

Marginalizing the Myanmar Military is an Imperative*



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Abstract

Since Myanmar (in 1989 the official English name of the country was changed from the Union of Burma to the Union of Myanmar) gained independence from the Britain in 1948, the Myanmar Army, known as Tatmataw, has carried out 2 coups d'état in 69 years, and dominated Myanmar's politics over five decades. The British legacy of ethnic conflict has fueled the rationale for Army dominance of the country, and Myanmar has now regressed into "military bureaucratic authoritarianism." The landslide victory of the National League for Democracy (NLD) in the 2015 general election was a significant milestone for democratic change after decades of military-dominated government. The author argues that the army is the greatest barrier to the country's sustainable development, and the government must undertake comprehensive marginalization of the military as its first priority. Marginalization may be achieved through amending the 2008 constitution which retains military bureaucratic authoritarianism. The military need to be excluded, from politics, including the exclusion of ex-military officers from the leadership positions in the ministries. The author reviews Indonesia's process of marginalizing the militia from politics as an example that Myanmar can replicate. The author argue that civilian control over the military and technocratic control over the country's administration will enable Myanmar to launch a strategic plan of sustainable development and bring legitimacy to Myanmar's political institutions within the international community.

Keywords: Marginalization of the military, Dictatorship, Civilian Supremacy, Military reforms

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Introduction

The Military coup of March 1962 truncated parliamentary democracy in Myanmar, and established a Revolutionary Council to rule the country as a dictatorship. “Myanmar endured more than five decades of military rule and domination since General Ne Win’s military coup of 1962” (Clapp, 2015). The Revolutionary Council set out Myanmar’s way to socialism, which outlined the goals to improve the standard of living, end unemployment, and expand production. However, with the nationalization of industry, exports declined. There were shortages of basic commodities and the standard of living fell (All Burma Students’ Democratic Front, 1998). In July 1962, the Revolutionary Council established the Burma a new Socialist Program Party (BSPP) as a cadre organization, and transferred power to the BSPP in March 1974 in a controlled election. In other words, Burma’s military leaders transferred power to themselves as a civilian organization. Under the BSPP administration from 1974 to 1988 the nation’s economic problems grew, and Myanmar was declared by the United Nations as a Least Developed Country (LDC) (All Burma Students’ Democratic Front, 1998).

Following demonstrations against the BSPP in 1988, the State Law and Order Restoration Council (SLORC) was established (Callahan, 2010). The SLORC was composed of a new generation of military officers who had taken leadership of the Tatmataw. The SLORC was dissolved in 1997, and the State Peace and Development Council (SPDC) was subsequently created and most senior officials of the SLORC retained their positions. The ruling junta transformed itself into a military backed quasi-civilian government in 2011.

Myanmar’s politics has been dominated by the military for over five decades, and was branded as the Least Developed Country (LDC) by the United Nations for its mismanagement of military bureaucratic authoritarianism. The landslide victory of the National League for Democracy (NLD) in the 2015 election was a resounding landmark for democratic change after decades of military bureaucratic authoritarianism (Than, 2016). The author argues that Myanmar needs to build on this victory by pushing for the political marginalization of the military as the first priority in order to maintain democratic practices and jump-start the country’s development. The author will summarize how the military has dominated Myanmar’s politics, including how the leadership positions of government ministries have been controlled by the ex-military officers. Finally, the author will make some recommendations on how to reduce military control in Myanmar.

Historical Involvement of the Army in Myanmar Politics

This section reviews the historical involvement of the Myanmar Army in politics since the British colonial era. The British colonized Burma, today known as Myanmar, in 1886 and ruled the region as part of India. The Japanese pledged to bring independence to Burma prior to World War II, and trained 30 Burmans (known as the Thirty Comrades) to form the nucleus of an army to wage war against the British. The Japanese failed to bring freedom to Burma but the Japanese drove the British out during the war in 1942. The Anti Fascist People's Freedom League (AFPFL) was formed as an anti-Japanese coalition to fight with the British against the Japanese AFPFL. The Burmese Army was led by the General Aung San, one of the Thirty Comrades, to victory over the Japanese. Myanmar gained its independence from the British on 4 January 1948, but General Aung San, the father of today's State Counselor of Myanmar, Aung San Suu Kyi, was assassinated prior to independence in 1947 (All Burma Students' Democratic Front).

The parliamentary democracy of Burma only lasted 14 years (1948-1962). Prime Minister U Nu recommended that General Ne Win step in as head of a care taker government after the ruling AFPFL split into two factions in 1958. U Nu once again became Prime Minister after elections were held sixteen months later. Under the 1947 constitution, major ethnic groups had the right to secede from the Union of Burma ten years after independence and establish their own state. General Ne Win staged a military coup on 2 March 1962, citing the threat of secession by Shan State and economic problems, and the Burma period of democracy was ended. General Ne Win toppled the U Nu government, and established a Revolutionary Council to rule the country as a dictatorship (All Burma Students' Democratic Front).

In July 1962 the Revolutionary Council established the Burma Socialist Program Party (BSPP), which was expanded into a mass cadre organization under the military direct control. In March 1974, the Revolutionary Council transferred power to the BSPP in a controlled election. All candidates were elected by the BSPP, although the people could vote for members of the first BSPP government. General Ne Win, chairman of the Revolutionary Council, became U Ne Win, chairman of the BSPP and President of the new Socialist Republic of the Union of Burma as military leaders transferred power to themselves as civilians.

The BSPP administered Burma as a one-party state from 1974-1988. The nation's economic problems grew in the BSPP period, and the United Nations declared Burma a Least Developed Country (LDC) in 1987 (Zaw, Arnott, Chongkittavorn, Liddell, Morshed, Myint, and Aung, 2001). There were a number of anti-BSPP protests by students, workers, government servants and monks under the BSPP administration. About 4000 people were jailed in response to these demonstrations.

Demonstration against the BSPP began in Rangoon (in 1989, the official English name of the city was changed from the Rangoon to the Yangon) over the killing of students by riot police in March 1988. U Ne Win and other senior BSPP leaders resigned and President U Sein Lwin took control in June 1988. A general strike was organized on 8 August 1988, which has become known as 8888 general people uprising. Tens of thousands of people took to the streets to vent their discontent at the lack of a multi-party political system and at human rights violations by the BSPP authorities. Military troops fired into the demonstrators on that night in Rangoon. The demonstration resumed at the next day and more people were shot dead.

With protests growing and continuing, the military staged a coup on 18 September 1988 and established the State Law and Order Restoration Council (SLORC) which comprised 19 senior military figures (All Burma Students' Democratic Front). The SLORC immediately began to suppress the popular movement cited the need to restore law and in order to the country as a result of the widespread protests. The SLORC responded brutally to the protests by firing into demonstrators killing hundreds of people. People called for a multi-party democracy. The SLORC stated that multi-party elections would be held after restoring law and order, and peace and tranquility to the country. In 1990, general election was held, and the people of Burma were given the first opportunity since 1962 to choose their own government. Aung San Suu Kyi's National League for Democracy (NLD) won a landslide victory in the elections. However, the NLD was prevented from taking office by the ruling SLORC, which placed Aung San Suu Kyi under house arrest. Aung San Suu Kyi was the charismatic daughter of Myanmar's martyred independence hero, "Bogyoke" (general) Aung San (Fink, 2015). The SLORC led by General Than Shwe was unwilling to hand over power, and began a systematic campaign of repression against opposition Members of Parliament (MPs). The elected MPs were intimidated, forced into exile, jailed, tortured and killed, forced to resign as MPs as well as dismissed as MPs over the past next eight years.

The SLORC was dissolved in 1997. In its place, the State Peace and Development Council (SPDC) was created and most senior officials of the SLORC retained their positions. On 9 February 2008, the SPDC declared that it would hold “multi-party democracy general elections” in 2010. In 2011 the military transferred formal authority to a nominally civilian government after more than 20 years of direct rule. The military now rules beyond government oversight and has a significant representative majority in Parliament that is constitutionally guaranteed. The ruling Union Solidarity and Development Party (USDP), led by President U Thein Sein, is composed of former military officials who control all key government positions. In the November 2015 multiparty election voters’ desire to “change” swept away the conservative forces associated with more than five decades of military bureaucratic authoritarianism. Myanmar’s multiparty general election in 2015 appeared to herald the dawn of a new era in Myanmar politics.

The aforementioned summary of military involvement in Myanmar’s politics illustrates the Myanmar Army belief that it has the expertise to run the country’s political and economic system. The military leaders believe they are more competent than the elected civilian government in developing the country. The army has no faith in democracy and no confidence in the political party system, a view that is often shred by the military in other developing countries. The distinctive competencies of the Army include centralized command, hierarchy, discipline, intercommunication, esprit de corps, autonomy and self-sufficiency (Finer, 1962 cited in Sripokangkul, 2015). The military believes that it serves the state, rather than the civilian government. The Myanmar military regards itself as an autonomous organization, not controlled by a civilian government, an idea that has been rooted in Myanmar society for over fifty decades. In the next section, the author will discuss the mechanisms used by the military to control Myanmar’s politics.

How does the Military Dominate in Myanmar’s Politics?

Current political control by the military is a result of two major developments. The first is the creation of a new constitution in 2008 that gave the military dominance of the Parliament. The second is on-going control over the ministries.

Constitutional Dominance of the Parliament

In May 2008 the SPDC organized a national referendum on the constitution (known as 2008 constitution) (Pedersen, 2011). The 2008 constitution was part of the military regime's program to control the multi-party general elections to be held in 2010 for representatives to parliament. The new constitution reserved 25 per cent of the parliamentary seats for the military a move intended to consolidate the junta's grip on power.

This provision ensures that the military's institutional privileges would remain untouched under any future civilian government. When this provision is combined with the military's control over political parties through its Union Solidarity and Development Party (USDP) in parliament, political opposition is hard to organize. "The USDA, formed in 1993 and recognized as the "political arm" of the State Peace and Development Council (SPDC) in 1997, is notorious for its often-violent intimidation of pro-democracy groups in Burma" (Network for Democracy and Development, 2006). Since the Constitution requires a 75 per cent majority vote order for changes to be made, the military has constitutional assurance that its rule is secure. In November 2010, the junta permitted parliamentary elections (Center for Security Studies, 2012).

Military Control of the Ministries

The constitution provides that the minister of defense, home affairs, and border management are appointed by the army chief, who has a growing corps of leaders from which to draw to staff these ministry positions. The growing corps of army officers have taken up positions in other government ministries and in state-owned enterprises. Nakanishi's study (2013) indicates that large numbers of military officers are working at the level of minister or deputy minister, including many middle-ranking officers. There are also a large number of retired military officers who serve concurrently as retired military members and members of the ministries. Through this interlocking network of civilian and military government officials, the military retains tight control over the daily operations of government.

In November 2015 the dominance of the military resulted in what has come to be known as a "rainbow campaign", a series of ribbon bearing protesters against military dominance over civilian programs. The first protest was triggered by doctors and health professionals to resist the appointment of military officers in government agencies. The

doctors and other health professionals criticized the government's announcement that senior army officials with no medical experience would occupy top positions in the Ministry of Health. A black ribbon movement started enjoining medical professionals to resist the military infiltration of the ministry two days after the issue was reported in the news. The organizers of the campaign created a Facebook page, which quickly became popular, and immediately revealed that this military initiative did not have the support of the political party. The organizers requested the public to join their efforts to oppose the actions of the repressive military government. It was clear that the opposition was motivated by the larger goal of protesting the government's violation of human rights and the people's desire for a more democratic approach to ruling the country. The ministry responded to the criticism by vowing that it will no longer accept further nominations from the military for medical positions in the ministry (Palatino, 2015).

In September 9 2015 there was a second popular uprising against the actions of the government. In this case, lawyers and some judges protested the deployment of military officers into the Supreme Court by wearing yellow ribbons. A lawyer of the Nay Pyi Taw Legal Supporting Committee, U Khin Maung Zaw said "Our first step is to stop the assignment of more military officers in ministerial departments. I think they appoint military officers in government departments with an intention. As you know, top seats of government departments are military officers" (Phyo, 2015, para.5). U Khin Maung Zaw added that "I think that they have an intention to encircle the new government with ex-military officers in all ministerial departments" (Phyo, 2015, para.6). As a symbol of defiance against the hiring of army officials by the Education Ministry, teachers also vowed to promote a green ribbon movement as a symbol against the military infiltration. A teacher said during the launching of the green ribbon campaign "We have nothing to say about those ex-military officers who have already been appointed to administer the education sector but we hope that no more ex-military officers will be appointed in the future" (Palatino). In Mandalay, after vacant technological management posts in the region's Ministry of Electric Power were reportedly given to senior military officers, electrical engineers organized the blue ribbon campaign. Meanwhile, a red ribbon movement was announced by some geologists of Ministry of Energy to protest the appointment of army personnel in the agency. The ribbon movements reflect unsettled support of the army's desire to maintain its hegemony in Myanmar society. Perhaps there are lessons that can be learned from Indonesia's experience in reconciling military control with democratic aspirations within various sectors of civil society.

The Role of the Military in Indonesia

The author reviews the mechanisms of military control over political and civil society in Indonesia. The goal is to abstract some lessons that could be applied to Myanmar. Developing countries around the world continue to struggle to find the right balance between military and civilian control of the governing institutions of the country.

In Indonesia President Suharto secured the consolidation of his power through mass killings of people who opposed him. Intellectuals and students who showed their interest in Communist ideology and other groups were victims of the violence. As many as 500,000 people died during the period from October 1965 to March 1966 (Cribb, 2001). Scholars studying this period reported that the death toll may be as high as one million. Many prisoners were tortured to death. Many hundreds of thousands of prisoners were forced to work as slaves with insufficient food and no medical care (Amnesty International, 1983 cited in Sripokangkul, 2015).

President Suharto's political stability relied on the Indonesian armed forces for more than thirty years. The police force was intertwined with the armed forces which were known as "Angkatan Bersenjata Republic Indonesia" (ABRI). The policy of assigning high ranking military officers to sit in legislative and other administrative organizations was implemented by the military. Both current and retired military officers could occupy important strategic positions at both national and regional levels, from ministerial posts to village headman (Sebastian & Iisgindarsah, 2013). They could also occupy key position in state enterprises such as the petrol and gas industries. In 1999 it was reported that four thousand military officers took positions outside the armed forces. The retired military officers took at least twice as many such positions. The military enhanced its political power through its influence in Golkar—a government-supported political party (Bhakti, n.d) During the Suharto era elections, military members helped the party win the majority of votes by Golkar.

The Indonesian military bore the brunt of criticism for its primary role as the political tool propping up the oppressive Suharto. After the resignation of President Suharto in 1988, the military held a seminar in Bandung to re-conceptualize the military's future role. Following the seminar several important changes followed:

- The Indonesian military was renamed the Indonesian National Defense Force (TNI);

- The police force was separated from the military's chain of command;
- liquidation of social-political compartments and *kekayaan* (placing ABRI personnel in non-military post) functions within military structure;
- Removal of military representatives from national and regional legislatures;
- Active officers were prohibited from occupying positions in the non-military bureaucracy;
- Formal ties were severed between the ruling political party (Golkar) and control of the national elections process;
- The most important change involved cutting ties of the National Defense Force (TNI) with influence or control over social and political institutions.

An official document titled "The Role of TNI in the 21st Century" which was published in 2001 reflected further attempts at cutting ties between the military and political establishments. The document reiterated TNI's pledge to disband its social-political role. Furthermore it asserted its commitment to national defense transferring its responsibility for domestic security to the now separate Indonesian National Police (Kepolisian Negara Republik Indonesia, POLRI). Several changes were made by TNI Headquarters in some critical areas such as exclusion of socio-political courses and insertion instead of humanitarian law in the military curriculum, transferring the military tribunal from TNI Headquarters to the Supreme Court, and making it a requirement for an active officer to retire from operational duty before being nominated to stand in elections. Notable changes were made by TNI in its military doctrines. TNI developed the doctrines based on operational experiences and with the necessary adaptations learned through engagements with foreign militaries.

The Indonesian government enacted two key laws on national defense to institutionalize democratic civilian control and military professionalism. One set forth the core values, purpose and principles of national defense and the second spelled out the role and authority of the Ministry of Defense in defense policy making including its institutional relational relationship with TNI Headquarters and other government organizations. It also provided guidelines for the use of force, management of defense resources, the budget for defense spending and principles governing parliamentary oversight on State Defense. An important 2004 law demarcates the role and main duties of TNI as the "core defense component" to "uphold state sovereignty, maintain territorial

integrity and protect national entities.” It decisively outlaws TNI’s involvement in political and economic activities and thus stipulates two crucial requirements. First, TNI’s force structure is “subject to geographical conditions and defense strategy with priorities on less-stable and conflict-prone areas, as well as border regions”. Its force deployment is also limited by the provision to “avoid a structure akin to civilian bureaucracy and prone to political interests.” The transfer of military businesses by 2009 to the government is the second issue addressed by the 2004 law (Sebastian and Gindarsah, 2011 cited in Sripokangkul, 2015).

A high degree of civilian control was established in Indonesia following the 1988 Bandung Seminar. Indonesia has enjoyed free and fair elections since 1999, protection of electoral rights by introducing direct ballots for local government leaders in 2005, and a competitive open party list system since 2009 (Sukma, 2009 cited in Mietzner, 2011). In 2004, Indonesia abolished reserved military representation in parliament as well as preventing active military officers from serving as cabinet ministers. Both the number of retired military personnel in local government and the national parliament has declined sharply. The number of governors with military background dropped to below 10 per cent in 2010 (over 80 per cent in 1970s). Furthermore, TNI retirees took only 2 per cent of the members of national parliament (Kompas, 2010). All ministers of defense have been civilians since 1999. The Ministry of Home Affairs and State Intelligence Agency previously held by ex-generals were handed over to civilian control in 2009. The military has no veto power over other government appointments anymore. This political marginalization of the military in Indonesia has resulted in the country enjoying a high rank in international democracy index (Mietzner, 2011).

Indonesia is still undertaking military reform including further reducing the role of the armed forces in politics while increasing its stature as a highly professional and trusted external defense force with the citizenry. In the meantime, the Indonesia military has refrained from interfering in other political activities. It is undeniable that the most significant contribution has come from military reforms, while other and slower democratization reforms have been important to Indonesia’s success. Myanmar can learn from Indonesia’s experience in restructuring the relationship between military and civilian control of the political and military institutions of the country. Positioning the military under the civilian supremacy is the most important first step in democratization (Bruneau

and Matei, 2008). In the next section, the author uses the “lessons learned” from Indonesia to set forth a strategy for reducing military control over political and civil institutions in Myanmar.

What are the Plausible Strategies for Comprehensive Marginalization of the Military in Myanmar?

“The Tatmadaw is constitutionally protected as a separate and autonomous entity from the government (Article 20b) and has exclusive jurisdiction over the ministries of Defense, Interior and Border Affairs via appointing all three ministers (Article 232b)” (Macdonald, 2013). At present, the military is the major and most powerful national actor (Ganesan, 2017). This constitutional provision ensures that the Myanmar Army has unrestrained control of national and local administration of the country. While the existing constitution serves as a basis for democratization, it also reserves 25 per cent of all legislatures seats for serving military officers. The evidence reviewed in this paper suggests that the military retains nearly complete power and influence over all government operations through a combination of party and administrative control. Based on the lessons learned from Indonesia, I recommended a series of policy reforms that will prevent military control over the political and administrative structures of authority.

1. Abolish the constitutional provision guaranteeing 25 percent of the parliamentary seats for the military

2. Abolish the Vice-President position nominated by the Commander-in-Chief of the Defense Services (There are two Vice-Presidents, and one is nominated by the military chief according to the 2008 constitution)

3. Require the Ministries of Defense, Home Affairs and Border Affairs to be held by civilians

4. Place restrictions on the ability of recent ex-military officers from holding positions in the government agencies. There are examples from other countries with highly professionalized civil service systems that can be borrowed to craft combination policies that would restore civilian control over the bureaucracy.

5. Undertaking military reform such as demobilization, downsizing, military budget reduction, audits of the military budget, education on non-violent methods of engagement for the military

6. Increasing the respect of citizens for the military by having the military make a public apology for human right violations in the past
7. Public education reform of the curriculum that celebrates the virtues of civilian control over the military
8. Introduction of regulations which keep Myanmar military from interfering in the economic activities of the nation
9. Ratification of the International Criminal Court of Justice
10. Promoting a national reconciliation program that seeks to heal historic wounds between the citizens and their military institutions

These will ensure the continued role of the military under democratic norms, and strongly promote the Myanmar military to restore both domestic and international legitimacy. Traditionally, the Myanmar military has had strong public credibility. With the reforms I propose, over time the military will recover its former reputation for being a highly professional and also facilitate the patriotic friend of the citizens. The reform will also facilitate the country's sustainable development and legitimacy in international society.

Conclusion

The Myanmar military plays a large role in Myanmar contemporary politics as demonstrated in the aforementioned sections. The Myanmar people have gained the ability to elect their government officials after a long and hard struggle over many decades. But the government is facing many challenges, largely because of military dominance over the political process and government agencies. While “the civil service in Myanmar has served under successive military governments” (Prakash, 2013) and has considerable professional capacity, this potential is being seriously compromised. Worse, civil servants feel increasingly unwilling to take leadership initiative to solve problems for which they have knowledge to solve. They are sitting back on their heels in an inactive mood as they wait for new directions from a new government. They wait and see whether the new government will continue or discontinue the previous administration's schemes without vibrant participation. This entire bureaucracy is stuck in “neutral gear”. The only way to unleash this creative energy is to prevent the military from continuing to operate as a state within a state by adopting the lessons learned from Indonesia.

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