Myanmar as a Pariah state labelled by the West : the era before political transition in 2010
เมียนมาร์กับสถานภาพความเป็นรัฐนอกรีตในสายตาตะวันตก : ยุคก่อนการเปลี่ยนผ่านทางการเมือง ในปี 2553

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Abstract

The World underwent substantial changes in the political arena during the Cold War era. Democratization spread across western countries as a result of their belief that their states would become stronger under a democratic regime. These western countries next began to refer to any state, which did not apply the same regime, as a weak state. In the democratic world, the United States of America began to act a big brother to other nations. The US has since created many other terms to use in place of the term weak state, such as a rogue state and an axis of evil. The purpose of this article is to explain why Myanmar is claimed to be a pariah state from a western perspective before its political transition in 2010. There were many problems that can be seen to have arisen from the lack of human rights in that country, and from its apparent lack of a rule of law. The way the country is ruled under a military regime is also another reason to term it as a pariah, as the junta often uses violence against its own civilians. All of these factors have helped to shape the current negative attitudes of the West towards the Myanmarese state.

Keywords: a rogue state, an axis of evil, political transition

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บทคัดย่อ

โลกได้รับการเปลี่ยนแปลงอย่างมากในเวทีการเมืองในช่วงยุคสงครามเย็น ประชาธิปไตยได้แผ่ขยายไปทั่วประเทศตะวันตก อันเป็นผลมาจากความเชื่อที่ว่ารัฐของพวกเขาจะแข็งแกร่งขึ้นภายใต้ระบอบประชาธิปไตย ในภายหลังประเทศตะวันตกเหล่านี้เริ่มอ้างถึงรัฐใด ๆ ซึ่งไม่ได้ใช้ระบอบการปกครองเดียวกับตนว่าเป็นรัฐที่อ่อนแอ ในโลกประชาธิปไตย สหรัฐอเมริกาเริ่มทำตัวเป็นพี่ใหญ่ให้กับชาติอื่น ๆ สหรัฐฯ ได้สร้างคำศัพท์มากมายเพื่อใช้แทนเรียกคำว่ารัฐที่อ่อนแอ เช่น รัฐอันธพาล และแกนแห่งความชั่วร้าย วัตถุประสงค์ของบทความนี้ เพื่อที่จะอธิบายให้ทราบถึงสาเหตุว่าทำไมเมียร์มาร์ถึงถูกอ้างว่าเป็นรัฐนอกรีตจากมุมมองของตะวันตกในช่วงก่อนเริ่มมีการเปลี่ยนผ่านทางการเมืองในปี2010 มีปัญหามากมายที่เห็นได้จากการที่ประเทศนั้นมีปัญหาด้านสิทธิมนุษยชน และขาดหลักนิติธรรมที่ชัดเจนในการบริหารประเทศ วิธีการปกครองประเทศภายใต้ระบอบการปกครองของทหารก็เป็นอีกเหตุผลหนึ่งที่ทำให้เมียนาร์มีสถานภาพเป็นรัฐนอกรีต เนื่องจากรัฐบาลทหารมักใช้ความรุนแรงต่อพลเรือนของตนเอง ปัจจัยทั้งหลายเหล่านี้เป็นเหตุผลที่ทำให้เกิดทัศนคติเชิงลบในมุมของของชาติตะวันตกที่มีต่อรัฐเมียนมาร์

คำสำคัญ: รัฐอันธพาล, แกนแห่งความชั่วร้าย, การเปลี่ยนผ่านทางการเมือง

Introduction

The term ‘pariah state’ had been applied to different undemocratic states during different periods of time, but it has mostly been used in a political sense. Looking back through the term’s history, it has been used on the world stage to label many states. These include Myanmar, Libya, Iraq, and North Korea. There is no definitive definition of a pariah state but this term seems to be similar to the term rogue state. This is because many states, that have been labelled as pariah states, have also been often called rogue states; for instance, Libya, Iraq, and North Korea. But an obvious characteristic of a pariah state is that it has “the rudiments of a rational Weberian bureaucracy waiting to emerge” (Duffield,

2008, p.6). This is because the Weberian bureaucracy refers to a welfare state in which the government takes responsibility for its citizens in areas such as health and education (Duffield, 2008). The welfare state is always present in Western countries. In contrast, in a pariah state, this welfare system is never present. Hence, we can conclude that states which fall under the pariah label can usually be identified as those which have the opposite kind of regime to a Weberian state. As an example from Myanmar, Libya and North Korea, none of these states applied the Weberian system.

The term pariah state also refers to a small power or weak nation that does not have any support from major-power benefactors. Moreover, within such states, there is usually some form of ethnic or racist conflicts in progress. At the international level, pariah states seem to have a poor diplomatic record in their interactions with other states, so it is hard for them to compromise on many issues - and this often ensures that they continue to be faced with many adversaries. Hence, they need to possess large armories of weapons (Harvaky, 1981) to protect themselves from other states. This seems especially true in Myanmar's case, as it has poor relations with most of its neighboring countries. It also has internal ethnic problems.

Reasons to Label Myanmar as a Pariah State

There have been many explicit reasons, over the years, for Burma being termed as a pariah state from a western perspective.

Lack of Human Rights

Many western countries started to pay a great deal of attention to the human rights problem in Myanmar, for the first time, after the junta used its military forces to stop the protests in 1988. This action led to a great loss of life in the country. Western countries also noted the arrest of Aung San

Suu Kyi on July 20, 1989 (Silverstein, 1996). This became a big issue in the International Community, because she was the leader of the National League of Democracy (NLD). She was also the daughter of Myanmar's former leader, Aung San - who fought for Myanmarese independence in 1947 (Silverstein, 1996). There have been many occasions on which the International Community has put pressure on the junta to release Aung San Suu Kyi, but it seems that these actions were largely ignored. It is known that Myanmarese monks have long played a significant role in their country's political arena - and this resulted in the arrest of more than 300 monks in October 1990 (Alamgir, 1997). The junta appeared to be scared that the monks would persuade people to resist its actions - because monks have often played a pivotal role in the societies of Buddhist countries.

Furthermore; in 1996, the junta took control of a wide range of media sources in order to prevent unpredictable incidents from occurring. They also limited the use of online computers (Liddel, 1999). Hence, Myanmarese people have long had hardly any access to 'open' mass media outlets. This type of policy is a normal in countries ruled by an authoritarian regime. I have found that, in Myanmar, foreign reporters cannot work effectively - because their freedom to report the news has been constrained by the junta (Alamgir, 1997). In my opinion, this policy is an obstacle to human rights, because it keeps people away from using the mass media to learn what has been going on in the World. It also keeps them from perceiving how normal lives are led in democratic countries. Thus, Myanmarese people have not enjoyed the right to use the mass media to gain a greater knowledge of the World.

There are a further two reasons why Myanmar is often said to lack any real progress in the area of human rights. The first reason is the massive outflow of Myanmarese emigrants across its borders. This happened because these people could no longer tolerate their lives under a military government. They had

to live in poverty, and were often intimidated by junta officials. Moreover, there have been many protests in the country over the years. The two biggest protests were in 1988-in which 3,000 people were killed, and at least 10,000 students escaped across the Thai border (Alamgir, 1997) and in September 2007, when Buddhist monks demonstrated in downtown Yangon. This demonstration was joined by large crowds of people (International Crisis Group, 2008) who wanted to protest against the dramatic increases in poverty in Central Myanmar. So the main causes of both of these protests were the economic recession within the country, which had created below normal living conditions for the majority. These incidents occurred because people were not satisfied with their social and economic status, and because they wanted to live in a country where human rights were respected. As a result of the crackdown on these protests, some people decided to flee to other countries – while others decided to stay and fight for their rights.

The second reason involves Myanmar's ethnic minorities. Matthews (1998) stated that ethnic discontent would become a major factor in Myanmar's distress. Myanmar has many ethnic groups, but the junta does not treat them all equally. The minority ethnic groups of Myanmar do not get the same degree of state protection that is afforded to ethnic Myanmarns (Lehman, 1981). The Myanmarns are treated better than other ethnic groups, as part of a process that is known as 'Myanmarnisation' (Duffield, 2008, p.23). Callahan (2003) states that there is hardly any information available on the plight of Karen, Kokang, Shan, or other minority groups. Hence, these minorities have often had little opportunity to participate in government recruitment campaigns, when compared with Myanmarns. These minority groups are also not allowed to make any attempt to demand their rights. This is yet another situation which supports that there is a distinct lack of human rights in Myanmar.

Ruled by a Military Regime

Myanmar had been ruled by a military government since 1962. This characteristic is readily noted by the West, because at that time all other ASEAN nations have opened themselves up to the modern world, and have thus been able to transform their economies. In contrast, totalitarianism prevails in Myanmar (Taylor, 2001). Moreover, Aung San Suu Kyi (as cited in Taylor, 2001, p.79) has commented that "the totalitarian regime keeps everyone in fear and this produces immobility" when referring to the lack of freedom she perceives in Myanmarese life. Under a military regime, the leader is the most powerful person in the country. In Myanmar, it appears to work like this.

The junta uses a strong centralized system under the command of Than Shwe - who looks upon himself as the unchallengeable father of his country (International Crisis Group, 2008). So this means that everyone has to follow Than Shwe's decision without argument, as his decree is final on all issues. Those who criticize the junta's actions are liable to be confined in prison for periods of up to twenty years (Liddel, 1999). Aung San Suu Kyi once made a speech in which she commented on the junta's actions, saying, my father did not built up the army in order to intimidate the people, just because it had the necessary weapons. She added, it is the army's function to serve the country and protect it from its enemies. Hence, you are either for the country, or the country is not for you (Selth, 2002). This speech seems to point out that the situation in Myanmar is actually getting worse. The military government does not provide for people's basic needs, and they do not treat their people in a dignified manner. Indeed, they try to oppress their people in many ways. Their actions appear to benefit only themselves and the rest of an elite circle. Selth (2002) states that it is very hard to do any major business in Myanmar without having a good relationship with senior military officers, because the generals often have an interest in many private companies throughout the country.

The military leaders also control twelve industrial corporations (Alamgir, 1997). The evidence also suggests that revenues are nearly always distributed within an elite circle, because elite maintains a control over state businesses that prevents other people from becoming involved. According to McCarthy (2000), there is no proof which shows that the country's revenue is distributed fairly amongst the mass of Myanmarese people.

The military regime as a big obstacle to economic transformation. This is because international investors do not trust the military government, and can never be really certain of the situation within that country. In a country which is ruled by an authoritarian regime, the absolute power to make decisions belongs to the leader. The leader can make a decision without having to go through the processes of a democratic state. Hence, foreign investors believe that they cannot count on this type of state - and Myanmar is firmly included in this category in their eyes. So foreign investors in Myanmar are always faced with the daily problem of unpredictability, and it is very hard for them to make a business plan in this uncertain environment.

Moreover,the legislation to prevent the above problem is unlikely to be enacted in Myanmar, as there is no parliament there. Secondly, it is very hard to persuade the military government to enact legislation to protect foreign investors. Lastly, the military government does not appear to care what happens to these investors. This evidence demonstrates the many difficulties that the International Community faces in trusting the junta. During the period when Ne Win governed Myanmar, he launched a policy that he called the Myanmarese way to Socialism. Under this policy, the Ne Win government took possession of foreign companies and converted them into state property – a policy that greatly isolated Myanmar from the outside world (Saijun, 2006). This policy reinforced the image of Myanmar image as a pariah state, since such a policy would probably never have happened in a democratic state. The Myanmarese

economy is still suffering from the effects of Ne Win's policy. Myanmar is now more far open to the global economy than it was in Ne Win's time, but the economy has not grown fast enough to compensate for its previous isolation from the World (Maung, 1997). Thus, in order to erase this image of a pariah state, and to develop the economy at the same time, the government needs to change the regime into one that is acceptable to the West.

There is another reason to believe in the West's label of Myanmar as a pariah state. The junta spends a huge budget on the military sphere, without concern for its people's living standards. They only pay attention to developing their military power. This obsession with military might appeared with the new military leadership in 1988 (International Crisis Group, 2002). In 1994-1995, the military budget in Myanmar was more than twice that of education and health combined (Alamgir, 1997). In my opinion, the junta should not spend so much money on the military if they are still having problems with their citizens' living standards. It is better to invest in the endeavors of ordinary citizens, as these will benefit the country more in the long run. In democratic or western states, governments usually pay attention to their people's needs first. Indeed, their actions generally seem to have very little in common with those of the Myanmarese government.

Furthermore, the West – and especially the US – is not pleased with Myanmar because it does not show any signs of following the US model. The US is always suspicious of the junta, because it cannot be certain of its actions - and it is hard for the US to influence a country that has developed some strength in the military sphere. It does not surprise me that the US has labelled Myanmar as a pariah state, because it has often attached this label to other authoritarian states that have shown defiance of its model. To conclude this section, the military regime in Myanmar has been a major factor in the labelling of its country as a pariah state. Selth (2002) states that the Myanmarese

military regime has continued to suppress human rights, and that this is especially obvious in its actions towards Aung San Suu Kyi and the country's ethnic minorities. Referring to this statement, the junta's actions have ensured that their country has been labelled as a pariah state from the western perspective.

Lack of a 'Rule of Law'

Countries which are governed under a rule of law need to have the following characteristics: transparency, accountability, a strong justice system – in which people can bring lawsuits against the government - and the right of the local mass media to report the news if the government breaks its own laws. The most important thing is that the government needs to have respect for people's own ability to arrive at their own decisions. All of these characteristics will not usually happen in a country that is ruled by a dictatorship, and Myanmar is a country ruled by a military regime. Thus, there is no possibility to apply the rule of law (International crisis group, 2001).

Prior to the 2008 Constitution, the military junta had been ruling in the absence of any mechanism that would hold its government accountable. Therefore, institutions had to be created in an environment where no institutions for democratic governance or accountability had existed before (Englehart, 2012). The rule of law in Myanmar was very weak & under-developed. In 2010, Transparency International reported that the Rule of Law Rating in Myanmar was (minus)-1.5 on a scale from (minus)-2.5 to (plus)+2.5; with higher positive values corresponding to better governance. Significant changes in the rule of law and the constitution have not occurred since the data was published in 2010. Additionally, Transparency International gave Myanmar a score of 21/100 on the Corruption Perceptions Index - which ranks the level of corruption of the public sector. This resulted in Myanmar ranking 157th out of 177 countries listed on this index.

Moreover, the inefficiency of the justice system in Myanmar, people cannot call for help when they are placed under duress by their government. Also, SLORC Order 1/91 does not permit people to participate in any political party or organization which have not been approved by the government (International Crisis Group, 2001). This evidence proves that the rule of law has never really existed in Myanmar.

In comparison, "the West is obsessed with the rule of law" (Taylor, 2001, p.60). Thus, they have labelled Myanmar as a pariah state because the military government rules the country "with the force of law instead of the rule of law" (Taylor, 2001, p.60). The obvious example of Myanmar's use of the force of law - instead of the rule of law - was the election on May 27, 1990, when the NLD party won the election with 392 seats. The NLD was in competition with the National Unity Party (NUP), which was controlled by the Myanmarese military government. The NUP only managed to gain 10 seats. However, the junta did not hand over power to the NLD party. They insisted on staying in power, by refusing to accept the election result (Guyot, 1991). This incident helped the International Community to realize that the Myanmarese government had no respect for its people's rights. Many people had already made a decision to vote for the NLD, but the NUP still used their power from the junta to maintain the status quo in the country. As a result, this is another factor that has caused Myanmar to be labelled as a pariah state by the West. The West believes that the rule of law is a fundamental system to govern a country and deliver it into prosperity, but the junta always seems to go entirely against the rule of law.

Myanmar's neglect of the sentiments of the International Community

The most important International organization in the world is the United Nations (UN). Every nation needs to heed the UN's advice and cautions. The Myanmarese junta mostly seems to ignore the UN's pleas over its human rights record and its economic institutions. It has refused to release political prisoners

and detainees, such as Aung San Suu Kyi (International Crisis Group, 2008). The junta has also firmly refused to heed the UN's cautions. The International Community is fed up with the junta, because it has made no progress in following the UN's advice. As a result, many nations have decided to apply sanctions on Myanmar, in an attempt to force the junta to open up their country and accept the advice of the International Community. The sanctions have been put in place in response to Myanmar's unacceptable actions in depriving their citizens of their human rights. Hence, the issue of sanctions makes it especially clear why Myanmar has been labelled as a pariah state (McCarthy, 2000).

The two major powers that initiated sanctions against Myanmar were the European Union (EU) and the US. The EU extended their sanctions in 2003, because the junta refused to release Aung San Suu Kyi (Hlaing, 2004). And in the case of the US, "President Bush launched the 2003 'Freedom and Democracy Act' in order to ban all imported goods from Myanmar and to freeze the junta's assets in his country" (Saijun, 2006, p.189). Nevertheless, there is a hidden agenda behind the US sanctions. The US appears to be hoping that their sanctions policy will eventually force the junta to initiate a democratic system. So that Myanmar's neglect of the cares of the International Community is yet another factor that has forced the West to label it as a pariah state.

Conclusion

As we have already seen, a good state - from a western perspective - must have the characteristics of a Weberian State, in which the government takes responsibility for its citizens' living standards. The rule of law is another element that states need to take into account if they are to prevent themselves from becoming weak states. The Myanmarese government must pay more respect to its citizens' individual decisions to shape their own lifestyles, and

should not oppress their human rights. But these elements have never really existed in Myanmar, which does not seem to have developed any Weberian characteristics. This can be perceived from the many protests there over issues associated with a very low living standard and the economic recession that has long gripped the country. Indeed, the country's human rights record seems to be becoming even more acute. The International Community has urged the junta to make improvements on these issues, but their requests are still ignored. The country's authoritarian military regime is another important factor, because the rule of law cannot thrive under such a regime - so it is increasingly hard for the junta to govern the country in proper manner. The equality & security of citizens to access justice is very limited, and people have very little confidence in the legal system to deliver fair & effective justice. Yash Ghai (2008) stated that the 2008 Constitution did not guarantee the independence of the Judiciary. The appointment system of judges was highly political. In order to have an independent judiciary, the amendment of the constitution was necessary. There is also the issue of sanctions, which have been applied to Myanmar on many occasions. The junta does not heed the cautions of the International Community, and makes no attempt to compromise with other countries. This has resulted in Myanmar becoming the Black Sheep of the International Community. All the reasons that already presented (above) are factors that have caused Myanmar to be viewed as a pariah state from the western perspective.

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