to reinvigorate and redeploy the colonial security apparatus to hold together a disintegrating country during the formative period of postcolonial state transformation."⁹ Thus came about the rise of a nationalist Burman army, the *tatmadaw*, as the critical institution within the state. At the same time, the disruption and militarization of Burmese politics prompted ethnic claims made above all by Karens in the late 1940s to surface in Arakan, Shan State, and elsewhere in the mid-1950s. Hostility to AFPFL Burmanization policies was a contributory factor.¹⁰

By the late 1950s, Burmese ethnic divisions were assuming the character of deep popular rivalries. In 1958, constitutional clauses enabling some minority states to trigger autonomy provisions provoked an upswing in

8. Furnivall, *Colonial Policy and Practice*, p. 159.

9. Mary P. Callahan, *Making Enemies: War and State Building in Burma* (Ithaca, N. Y.: Cornell University Press, 2003), p. 5.

10. Hugh Tinker, "Burma's Northeast Borderland Problems," *Pacific Affairs* 29:4 (December 1956), pp. 324-46; Geoffrey Fairbairn, "Some Minority Problems in Burma," *ibid.*, 30:4 (December 1957), pp. 299-311.

revolt. At much the same time, the *tatmadaw* had its first taste of power through an 18-month caretaker government headed by Chief of Staff General Ne Win. In the early 1960s, when a return to civilian rule generated not only renewed elite bickering and incompetence but also talks about federation, Ne Win's nationalist Burman Army seized power in a near-bloodless coup performed on March 2, 1962. His Revolutionary Council soon created a one-party state under the Burmese Socialist Program Party (BSPP). At this point, Burma's experience of functioning democracy ceased and ethnic divisions intensified still further.

What was arguably a second democratization attempt came more than 25 years later in a national movement for political reform. Following months of upheaval, the Four Eights Uprising was launched (on 8–8–88), but in bouts of military repression was utterly crushed. In its final crackdown on September 18, 1988, the *tatmadaw* dissolved the BSPP and created a formal military junta, the State Law and Order Restoration Council (SLORC), chaired by Chief of Staff General Saw Maung. Within days, he publicly committed the regime to organizing national elections. Decrees to enable parties to organize and polling to take place were also issued. However, when the general election eventually held on May 27, 1990, was won in a landslide by the opposition National League for Democracy (NLD), no power transfer was made.¹¹

This second democratization attempt substantially developed civil society, prompting mass mobilization in urban centers across the land and the formation of more than 200 political parties. However, even though charismatic NLD leader Aung San Suu Kyi followed her father in projecting an image of national unity, deep popular rivalries continued to define the political landscape.¹² Some 40 years on from the first experiment with democracy, and more than 25 years on from an aggressively Burman nationalist coup, the country's ethnic divisions were no longer the product merely of elite persuasion. They marked society much more thoroughly than that.

Democratization in Myanmar

The subjugation of Burma's democracy movement in 1988 and the voiding of its election result in 1990 did not remove democratization from the political agenda of the country (renamed Myanmar in July 1989). Rather,

11. Bertil Lintner, *Outrage: Burma's Struggle for Democracy* (Hong Kong: Review Publishing Company, 1989); Derek Tonkin, "The 1990 Elections in Myanmar: Broken Promises or a Failure of Communication?" *Contemporary Southeast Asia* 29:1 (April 2007), pp. 33–54.

12. Martin Smith, *Burma: Insurgency and the Politics of Ethnicity*, 2nd ed. (London: Zed Books, 1999).

these actions diverted it onto a long and winding road mapped by the military junta. The first major milestone was reached on January 9, 1993, when a National Convention was charged with devising principles for the drafting of a new constitution. Despite undertakings given in 1989 and 1990 that the convention's membership would reflect the election results, most of the 700 or so delegates were nominated by SLORC.¹³ For more than three years, they met sporadically to debate constitutional questions within a tight framework imposed by the ruling generals. However, in November 1995 the NLD began a boycott, leading SLORC to expel it from the National Convention for breach of discipline. This move, plus problems with ethnic representatives regarding government offers on territorial status and autonomy, prompted the suspension of constitution drafting in April 1996.¹⁴ For years there was little public progress on constitutional matters, although the convention's steering committee met frequently for deliberations.¹⁵

The issue of democratization returned to the public agenda in August 2003, when military intelligence chief and incoming Prime Minister General Khin Nyunt unveiled a seven-point road map to democracy.¹⁶ This traced a route from the writing of a new charter to a popular referendum and on to democratic elections. On this basis, the National Convention was reassembled in May 2004, this time with more than 1,000 delegates corralled in an isolated facility north of Yangon. Although in October Khin Nyunt was purged from the junta, now known as the State Peace and Development Council (SPDC), and placed under a long term of house arrest, the road map remains in place and the constitutional process continues to unfold.

State suppression of the 2007 saffron uprising indicated that the junta would retain control of the democratization process.¹⁷ Subsequently, a constitutional referendum held in May 2008, in the immediate wake of the devastation wrought by Cyclone Nargis, was reported to have generated 92% support on a turnout rate of 98%. This paved the way for an SPDC announcement that elections for a "peaceful, modern, developed

13. David I. Steinberg, "Myanmar in 1992: Plus Ça Change . . . ?" *Asian Survey* 33:2 (February 1993), pp. 175–83.

14. Mary P. Callahan, "Burma in 1995: Looking beyond the Release of Aung San Suu Kyi," *ibid.*, 36:2 (February 1996), pp. 158–64, 160.

15. Tin Maung Maung Than, *State Dominance in Myanmar: The Political Economy of Industrialization* (Singapore: Institute of Southeast Asian Studies, 2007), p. 343.

16. Kyi Kyi Hla, "Road Map to Democracy in Myanmar," <<http://www.myanmar.gov.mm/Perspective/persp2003/8-2003/map.htm>>, accessed August 15, 2008.

17. Human Rights Documentation Unit, *Bullets in the Alms Bowl: An Analysis of the Brutal SPDC Suppression of the September 2007 Saffron Revolution* (N.p.: National Coalition Government of the Union of Burma, 2008).

and discipline-flourishing¹⁸ democratic nation” would take place, as already scheduled, in 2010.

Few in Myanmar are under any illusion about the SPDC’s reform process. From the outset, the National Convention was constrained by six guiding objectives: “non-disintegration of the Union; non-disintegration of national sovereignty; consolidation and perpetuation of sovereignty; emergence of a genuine multiparty system; development of the eternal principles of justice, liberty, and equality in the state; and participation of the *tatmadaw* in the leading role of national politics in the state.”¹⁹ Later, 104 fixed principles were unveiled: the state president must have military experience; the army will nominate 25% of seats in the national Parliament and 33% in regional parliaments; military policy and budgets will be beyond executive and legislative control, and so on. All of these key provisions were present in the draft constitution put to the nation in May 2008 and adopted as soon as the referendum had been successfully completed. Considered together, it is clear that the main effect of these provisions will be to entrench *tatmadaw* power behind a façade of democracy. At the same time, however, the 2010 general election will constitute the greatest change in domestic politics in more than 20 years. While much of the substance of democracy will be lacking, some of its form will be present in a set of national and regional democratic institutions. Moreover, although these institutions will certainly be controlled by the military, they will nevertheless enable other figures to enter the political arena and make their voices heard.

Debating Democracy in Myanmar

Faced with sham democratization sponsored by the military junta, opposition forces are currently engaged in fierce internal debate about how to react and, in particular, whether to participate in the 2010 general election. Throughout 2009 this is likely to be a staple of political discourse inside Myanmar. In the course of their debates, groups such as the exiled National Council of the Union of Burma (NCUB) and the Ethnic Nationalities Council (Union of Burma) (ENC) often look back to proposals they have long floated for a full democratic transition.²⁰ Others in the

18. This is the standard phrase routinely used in official discourse, and commonly employed by the junta’s English-language newspaper, *The New Light of Myanmar*.

19. Steinberg, “Myanmar in 1992,” p. 178.

20. NCUB (*Future Constitution of the Federal Union of Burma*, <http://www.blc-burma.org/pdf/Constitution/ncubcon_e.pdf>; ENC (Union of Burma), “Publications,” <<http://www.encburma.org/>>, accessed August 15, 2008. The ENC was launched as the Ethnic Nationalities Solidarity and Cooperation Committee in August 2001. It changed its name in January 2004.

opposition camp also hold firm to principles to which they have always been committed and which they continue to insist must be respected. Notwithstanding the junta's plans for 2010, and its intention to institute a form of democracy in its own image, it is clear that debate in Myanmar will continue to be informed by these themes.

Looking at proposals floated by opposition groups, the core elements can be said to overlap with those of Mansfield and Snyder in four key areas. First, while democracy groups such as the NLD and the 88 Generation Students look back to 1990 rather than forward to a fresh poll, a clear priority is still given to elections.²¹ Analysts such as Andrew Reynolds also take this position.²² Second, and not necessarily in conflict with this, major groups are generally willing to engage the SPDC in the kind of pacted transition seen in many successful democratizations in recent decades.²³ This is most obviously the case among organizations that accepted the junta's invitation to attend the National Convention, notably some 20 ethnic minority groups that signed ceasefire deals after 1989. However, it is also the case for the NLD, which for many years has espoused a willingness to talk to army leaders without preconditions.²⁴ Pleas for tripartite dialogue were a uniform response to the 2007 crackdown. Third, opposition groups tend to demand a rapid restoration of liberal freedoms prior to democratization, with Aung San Suu Kyi, for instance, arguing that the country urgently needs a set of basic human rights.²⁵ Fourth, opposition leaders insist on institutional safeguards for all major ethnic groups. Here the outstanding instance is a series of constitutional proposals issued by the ENC, which states that the "ultimate goal . . . is to establish a genuine Federal Union of Burma based on the principles of the Panglong Agreement."²⁶

Comparing the positions taken by Myanmar's main opposition forces with the policy prescriptions advanced by Mansfield and Snyder, there is

21. Central Executive Committee NLD, "NLD Statement 35/1998," August 21, 1998, <http://old.ncgub.net/NLD_Statements/NLD%20Statement%20%2035,1998.htm>, accessed August 15, 2008.

22. Andrew Reynolds, Alfred Stepan, Zaw Oo, and Stephen Levine, "How Burma Could Democratize," *Journal of Democracy* 12:4 (October 2001), pp. 95–108.

23. A pacted transition comprises a negotiated compromise between an authoritarian regime and a democratic opposition. Guillermo O'Donnell and Philippe C. Schmitter, *Transitions from Authoritarian Rule: Tentative Conclusions about Uncertain Democracies* (Baltimore, Md.: Johns Hopkins University Press, 1986).

24. Aung Shwe, *Letters to a Dictator: Correspondence from NLD Chairman Aung Shwe to the SLORC's Senior General Than Shwe* (Bangkok: All Burma Students' Democratic Front, 1997).

25. Aung San Suu Kyi, "In Quest of Democracy," in *Freedom from Fear: And Other Writings*, ed. Aung San Suu Kyi, rev. ed. (London: Penguin, 1995), pp. 167–79.

26. ENC, "Objective," <<http://www.encburma.org/>>, accessed August 15, 2008.

both agreement and disagreement. On engaging authoritarian rulers in a pacted transition, dissent in Myanmar tends to be confined to the small number of ethnic groups that have not yet "returned to the legal fold." It thus seems safe to say that most major opposition groups subscribe to a big tent, broad dialogue approach. They seek tripartite talks embracing key figures from the military led by the SPDC, democracy groups clustered around the NLD, and ethnic nationalities represented by the ENC. This is also the position regularly endorsed by the U.N. General Assembly since 1994.²⁷

In the other three areas, however, opposition groups disagree with Mansfield and Snyder. Against the proposal that instant elections be forsworn, they demand a rapid return to the electoral process, by which they mean genuinely free and fair elections. Against the notion that moves to create space for a vibrant media should be delayed, they take a maximalist free speech position. Against the idea that early recourse to institutional devices designed to entrench ethnic divisions should be avoided, they promote federalism as a starting point for constitution drafting. Close attention therefore needs to be paid to these issues.

On early elections that conform fully to global democratic standards, the concern is that ethnic mass mobilization may result. In the Myanmar case, it might be noted that just as the broad-based AFPFL and successor parties swept the board in elections held during Burma's democratic phase, so the NLD won by a landslide in 1990 with 392 seats from 485 constituencies. Placing second and third were NLD affiliates, the Shan Nationalities League for Democracy (23 seats) and the Arakan League for Democracy (11 seats).²⁸ However, it would be prudent not to rely too heavily on history repeating itself. The aura of Aung San that hung over many polls in the early independence phase, and the spell cast by Aung San Suu Kyi in 1990, may not always be so powerful. Indeed, before even constrained elections take place in 2010, it is possible that the junta will complete the organizational collapse of the NLD it has sought to engineer over the past two decades and wipe it off Myanmar's political map. While this will not eradicate the ideas or individuals that made the NLD such a potent force nearly two decades ago, it could trigger the fragmentation of the opposition movement so clearly desired by the SPDC. Ethnic mass mobilization would then become more probable.

Regarding the rapid restoration of liberal freedoms, the concern is that a politically immature citizenry served by a jejune media corps could feed

27. Note, however, that Reynolds et al. hold Myanmar to be an unpromising environment for a pacted transition. Reynolds et al., "How Burma Could Democratize," p. 106.

28. Tonkin, "The 1990 Elections in Myanmar," p. 35.

nationalist demagogues. In the Myanmar context, it is hard to know how to respond to this. On the one hand, the mass of the population is not wholly untutored in democratic norms, and while press freedom in the early independence phase was transformed into rigid censorship soon after the 1962 coup, there was a burst of popular debate in the 1980s that went some way toward reviving mass political communication. On the other hand, the unvarying diet of regime propaganda on which citizens have long been force fed is already so nationalistic that it is hard to see how things could get worse. The best policy would thus seem to be tolerance of a considerable degree of media freedom. In this way, people across the land could take collective ownership of democracy. Moreover, the stories and pictures transmitted from Yangon during the 2007 saffron uprising suggest that technological advance has made such a policy unavoidable. At the same time, of course, it would be advisable as a matter of urgency to train a fresh cohort of professional journalists capable of making authoritative and responsible contributions to political debate.

When it comes to early recourse to ethnic safeguards, such as federalism and consociationalism, the concern is that a transition should not begin by entrenching social divisions. Rather, the first step should be to build an inclusive nation embracing all ethnic communities. Only if this fails should institutional protections be put in place. In the Myanmar context, this is the most contentious matter of all. Ever since the British decided at the time of final annexation in 1886 to rule Burma Proper directly and the Frontier Areas indirectly, the territory has been parceled out along ethnic lines. The parcels have changed over time, and the seven states and seven divisions created by the socialist Constitution of 1974, and still in place today, bear little relation to ethnic areas established by the British. Nevertheless, the principle of institutional separation by ethnicity was ingrained during the colonial period. It was reinforced by traumatic events in World War Two that saw Burma's ethnic groups fight each other. It was reified by the agreement struck at Panglong in 1947 and inscribed in the blood of fallen comrades as low-intensity civil war broke out across the country after independence. Only with the spread of ceasefire deals from 1989 was a fragile peace established between majority and minority ethnic groups.²⁹ Today, even the military junta subscribes to a form of symmetrical federalism for Myanmar.³⁰ It would therefore seem that popular rivalries are now too entrenched, and ethnic separation already too institutionalized, for this concern to be relevant.

29. Ashley South, "Political Transition in Myanmar: A New Model for Democratization," *Contemporary Southeast Asia* 26:2 (August 2004), pp. 233–55.

30. Reynolds et al., "How Burma Could Democratize," pp. 103–04.

A Democratization Proposal

Policy prescriptions derived from elsewhere cannot be read directly into the Myanmar context. Rather, its democratization agenda needs to be both informed by comparative experience and sensitive to local context. Broadly, the proposal that emerges is for a pacted transition based on tripartite talks among elites drawn from the military, democracy groups, and ethnic nationalities. While issues such as democracy and federalism can be placed on the table from the outset, elites should as a first priority attend to social underpinnings and seek to create an inclusive national polity.

In a context of ethnic tension sparked by elite persuasion in the colonial period and hardened into popular rivalry in the independence phase, a multifaceted nation building project will be needed. On a defensive note, it should do all it can to contain ethnic conflict. On a constructive note, it should comprise humanitarian programs to address the worst forms of human suffering, economic programs to oversee national economic renewal, social programs to embed cultural diversity and respect within a unified national community, and political programs to foster real national reconciliation through a truth commission and lustration system.³¹ Together, these strands should seek to create a civic safety net articulated around the concept of one nation, within which subsidiary ethnic identities and commitments are couched. A re-examination of Burma/Myanmar's founding myth in renewed debate about the "spirit of Panglong" for which Matthew J. Walton calls should be central to this exercise.³²

Paralleling elite activity in the country's pacted transition, the critical role of an already emergent civil society should be recognized.³³ To boost popular participation, shackles that currently restrict civil actors should be removed and rights to free speech and a free press restored. Quality training programs for journalists should be rapidly launched in order to build a professional media corps. A core theme should be bonding the nation, with a reassessment of Panglong again placed at the heart of public debate.

31. A lustration system seeks to deal with transitional problems created by public officials who served an outgoing authoritarian regime. Some types exclude high-level officials from the public service altogether. Others allow for continuity on the basis of a full accounting for past deeds. Roman David and Ian Holliday, "Set the Junta Free: Pre-transitional Justice in Myanmar's Democratization," *Australian Journal of Political Science* 41:1 (March 2006), pp. 91–105.

32. Matthew J. Walton, "Ethnicity, Conflict, and History in Burma: The Myths of Panglong" (this issue, pp. 889–910).

33. South, "Political Transition in Myanmar"; Brian Heidel, *The Growth of Civil Society in Myanmar* (Bangalore: Books for Change, 2006); David I. Steinberg, "Civil Society and Legitimacy: The Basis for National Reconciliation in Burma/Myanmar," in Trevor Wilson, ed., *Myanmar's Long Road to National Reconciliation* (Singapore: Institute of Southeast Asian Studies, 2006), pp. 149–76.

Only within this overarching framework should subsidiary loyalties be encouraged to develop. The discipline and unity regularly demanded by both military and opposition leaders should be cast as a key theme of national reconciliation and renewal.³⁴

The broad expectation should be that no early attempt will be made to reform the legislature slated for election in 2010, and that genuinely free and fair national polls will only be held several years into the transition process. From the outset, elites should urge citizens to be patient and constructive in jointly committing to the preparatory civic work that will enable full democratization to take place. At the same time, it should be widely understood that when proper elections eventually are held they will be for a polity that institutionalizes both power sharing mechanisms and safeguards for minority groups. As Reynolds et al. argue, these requirements point to a parliamentary system informed by principles of proportional representation and asymmetrical federalism.³⁵

This, then, is the proposal in outline. The key question is whether it is feasible. Although there are multiple reasons to think it is not, there are also grounds for believing it just might be. Taking the three major sets of stakeholders, the *tatmadaw* is clearly critical. Snyder holds that belligerent nationalism is most likely to emerge when an established elite feels threatened by popular sovereignty, and restraining and channeling political institutions are weak. This precisely captures the situation of Myanmar's officer corps. Ideologically, it is defined by a commitment to one nation. In the turbulent years of the 1940s, the corps set itself up as defender of the nation, and today it seeks aggressively to impose concepts of unity on a subject population.³⁶ It seems unlikely under any future leadership to retreat from a position that runs so deep in its culture. Top generals also have extensive economic interests at stake. In addition, they see little reason to change course when on the one hand they believe themselves to be winning, and on the other they fear oblivion should they relinquish control. Small wonder, then, that the junta showed during and after the saffron uprising of 2007 that it has no intention of opening up the political process. As Information Minister Brigadier General Kyaw Hsan put it in December 2007, "[N]o assistance or advice from other persons is required."³⁷

34. Aung San Suu Kyi, "Speech to a Mass Rally at the Shwedagon Pagoda," in *Freedoms from Fear: And Other Writings*, ed. Aung San Suu Kyi, pp. 192–98.

35. Reynolds et al., "How Burma Could Democratize."

36. Ian Holliday, "National Unity Struggles in Myanmar: A Degenerate Case of Governance for Harmony in Asia," *Asian Survey* 47:3 (May/June 2007), pp. 374–92.

37. *The New Light of Myanmar*, "Minister for Information Brig-Gen Kyaw Hsan Speaks at Press Conference 2/2007," Burmanet News, December 3, 2007, <<http://www.burmanet.org/news/2007/12/03/new-light-of-myanmar-minister-for-information-brig-gen-kyaw-hsan-speaks-at-press-conference-22007/#more-10269>>, accessed August 15, 2008.

It thus seems probable that at least for as long as Senior General Than Shwe remains paramount leader, no change in state policy can be expected. At the same time, however, it is necessary to prepare for the moment when this aging leader quits the stage and a window of opportunity cracks open. Then, the notion of a robust parliamentary system informed by principles of proportional representation and asymmetrical federalism will certainly be seen as a challenge to military leaders' ideological bottom line. At the same time, however, they will take comfort from the insistence that nation building be undertaken first and that thoroughgoing review of the limited democracy they plan to bring into being in 2010 be held in abeyance for several years. Furthermore, the concern that existing leaders might play the nationalist card when threatened by full democracy is addressed by making them central to the transition process. Indeed, this policy prescription is clearly an extension of the junta's road map to democracy: even the elections scheduled for 2010 will institute a very limited form of power sharing among the military, democratic opposition, and ethnic nationalities. In these circumstances, there is a chance that the next generation of military leaders will view this proposal as offering the best hope for securing their interests in the long run.

Among democracy groups, the NLD retains a core position and consistently indicates a willingness to reach out to the junta in implementing a transition to democracy. In special statements released in February and April 2006, for instance, the NLD asserted that if the 1990 Parliament were convened, the league would recognize the junta as an interim government charged with overseeing a transition. The NLD then appealed to military leaders to work with it to facilitate humanitarian aid flows to the people. In a statement released by Aung San Suu Kyi through U.N. envoy Ibrahim Gambari in November 2007, similar commitments were visible.³⁸ Each of these initiatives was dismissed by the SPDC. Nevertheless, they demonstrate a degree of flexibility on the part of the NLD that could enable it to sign up for the post-2010 proposal sketched here, particularly as civil rights and, eventually, free elections form major parts of it.

Among ethnic nationalities, the ENC is likely to react negatively to the proposal to prioritize overarching nation building and delay the introduction of both full democracy and federalism until this has been at least partially accomplished. There will also be tension between local ethnic elites

38. Aung Hla Tun, "Myanmar Opposition Offers to Recognize Military Rule," Reuters, February 14, 2006, <<http://www.burmanet.org/news/2006/02/14/reuters-myanmar-opposition-offers-to-recognize-military-rule-aung-hla-tun/#more-1784>>; NLD Central Executive Committee, "Special Statement," Burmanet News, April 21, 2006, <<http://www.burmanet.org/news/2006/04/21/national-league-for-democracy-central-executive-committee-special-statement/#more-3221>>; Associated Press, "Text of Aung San Suu Kyi's Statement," Burmanet News, November 9, 2007, <<http://www.burmanet.org/news/2007/11/09/associated-press-text-of-aung-san-suu-kyis-statement/#more-9888>>, accessed August 15, 2008.

and expatriate ethnic groups, which will substantially complicate any nation building project. However, if talk of national reconciliation is to have any meaning, ideas along the lines of this proposal must be considered. The key point is that the stain of nationalism cannot be expected to come out in the wash of a transition to democracy. Rather, early and sustained efforts have to be made to avert conflict. In the Myanmar context, where ethnic divisions already run deep, attending to ways of managing and channeling nationalist conflict is a critical first step.

Furthermore, looking beyond elite positions to the situation currently faced by ordinary people, it seems that a constituency might exist for the proposal sketched here. Even though specific circumstances are diverse, three features are common to the lives of almost all Myanmar citizens. First, as Callahan noted in a recent analysis of ethnic minority states, "Political power is in the hands of specialists in violence." Her earlier work showed this also to be true of the country as a whole.³⁹ Second, poverty is rife and human security is low.⁴⁰ Third, identity is contested at many levels, with the result that internal debates take place even among members of the same broad ethnic group.⁴¹ It is thus necessary to develop a set of incentives capable of drawing many actors, both elite and mass, into a transition articulated around the twin themes of peace and democracy. The greatest incentives lie in a project that releases individuals from oppressive violence and helps them rebuild shattered communities. Only a multifaceted nation building project can do this.

The power of such incentives is clear from individual testimony. Particularly among ethnic minority groups, so many years of civil war make peace and development core demands. Alan Saw U testifies, for instance, that

[m]any Karen people in Myanmar have become very weary and fed up with the prolonged civil war and its consequences. They are of the opinion that it is imperative to get beyond their frustration, anger and helplessness and to direct their energies to mobilizing their cultural wisdom, religious knowledge and social understanding so as to constructively work towards a better future.⁴²

39. Mary P. Callahan, *Political Authority in Burma's Ethnic Minority States: Devolution, Occupation, and Coexistence* (Washington, D.C.: East-West Center Washington, 2007), p. 3; Callahan, *Making Enemies*.

40. Helen James, *Security and Sustainable Development in Myanmar* (London: Routledge, 2006); Tin Maung Maung Than, "Mapping the Contours of Human Security Challenges in Myanmar," in *Myanmar: State, Society, and Ethnicity*, eds. N. Ganesan and Kyaw Yin Hlaing (Singapore: Institute of Southeast Asian Studies, 2007), pp. 172–218.

41. Ashley South, "Karen Nationalist Communities: The 'Problem' of Diversity," *Contemporary Southeast Asia* 29:1 (April 2007), pp. 55–76.

42. Alan Saw U, "Reflections on Confidence-building and Cooperation among Ethnic Groups in Myanmar: A Karen Case Study," in *Myanmar: State, Society, and Ethnicity*, eds. Ganesan and Kyaw Yin Hlaing, pp. 219–35.

Reports produced by indigenous nongovernmental organizations (NGOs) also articulate a crying need for peace as the foundation for change. Aung San Suu Kyi has long written of the pervasive fear that stalks the land.⁴³ There is thus a possibility that the linked prospects of peaceful reconstruction at the local level, cultural renaissance at the regional level, and genuine reconciliation at the national level could persuade even the leaders of ethnic nationalities to sit down at the negotiating table. The political space created by ceasefire deals, which is already opening up new opportunities in Myanmar's borderlands, indicates that this possibility is real.⁴⁴

Many objections can be raised. There is always a chance that even the post-Thaw Shwe army elite will be obdurate and defensive. At the same time, however, preparations must be made for a scenario in which the officer corps starts to explore new ways forward. Equally, it is possible that democrats will refuse to delay a shift from the junta's sham democracy to free and fair elections and that ethnic minorities will dismiss a nation building project. Yet, neither broad group has taken a definitive position, and each has indeed expressed a willingness to compromise. Space thus exists to learn from elsewhere. Comparative work undertaken by Mansfield and Snyder shows that before embarking on a full transition it is critically important to contain nationalist conflict. While any actual process of political reform will be dynamic and unpredictable, the probability of success will grow if early energies are devoted to forging popular commitment to one nation.

Inside Myanmar, then, opposition forces should participate in the 2010 general election and use the framework of institutions formed then as a platform for roundtable nation-building efforts conducted in conjunction with the still dominant military elite. Initially, issues concerning reform of the discipline-flourishing democracy that will come into being in 2010 should be set to one side while nation building holds center stage. Only when real progress has been registered here should attention turn to a full transition.

43. Aung San Suu Kyi, "Freedom from Fear." Also see Christina Fink, *Living Silence: Burma under Military Rule* (London: Zed Books, 2001).

44. Martin Smith, "Ethnic Participation and National Reconciliation in Myanmar: Challenges in a Transitional Landscape," in *Myanmar's Long Road to National Reconciliation*, ed. Trevor Wilson (Singapore: Institute of Southeast Asian Studies, 2006), pp. 38–74; Ashley South, "Conflict and Displacement in Burma/Myanmar," in *Myanmar: The State, Community, and the Environment*, eds. Monique Skidmore and Trevor Wilson (Canberra: ANU E Press and Asia Pacific Press, 2007), pp. 54–81; Callahan, *Political Authority in Burma's Ethnic Minority States*.

A Role for Outsiders

If this proposal is pursued, outsiders must play a major facilitative role.⁴⁵ To date, such actors have divided into two broad camps. Engagers, often located in Asia, prefer to maintain dialogue channels and create incentives for the junta to take the path of reform. Isolationists, often based in North America and Europe, seek through political and economic sanctions to force reform on the junta. While there are nuances on both sides, the key point is that neither has registered much progress to date, and in the aftermath of the saffron uprising of 2007 neither looks like doing so in the foreseeable future. The question is therefore whether this proposal offers a better way forward. If it does, the issue is how outsiders might best become involved in the transition process.

Among engagers, the proposal is likely to gain firm support. In a region where sub-state nationalism is frowned upon and rapid shifts from authoritarianism to democracy are by no means the first priority, there is every reason to believe the gradualist approach promoted here would be embraced. That is important, because China, India, Japan, and leading members of the Association of Southeast Asian Nations (ASEAN) form the critical external context for political reform inside Myanmar. Working with and through the 14-nation Group of Friends assembled by U.N. Secretary-General Ban Ki-moon in December 2007, there are many levers they can pull to encourage major stakeholders to commit to reform.⁴⁶ Most strategically placed is China, which is already a key political and economic player inside Myanmar. With its extreme distaste for splittist tendencies and its concern to bring into being a stable and prosperous Myanmar as a means of opening up western parts of its own nation, Beijing could be expected to invest heavily in this proposal. It might even be persuaded to convene multiparty talks among key regional powers designed to mirror and facilitate the process of political dialogue inside Myanmar. India and ASEAN would also be supportive.

Among isolationists, there would be concern about strands in the proposal that engage the military, undercut ethnic nationality claims, and delay elections. Indeed, ever since the late 1980s, a staple theme of political commentary in North America and Europe has been the need for a swift return to democracy, and few look beyond elite-level talks to social underpinnings and nation-building projects. At the same time, however, there is recognition that little has worked in Myanmar and that policymakers must move

45. Compare South, "Political Transition in Myanmar."

46. U.N. News Center, "Secretary-General Convenes Meeting of 'Group of Friends' on Myanmar," December 19, 2007, <<http://www.un.org/apps/news/story.asp?NewsID=25140&Cr=myanmar&Cr1=>>, accessed August 15, 2008.

beyond established positions. On these grounds alone, there could be support for this proposal. Moreover, once it became clear that a global consensus was a real possibility and that on this basis the international community could start to confront major humanitarian problems inside Myanmar, that support would become more firm. In a context where sanctions policies led from the U.S. have demonstrably failed, this proposal would offer a fresh start.⁴⁷

In practical terms, the contributions outsiders might make are legion. Among states, the possibility of multiparty talks has already been mentioned. Although it would be useful if these could take place within a U.N. framework, that is not a necessity. To encourage reform efforts, supportive states could also gradually open up preferential trade policies. If times of difficulty were encountered, they might have to consider military intervention to keep the peace while nation-building efforts got underway.⁴⁸ Among non-states, aid agencies from around the world could perform key tasks in responding to humanitarian disaster and in building indigenous capacity.⁴⁹ The standard caveats about appropriateness and sensitivity always need to be borne in mind, but no more so in Myanmar than anywhere else. Also in the non-state sector, critical contributions could be made by corporations, particularly those that subscribe to an agenda of corporate social responsibility and are keen to work in settings where they really can make a difference.⁵⁰ Many reforms, of course, are required for Myanmar to become a viable place to do business.⁵¹ The legal framework is inadequate, corruption is rife, and skill levels are low. However, if the country's internal and external environments can be aligned through parallel dialogue processes, it should be possible to make a start in introducing necessary changes.

47. Ian Holliday, "Rethinking the United States's Myanmar Policy," *Asian Survey* 45:4 (July/August 2005), pp. 603–21.

48. Paul Collier, *The Bottom Billion: Why the Poorest Countries Are Failing and What Can Be Done about It* (Oxford: Oxford University Press, 2007).

49. South, "Political Transition in Myanmar," pp. 249–52; Karl Dorning, "Creating an Environment for Participation: International NGOs and the Growth of Civil Society in Burma/Myanmar," in *Myanmar's Long Road to National Reconciliation*, ed. Trevor Wilson, pp. 188–217.

50. Ian Holliday, "Doing Business with Rights Violating Regimes: Corporate Social Responsibility and Myanmar's Military Junta," *Journal of Business Ethics* 61:4 (November 2005), pp. 329–42; Ian Holliday, "The Yadana Syndrome? Big Oil and Principles of Corporate Engagement in Myanmar," *Asian Journal of Political Science* 13:2 (December 2005), pp. 29–51.

51. Sean Turnell, "Burma's Economy 2004: Crisis Masking Stagnation," in *Myanmar's Long Road to National Reconciliation*, ed. Wilson, pp. 77–97; Sean Turnell, "Burma's Insatiable State" (this issue, pp. 958–76).

Above all, external engagement in a full Myanmar transition needs to be targeted and sustained. While nation building talks gather pace, external action must do all it can to contain nationalist conflict and sponsor disarmament and demobilization. At the same time, external actors must work with local people and agencies to build a thick network of bonding civic institutions to function as a social safety net for democracy. These outsiders must keep the leading actors in a pacted full transition focused on the task at hand while progressively expanding the incentives for citizens to keep faith with the project. If all this can be brought to pass, a real chance of fundamental change will open up.

Conclusion

Myanmar has tasted democracy in the past and many of its people yearn to do so again in the near future. Now that the military junta has completed its constitutional referendum and scheduled a general election for 2010, the best route lies in working within the framework of the ruling generals' road map. While the political system formed in 2010 will fall far short of the demands made by opposition forces, it will generate a platform for the kind of gradualist change that comparative analysis shows is essential for divided societies. By expanding the sphere of political legitimacy beyond a very small elite, the new system will enable actors from across the political spectrum to come together and work on the single most important challenge facing the country: building a common sense of identity. To succeed, these actors will need initially to overlook the deficiencies of discipline-flourishing democracy and focus on containing nationalist conflict and creating a participatory and inclusive nation. Only when some success has been registered here should they look beyond the limited 2010 legislature and press for free and fair elections to a parliamentary system informed by principles of proportional representation and asymmetrical federalism.