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Dukalskis, A., & Raymond, C. D. (2017). Failure of Authoritarian Learning: Explaining Burma/Myanmar's Electoral System. *Democratization*, 25(3), 545-563. <https://doi.org/10.1080/13510347.2017.1391794>

Published in:
Democratization

Document Version:
Peer reviewed version

Queen's University Belfast - Research Portal:
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Failure of Authoritarian Learning: Explaining Burma/Myanmar's Electoral System

Abstract

What explains why some authoritarian governments fail to take all the steps they can to preserve their positions of power during democratic transitions? This article examines this question using the example of the leading pro-military party in Myanmar, which lost badly to the National League for Democracy (NLD) in the transitioning elections of 2015. This article argues that a key to understanding how the military failed to perpetuate their power in the electoral sphere resides in their choice of electoral system. In 2010 the military junta chose an electoral system, first-past-the-post, that was distinctly ill-suited to preserve their power. We explore several hypotheses for why this occurred and ultimately conclude that the military and their allies did not understand electoral systems well enough to act strategically and that they overestimated their support relative to the NLD. This failure of authoritarian learning has important implications for understanding authoritarian politics, democratic transitions, and the challenges faced by authoritarian governments seeking to make such transitions.

Keywords

Autocracy, Democratization, Authoritarianism, Transition, Electoral Systems, Military, Myanmar, Burma

Introduction

After decades of autocratic rule, Myanmar's military junta promulgated a new constitution in 2008 meant to guide the country to "disciplined democracy".

Provisions in the document that reserved significant power for the military led many observers to conclude that the document was designed to perpetuate military rule in civilian clothes. The National League for Democracy (NLD), Burma's¹ main political party opposing military rule, boycotted elections in 2010 but participated in 2012 by-elections and scored a dominating victory in nation-wide elections in 2015.² Pro-military political parties fared poorly in reasonably free and fair elections in 2015.

These events raise the central puzzle of this article: why did the military and pro-military political parties in Myanmar fail so spectacularly in securing their positions democratically? After all, the military had over 20 years to write the constitution to [its](#) liking while repressing opposition parties and civil society organizations. [Generals](#) were also able to watch how other military-dominated authoritarian regimes in Asia remoulded themselves into successful political parties, including the Kuomintang in Taiwan and Golkar in Indonesia. Finally, and perhaps most importantly, the pro-military party lost in a landslide in the only other reasonably free and fair election in Burma's history in 1990. Yet [the military and its allies](#) ostensibly failed to learn from that experience in order to entrench their own electoral power in a democratic system.

This article maintains that a key to unlocking this puzzle resides in the military's choice of electoral system; apparently, they chose an electoral system – first-past-the-post (herein FPTP) – that was ill-suited to perpetuate their power. Had the junta chosen a different system when they wrote electoral laws in 2010 (e.g. a proportional representation system, herein PR), they could have preserved their

political power much more effectively and securely. Given that they had witnessed both the 1990 general election and the 2012 by-elections (both of which were disastrous for pro-military parties), it is puzzling that the military junta would promulgate a set of electoral laws that would systematically disadvantage their allied party.³

This article attempts to untangle this puzzle and ultimately argues that the military failed to “learn” two crucial lessons: how electoral systems work and the true level of the military’s popularity. On both counts, the following sections show that outgoing autocrats appeared woefully uninformed. This questions some literature about the putative learning capacity and strategic foresight of autocrats. It also suggests in the specific case of Myanmar that elites from the former regime will struggle to adapt to democratic politics for the foreseeable future even while the military retains significant extra-democratic power.

Elections in Myanmar: From Democracy to Dictatorship and Back Again?

For 10 years after independence, Burma was a parliamentary democracy. However the new democracy proved fragile and the government could not prevent the military from decisively taking control in a coup on 2 March 1962. From that time until the summer of 1988 Burma was ruled by General Ne Win’s Revolutionary Council, and later his Burma Socialist Programme Party. Ne Win’s government continued to confront challenges of both armed and unarmed varieties throughout their 26-year lifespan.⁴

Ne Win resigned on 23 July 1988 after nation-wide protests pressured him to do so; however, after several weeks of protests and repression the military seized control of the state as the State Law and Order Restoration Council (SLORC) and

declared martial law. In a brief message to the country on 18 September 1988 they declared they would (1) maintain law and order, (2) provide secure and smooth transport, (3) improve living conditions, and (4) hold multiparty democratic elections once the first three conditions were fulfilled (SLORC 1/88). The SLORC arranged for nation-wide elections on 27 May 1990.

Surprising many observers, the NLD and its leader Aung San Suu Kyi – under house arrest prior to and during the elections – won the poll by a wide margin. The NLD won 58.7 percent of the popular vote, gaining 392 out of 485 seats (80.8 percent of seats) to the National Assembly. The NLD trounced the pro-military National Unity Party, which secured only 10 seats (2.1 percent of the total) while gaining 21.2 percent of the popular vote.⁵

The 1990 elections, in the retrospective estimation of the Varieties of Democracy project, were the freest and fairest in the country's history between independence and 2014.⁶ The SLORC, however, argued that the elections were only meant to populate a constitution-drafting assembly and not to form a government.⁷ The SLORC, re-shuffled and re-named as the State Peace and Development Council (SPDC) in 1997, continued to rule Myanmar for twenty more years as they manipulated and delayed the constitution-drafting process. In 1993 the SLORC created the Union Solidary and Development Association (USDA), which was designed as a regime-supporting mass organization.⁸

In 2008, the SPDC held a referendum on the constitution that was distinctly unfree and unfair, with over 93 percent of voters apparently backing a constitution that the vast majority had never read (Human Rights Watch, 2008). In addition to stipulating emergency powers and a “political leadership role” for the military it also reserves 25 percent of the seats in the National Assembly for sitting military officers.

This is a significant number because a constitutional amendment requires a 75 percent legislative majority, thus effectively handing a united military veto power over constitutional changes. The constitution also gives the military autonomy over budgeting, appointment powers to the ministries of Defence, Home Affairs, Border Affairs, and wide emergency powers latitude.

The 2010 elections were therefore widely expected to provide an electoral gloss to continued military dominance. As the regime attempted to guide the transition whilst retaining power, they sought to use the USDA as the electoral machine for the military and its allies. They therefore renamed and registered the USDA as the Union Solidarity and Development Party (USDP) in 2010.⁹ The NLD boycotted these elections on the assumption that they would be rigged, but several other parties chose to contest them. The pro-military USDP and National Unity Party (NUP) combined to win over 70 percent of the vote. Together with the 25 percent of seats already reserved for officers, the military and its allies sat in 554 of the 659 seats in Myanmar's national legislature.¹⁰

The figure chosen by the legislature to be the country's president turned out to be a moderate reformer. Thein Sein, himself a former general, spearheaded a significant – but not total – political liberalization of Myanmar. By-elections in 2012 to fill seats vacated by cabinet and bureaucratic appointments saw the NLD win nearly every contested seat, with Aung San Suu Kyi herself winning a seat in the legislature.

Yet given that the military still retained so much power, debates emerged about how to characterize Myanmar's political system between 2011 and 2015 and their future beyond that.¹¹ This stood in contrast to previous scholarship on Myanmar's politics that focused on the sources of the military's authoritarian

resilience.¹² It was likely that the military saw a gradual introduction of a constitution and elections as institutionally solidifying its own power and legitimacy.¹³ However, the hope of many was that the gradual, regime-led opening could evolve into a “pacted” transition that would establish the foundation for a democratic future.¹⁴ Optimism was tempered by the fact that economic development was weak,¹⁵ armed conflict remained a reality in many parts of the country where ceasefires had not been agreed,¹⁶ the capacity and ideologies of political parties were both weak,¹⁷ and a virulent strain of anti-Muslim Buddhist nationalism stoked violence and persecution of the country’s Muslim minority.¹⁸

In this context, the 2015 national elections were expected to be a revealing milestone in Myanmar’s modern politics. This time the NLD vigorously contested the election against the pro-military USDP and about 70 other political parties. The NLD dominated the 2015 elections by a similar margin as in 1990, this time winning nearly 60 percent of the popular vote while the USDP gained just under 30 percent. After the electoral defeat in 2015 the USDP turned [its](#) attention to internal reform so that [it](#) would be more competitive in the future.¹⁹

Negotiations about leadership positions lasted for several months until in March 2016 the NLD’s Htin Kyaw, an Aung San Suu Kyi loyalist, was selected as president by the legislature with Myint Swe of the USDP and Henry Van Thio, an ethnic Chin from the NLD, serving as vice presidents. To circumvent article 59(f) of the Myanmar constitution, which stipulates that presidents and vice-presidents of Myanmar cannot have spouses or children owing allegiance to a foreign power, the NLD-dominated legislature passed a law granting Aung San Suu Kyi the title of “State Counselor” along with a ministry to support her work. As of this writing she is the most powerful civilian politician in the country.

Authoritarian Learning and Electoral System Choice

Perhaps the most surprising aspect of Myanmar's transition away from outright authoritarian rule is the lack of action taken by the military to craft the electoral system to [its](#) own advantage when [it](#) had the opportunity to do so. Some excellent recent literature has examined Myanmar's current electoral system but it has not linked to questions of authoritarian learning, nor has it been able to present detailed analysis of the 2015 results.²⁰ The 2015 elections in Myanmar were held under FPTP rules, which resulted in the USDP winning a substantially smaller seat share than their vote share (much like what happened to pro-military parties in 1990). The election laws promulgated by the SLORC in 2010 were released without significant public consultation and without much by way of explanation, which was typical of the SLORC/SPDC period.²¹

Previous research on both Western²² and non-Western democracies²³ suggests that parties will alter electoral systems to benefit themselves and undermine opposition parties. To some degree the context of Myanmar parallels that of European democracies at the turn of the twentieth century, where establishment parties – fearing the threat to their ability to shape policy coming from rapidly expanding socialist parties – adopted PR systems that ensured they would not be totally shut out of power.²⁴

The ways that votes are translated into seats in FPTP systems are so patterned that previous research has noted the law-like properties of this “mechanical” effect.²⁵ [Had the military/USDP adopted a form of PR, there is evidence to suggest they may have been able to prevent an NLD majority.²⁶ Not only would PR have guaranteed the USDP seat shares more proportional to its vote shares – whilst reducing the NLD's](#)

seat share to less than a majority (after accounting for the military's reserved seats) – but PR might have even reduced the NLD's vote share to less than a majority (further reducing their seat share) by reducing the incentives for voters disaffected with the military to vote tactically for the NLD instead of a more-preferred smaller opposition party.²⁷

In order to pursue this strategy, the military and its allies had to apprehend two pieces of information. First, the military had to *understand* how electoral systems worked. If they lacked understanding of how different electoral systems operate, then they would be unable to act strategically, and would be unable to adopt the electoral system best suited to their needs. Second, they had to *accurately perceive* their popularity. If the military/USDP thought they were genuinely popular, they would adopt a majoritarian FPTP system given that the latter has a winner-take-all logic. However, if the military/USDP thought that they were unpopular they had a choice to make about how best to compete in a democratic context. As *Figure 1* illustrates, in order to choose a PR system, the military had to understand both that *it was* unpopular and how votes are translated into seats in FPTP and PR systems.

Figure 1 about here

Given that *Myanmar's military rulers* did not choose PR, a disconnect occurred in one or both dimensions of learning during the SLORC/SPDC period. Autocracies are thought to suffer from weaknesses in procuring and analysing information; they face a fundamentally uncertain environment.²⁸ In highly repressive contexts, citizens are wary of revealing their true beliefs for fear of repression.²⁹ To mitigate their information deficits, autocracies turn to mechanisms like citizen

complaint procedures³⁰ or intelligence gathering by secret police.³¹ Curiously for the Myanmar case, one way that autocracies are thought to gather information about the preferences of the population and the power of the opposition is by holding elections.³²

It is often thought that authoritarian regimes learn not only from their own experiences but also from one another to improve their ability to remain in power.³³ For example, the Burmese military studied the Indonesian military to gain lessons for retaining political power and from 1993 onwards senior delegations from Myanmar visited Indonesia for that purpose.³⁴ They could also look to examples of other pro-military political parties in the region that successfully refashioned themselves into conservative political parties, such as in South Korea, Indonesia, and Taiwan.³⁵ Moreover, information regarding the disastrous consequences of other dictatorships failing to adequately perceive their popularity and appreciate differences in electoral systems – as was the case with the communists in Poland³⁶ – was also readily available.

Why did incumbents in Myanmar seemingly fail to learn? First, the military and its allies may have failed to appreciate the impact different electoral systems would have on the distribution of power (hypothesis 1). For example, they may have thought that the institutional protections built into the constitution were sufficient for them to wield power, or they simply may not have understood different electoral systems. They may have focused more on protecting their own business interests throughout the transition rather than on securing electoral success.³⁷ If this were the case, then it would have been natural to use the same electoral system that Burma had used in previous elections.

Second, it is possible that information deficiencies during the period of

military rule led the SLORC/SPDC to overestimate their own popularity relative to the NLD and thus underestimate the extent to which they would lose an open election (hypothesis 2). For example, in overestimating their popularity, the military/USDP may have assumed their reforms from 2011 to 2015 had been so popularly received that voters would swing from supporting opposition parties like the NLD to support the military's continued position in government. Regardless, if we proceed from the assumption that the military wished to mitigate [its](#) loss of political power in a new democratic system, then the fact that [it](#) so demonstrably failed [in the electoral arena](#) suggests that in choosing FPTP the military/USDP may have over-estimated their own popularity. However, given that the pro-military party lost the election in 1990 so severely, it is puzzling that the SLORC/SPDC would seemingly repeat the same mistakes in 2010, 2012, and 2015.

The fact the military and [its](#) allies did not succeed in avoiding pitfalls of their own previous electoral experience raises questions about the extent to which the SLORC/SPDC “learned” from their experiences. Political learning is a complex process that is made even more so by the fact that learning and policy implementation are conceptually distinct.³⁸ Nonetheless, for the purposes of this analysis, it is safe to assume that if the SPDC learned that a different electoral system would have perpetuated [pro-military](#) power more effectively, it is highly likely that such a system would have been implemented given the military's unchecked latitude to write and pass legislation before 2011.

Before one can confidently conclude that the military's failure to adopt PR was due either to a failure to understand the electoral system and/or to accurately perceive their own (un)popularity, one must rule out a potentially important alternative hypothesis. The military and/or their allies in the USDP may have

recognised that they were not well served using FPTP, but were ultimately constrained by outside influences (hypothesis 3).

For example, the USDP may have been prevented from adopting a PR system that would have benefited them by human rights or other activists keen to ensure that Myanmar's ethnic minorities were not disadvantaged by any electoral reforms. Myanmar's ethnic minorities are concentrated in certain regions around which electoral districts are drawn. Given the concentration of ethnic groups in certain districts, the number of ethnic groups – and thus the number of parties representing these groups – in these districts would be sufficiently great to make parties representing particular ethnic groups the plurality winner over the USDP's candidates in these districts. As suggested by previous research,³⁹ parties representing ethnic minorities were able to win more seats under FPTP than under hypothetical PR systems. Given that these parties benefit under FPTP relative to PR, actors outside the military may have been sceptical of any electoral reform toward PR. Because condemnation from ethnic minority rights activists may undermine the military's efforts to attract foreign investment or prestige, the military/USDP may have been constrained from reforming the electoral system.

Empirical Analysis: Untangling Authoritarian Learning in Myanmar

We now turn to assess these hypotheses empirically. To evaluate each, we examine a mix of qualitative and quantitative evidence. Where possible, we incorporate election results to determine whether the data available to the military indicate they were – or should have been – aware of the consequences of their actions regarding electoral system reform. We supplement this data with secondary literature, media reports, and with fieldwork conducted by one of the authors.

Dukalskis conducted six elite semi-structured interviews with politicians and policymakers in Myanmar. He also conducted one focus group with three senior USDP officials. Interviewees comprise leaders of smaller political parties as well as the NLD and USDP, which allows for a well-rounded view of how various actors interact with the electoral system in Myanmar. This qualitative data is reliable because key elements cohere both with media reports and with the behaviour of the parties to which the interviewees belonged. The interviews were usually conducted in English; however, one interview and the focus group required the aid of an interpreter. Interviews were recorded and informed consent was secured. All of the fieldwork was conducted in May 2016 in Yangon, Myanmar. Names are withheld to protect confidentiality, but other details about the interviewees can be found in *Appendix 1*.

The Military's Understanding of Electoral Systems

The first point to address is whether the military understood the consequences of different electoral systems (hypothesis 1). To examine hypothesis 1, we first look to see whether there was sufficient domestic experience for the military to draw upon to understand the consequences of different electoral systems applied to the Burmese context. At first glance, there is reason to believe the military possessed (or should have possessed) sufficient information to understand differences in electoral systems and their consequences based on the military's experience with the FPTP system used in previous Burmese elections. Specifically, the elections of 2010 and especially 1990 should have demonstrated the impact of the FPTP system on the degree to which votes are translated into seats. It should have been evident to the military that parties winning a plurality of the vote often win larger seat shares than their vote shares,

while other parties are disadvantaged by FPTP and win smaller seat than vote shares.⁴⁰ The exceptions to this rule are parties representing ethnic minorities concentrated in certain regions, who may end up winning larger seat than vote shares due to the fact that their regionally concentrated voter bases make them competitive in these regions.⁴¹

Indeed, even the limited experience of elections in Myanmar shows the FPTP system worked largely as anticipated. This can be seen in *Table 1*, which presents the vote and seat shares, as well as the ratio of seat to vote shares, for several parties in the 1990, 2010, and 2015 elections. Higher ratios reflect parties winning proportionally more seats than votes.

The data presented in *Table 1* suggest there was considerable information available to the military/USDP to know how FPTP would operate in Myanmar. Whether the military chose to act on it or study it effectively is a different question, but this analysis shows the evidence was certainly available. As one would expect based on literature regarding the effects of electoral systems, the party winning the most votes won a larger share of seats than would be the case if their seat shares were proportional to their vote shares. Nation-wide parties finishing second or below in the national vote totals generally received substantially less-than-proportional seat shares. While this effect worked in the USDP's favour in 2010 due to the NLD boycott, it worked against the USDP in 1990 and 2015. In both elections, the NLD won proportionally larger seat than vote shares. The 1990 election is crucial in this regard because the military/USDP could have examined these results as they wrote election laws in preparation for 2010.

Table 1 about here

Additionally, the results show that several parties representing particular ethnic groups won substantially more seats than their proportion of votes in all three elections. Because the USDP and other pro-military parties appeal to voters across the country, they compete in tension with many of these ethnic parties. There was ample evidence available to the military to suggest [that the USDP](#) would not benefit under FPTP rules in ethnic minority areas due to vote shares that were concentrated among Myanmar's ethnic minority populations. Indeed, the presence of so many ethnic minority parties suggests the USDP and other pro-military parties would struggle to win seats under FPTP. Because of demographically concentrated districts, ethnic minority parties could win a fair number of seats that would, in turn, limit the number of seats available for parties such as the USDP with more diffuse voter support. Given the small vote shares of ethnic minority parties, the data in *Table 1* suggest that adopting PR with large multimember districts would reduce the ability of small parties with regionalised support to win seats.⁴²

Table 1 demonstrates that information was available even after the 1990 election to know how FPTP would likely operate in Myanmar. This suggests that the military/USDP did not understand how this electoral system would impact on their power and/or came to this realisation too late to alter the system. There is some evidence for both. As mentioned previously, the SPDC, the ruling military junta prior to the 2010 elections, promulgated election laws early in 2010. In a focus group with executive committee members of the USDP, one of whom was a member of the constitution drafting committee, the interviewees admitted that they “did not know much about election systems at that time.”⁴³

However, in early 2013, after the NLD had dominated 2012 by-elections,

seven political parties, including the pro-military NUP, supported the idea that the Union Election Commission should change the electoral system to a proportional representation system.⁴⁴ The NUP argued that this would create a more inclusive system. Previously in 2012, ten smaller ethnically-based parties had expressed their reservations about FPTP because they feared it would be too difficult to win seats, although not all of them eventually supported the 2013 proposal.⁴⁵

At the time, the USDP did not comment and ultimately in November of 2014 the speaker of the house and USDP head, Shwe Mann, announced that the proposal to adopt PR would not move forward because such changes would be unconstitutional (though some have challenged this claim, noting the USDP were not prevented from changing the constitution to their benefit before the 2015 elections).⁴⁶ The circumstances surrounding this decision remain unclear, but the NLD did not support the move and several interviewees in Yangon in 2016 recalled that pushing a PR system at that time would have been seen by the NLD as an unfair manipulation by the military and USDP before the 2015 elections.⁴⁷ These were also years in which the new government faced many challenges, including peace talks with insurgent groups, and so they may not have had the bandwidth to push through electoral reforms of this magnitude.⁴⁸

There is evidence from executive committee members of the USDP suggesting that elites sympathetic to the military became belatedly aware of the consequences of different electoral systems after the 2012 by-election:

“In our country, changing to the multi-party political system [happened] just recently....This is our first experience with the multi-party political system. So, we don’t understand very well about those systems: FPTP and PR. When the constitution was created, we followed that new path. So, we only know the widely used FPTP system. When we became MPs, we started to study from different sources. When we visited foreign countries, we started to know about the existence of PR system. Then we realized that there is this kind of system

in the world”⁴⁹

It appears, however, that the military and its allies were too slow to learn the lessons of 1990 and of other FPTP systems – and even then, many did not. It appears many key decision-makers did not learn these lessons and failed to appreciate how PR would operate in a context like Myanmar. Indeed, USDP leaders in the focus group suggested there was no agreement within the party about which electoral system to support:

“Our country is composed of ethnic people, and there are lots of political parties in our country. In western countries, there are only two or three parties. Here, there are over 90 political parties and there are over 100 ethnic groups. When we visited western countries like Germany, we saw the PR system. Then we wanted to start using that system during our five years period. We started to think about whether PR system is suitable for us or not. If we use PR system, small parties can also participate.....But when we do in reality, it's not easy to make changes. Changing the direction of a small boat might be easy but changing the direction of a ship is not easy one. We need to change gradually.....So, we discussed the good points of PR system by comparing the FPTP system in the parliament. But in reality, we are not mature enough. So, some didn't like that system.”⁵⁰

Though the concern with ethnic diversity and the large number of political parties expressed above shows that the USDP was concerned about how PR would operate in Myanmar relative to Western countries, this quotation ultimately shows the military/USDP failed to comprehend how PR could have benefitted the USDP. While many analysts between 2012 and 2015 recognised the potential for PR to produce higher seat shares for the USDP relative to FPTP (and potentially prevent an NLD majority) despite the presence of several small parties representing ethnic minorities,⁵¹ the quotation above suggests some in the USDP still did not.

In sum, the analysis in this section suggests that while there was ample historical, quantitative, and qualitative information available to the military to understand how FPTP would systematically disadvantage the USDP and that the

drafters of the Myanmar's new electoral system in 2010 failed to appreciate it. Only after the 2012 by-elections did some pro-military elites seem to belatedly realize that FPTP could lead to a systematic underrepresentation of their party in the legislature.⁵² Thus, we take this as evidence supporting hypothesis 1, namely that the military and USDP failed to understand (at least until the USDP claimed it was too late) how electoral systems would impact on their ability to retain power. They appeared to be largely ignorant of how electoral systems operated until at least 2013 even though there was clear evidence on which to draw long prior to that, and certainly before they drafted electoral laws in 2010.

The Military's Estimates of USDP and NLD Popularity

In addition to failing to appreciate how electoral systems function, the military may have underestimated the popularity of the NLD and overestimated the USDP's support (hypothesis 2). Based on the 1990 election results, the USDP had reason to be sceptical of its own electoral popularity (pro-military parties received only about 21 percent of the popular vote in that election). Perhaps, though, the military thought that the legacy of the 1990 election and the NLD's popularity had been effectively purged from the polity considering repression of the NLD as well as the economic and political reforms pursued during this period – and after seeing the USDP's landslide victory in the 2010 election (the NLD boycott notwithstanding).

More recent evidence of USDP popularity levels could be found in the 2012 by-elections, which were held to replace members of the Pyithu Hluttaw (the lower house of the Assembly of the Union) who had left office after the 2010 election – and thus needed to be replaced so as not to leave 37 districts unrepresented for three years prior to the 2015 election. These by-elections were the first free and fair elections

since 1990 in which the NLD competed. In 2012, the NLD swept every seat, displacing the previous winner in these districts, which in most cases was a USDP representative. Clearly the NLD's support had not eroded since 1990.

Could the military and/or USDP have predicted the NLD would dominate the 2015 general elections in districts across the country on the basis of the 2012 by-election results and by extension the 1990 elections? To explore this possibility, we estimated the degree to which the NLD's 2012 vote shares in these 37 districts predicted their 2015 vote shares. As shown in the regression results seen in *Table 2*, 2012 NLD vote shares were in fact significant predictors of 2015 vote shares in these 37 districts. The results suggest that 2012 NLD vote shares predicted a landslide victory for the NLD: in districts where the NLD won at least 69.87 percent of the district-level vote in 2012 (the median observed vote share), the model in *Table 2* predicts that the NLD would win between 60.00 and 65.41 percent (found using a 99.9 percent confidence interval) in those districts. This means that the 2012 results predicted the NLD would win at least 60 percent of the vote in the majority of districts across the country.

Table 2 about here

Providing further evidence that the NLD's popularity (and USDP's unpopularity) could be predicted accurately in advance, district-level NLD vote shares in 2015 were in line with the predictions seen in *Table 2*. This can be seen in *Figure 2*, which presents box plots for NLD and USDP vote shares in 2015. When looking at district-level NLD vote shares in areas where by-elections were held in 2012, *Figure 2* shows that the NLD won 60.35 percent of the district-level vote in the median

district, which is within the confidence interval predicted by the model in *Table 2* above. Even when we expand the boxplot to include district-level vote shares in every state, we see that the NLD won 56.66 percent of the vote in the median district.⁵³

This evidence shows that one could have predicted with confidence that the NLD would win a majority of the vote in a majority of districts across the country – meaning that the NLD would win a majority of seats in 2015 under FPTP. As seen in the boxplot in *Figure 2*, district-level vote shares for the USDP in the overwhelming majority of districts fell below 35.35 percent (the upper quartile of USDP vote shares in districts across the country). These results suggest that even if the lesson of 1990 had faded, it nonetheless should have been clear in advance of the 2015 election that the NLD were poised to win the election because the 2012 by-elections portended an NLD landslide. Thus, the military may have underestimated the NLD’s popularity whilst overestimating their own before the 2015 election. If true, this finding suggests the military/USDP failed to adopt a more proportional electoral system in part because they overestimated their own popularity among voters.

Figure 2 about here

Thus, based on the 1990 and 2012 results, the military had evidence suggesting the USDP was not as popular as the NLD. Indeed, the military seemed to have little reason to believe that free and fair elections held using FPTP would yield results different from 1990. Even if the 2010 elections clouded their judgement, the military and USDP should have been able to see they were poised to lose in 2015 after witnessing the NLD’s performance in the 2012 by-elections. Had the military/USDP recognised this, they should have adopted a PR system that would

preserve the USDP's power by preventing a NLD seat majority.⁵⁴ The fact they did not adopt PR after 2012 suggests many in the USDP still failed to recognise their lack of popularity in the electorate.

This analysis suggests that even if the military/USDP did understand electoral systems, they still may have failed to adopt PR because they did not accurately perceive their popularity. Indeed, in a focus group with USDP officials, the myth of widespread support for the party seemed to persist even after the 2015 elections:

“The general public do not have strong disappointments [about] us, the USDP. When you ask at the grassroots, one day when they [tell] the truth, they will tell you about our good points in which we brought development with full passion for the public in every area of the country...The people know about these....Our senior members might have some flaws...but at the grassroots level, all people still remember that we did greatly for them.”⁵⁵

These insights illustrate the over-confident assessments of the party's standing in the public among many in the USDP that prevented the party from adopting PR. Given that this assessment occurred after the USDP had decisively lost, it is reasonable to assume this overconfidence was even stronger before 2015. If anything, the fact that other parties like the NLD-splinter party the National Democratic Force and the pro-military NUP clearly recognised they stood to lose out under FPTP rules whilst the USDP did not is evidence the military/USDP did not accurately perceive their own popularity in the electorate soon enough to adopt PR.⁵⁶

Outside Influences?

Taken together, the findings presented thus far indicate that the military and its electoral allies misapprehended both their true level of popularity and the mechanisms by which votes are translated into seats under different electoral rules. In terms of the information dimensions of *Figure 1*, authoritarian incumbents in Myanmar appear to

have occupied the northwest cell. Had they landed in the southeast cell, the electoral politics of Myanmar might look very different today.

However, is it possible that the SLORC/SPDC understood that FPTP would be detrimental to the military's power and appreciated their own popularity but retained FPTP due to outside pressure (hypothesis 3)? Given the reluctance of the military/USDP to alter the electoral system after the 2012 by-elections (when it should have become clear the NLD would dominate the 2015 elections), we must rule out hypothesis 3 before we can confidently conclude there is evidence in favour of hypotheses 1 and 2. Evidence for this scenario would be manifest in Myanmar's interactions with other states or international organizations in the lead-up to 2010. However, we find little evidence that outside pressure contributed to Myanmar choosing FPTP.

Indeed, between 1990 and 2010 the SLORC/SPDC was relatively isolated from Western states and international organizations, particularly in the 1990s.⁵⁷ Burma joined the Association of Southeast Asian Nations (ASEAN) in 1997 and while there was some pressure from member states on Myanmar to democratize, the organization ultimately stayed true to its policy of non-interference.⁵⁸ It is therefore likely the military looked to other pro-military parties in Asia who had re-fashioned themselves into successful electoral parties,⁵⁹ but there is no evidence that these parties would have pressured the SLORC/SPDC. Myanmar received Japanese aid during this period but it was mostly technical and humanitarian without apparent conditionalities relevant to the electoral system.⁶⁰ The constitution drafting procedure was highly circumscribed and controlled by the SLORC/SPDC such that it forestalled not only international pressure, but also domestic input.⁶¹ While there is some evidence of international consultations regarding the electoral system after 2011,⁶²

there is little evidence to suggest that outside pressure was consequential in influencing Myanmar's choice of electoral system at any point before or after 2010.

Conclusion

The Burmese military and its allies had to understand two pieces of information when they wrote Myanmar's electoral laws in 2010 if they wanted to entrench their power through elections. First, they had to comprehend how different electoral systems worked. Second, they had to appreciate their true level of popularity among Myanmar's population. Understanding both could have led the SPDC to craft an electoral system that helped the military and its allies retain more [electoral](#) power after a democratic transition. This article showed that a failure to learn on either one of these accounts could lead to strategic miscalculation on the part of authoritarian leaders.

On both counts, this article found that the military and the USDP failed to apprehend these two crucial pieces of information despite easily available information. That the military was operating from a position of enormous strength in guiding the transition prior to 2011 adds another layer of mystery to their apparent failure to design an electoral system fit for their aims. While the military may have calculated that its guaranteed 25 percent seat share in the legislature and power over several important ministries were enough to entrench its power amid the transition, it is still puzzling that it would not take measures to further augment its power. After all, while the 25 percent share gives the military veto power over constitutional amendments, it does not grant veto power over non-constitutional issues.

This failure of authoritarian learning raises a number of interesting questions and considerations. First, do scholars of comparative authoritarianism attribute too

much savvy to autocratic leaders? Alongside literature about information deficits in authoritarian regimes sits a tendency to ascribe incredible foresight and tactical shrewdness to autocrats. For example, it is often thought that autocrats pay attention to electoral results in order to gather information,⁶³ but clearly in this case the military and their allies failed to do so. Treating authoritarian prowess as a hypothesis rather than an assumption and understanding the conditions under which different types of authoritarian learning occurs is a worthwhile endeavour.

Second, this research raises questions about political transitions as points of rupture in which political actors attempt to secure power. Disentangling the goals of actors and their capacity to learn and adapt to new situations is a worthwhile line of inquiry and this article has provided one way to approach the issue. Elite-driven transitions often occur because the outgoing autocrats perceive themselves as secure and working from a position of strength,⁶⁴ but this does not guarantee their ability to function effectively in a new political environment.

Third, and specific to Myanmar, will the USDP adapt to Burma's electoral realities? This is a key question because without a healthy and competitive opposition party the NLD can dominate the electoral sphere while the military dominates the security sphere. This arrangement gives the military as an institution a pretext to remain politically involved as a check on the NLD. However, if the USDP can upgrade their capacity and electoral pitch, then perhaps over time a genuinely competitive multi-party system can emerge in which the military can fade into the background.

Figure 1: The Importance of Authoritarian Perceptions of Their Popularity and Understanding Electoral Systems for the Adoption of Proportional Representation

		Understanding of Electoral Systems	
		No	Yes
Perceptions of the Party's Popularity	Inaccurate	Majoritarian	Majoritarian
	Accurate	Majoritarian	Proportional Representation

Figure 2: Boxplots Illustrating Variation in District-Level Vote Shares for the NLD and USDP in 2015

Notes: the white boxplot represents district-level NLD vote shares in states where by-elections were held in 2012, while the light grey boxplot represents district-level NLD vote shares in every district in every state.

Table 1: Vote Percentages, Seat Percentages, and Seats/Votes Ratios for Selected Parties in the 1990, 2010, and 2015 elections to the Pyithu Hluttaw

Party	1990			2010			2015		
	Votes	Seats	Ratio	Votes	Seats	Ratio	Votes	Seats	Ratio
<u>Parties Competing Nationwide</u>									
Union Solidarity and Development Party	-	-	-	56.76	58.86	1.04	28.28	6.80	0.24
National League for Democracy	59.87	79.67	1.33	-	-	-	57.06	58.00	1.02
National Unity Party	21.17	2.03	0.10	19.44	2.73	0.14	1.87	0.00	0.00
National Democratic Force	-	-	-	7.10	1.82	0.26	0.50	0.00	0.00
<u>Ethnic Minority Parties</u>									
Shan Nationalities League for Democracy	1.68	4.67	2.78	-	-	-	1.57	2.70	1.72
Arakan League for Democracy	1.21	2.24	1.85	-	-	-	-	-	-
Ta'ang National League for Democracy	0.18	0.41	2.28	-	-	-	-	-	-
Lahu National Development Party	0.12	0.20	1.82	-	-	-	-	-	-
Lisu National Development Party	0.11	0.50	4.55	-	-	-	-	-	-
Shan Nationalities Democratic Party	-	-	-	2.44	4.09	1.68	0.60	0.00	0.00
Ta'ang National Party	-	-	-	0.22	0.23	1.05	0.43	0.70	1.63
Wa Democratic Party	-	-	-	0.13	0.45	3.46	0.04	0.20	5.00
Arakan National Party	-	-	-	-	-	-	2.19	2.70	1.23
Zomi Congress for Democracy	-	-	-	-	-	-	0.12	0.50	4.17
Kachin State Democratic Party	-	-	-	-	-	-	0.12	0.20	1.67
Kokang Democracy and Unity Party	-	-	-	-	-	-	0.06	0.20	3.33

Percentages under votes are the percentages of 'Votes' nationwide; percentages under 'Seats' are the percentages of the total number of seats in the Pyithu Hluttaw; and 'Ratio' is the ratio of seat percentages to vote percentages. Note that column percentages do not sum to 100 due to omitted parties and the omission of the seats held directly by the military.

Table 2: Regression Estimates of 2015 District-Level NLD Vote Shares Using the Results of the 2012 By-Elections

	2015 NLD Vote	
Predictors	b	se
2012 NLD Vote (0.08)	1.12**	
Constant (0.06)	-0.16*	
F	185.30**	
R ²	0.85	
n	37	
<u>Predicted Values</u>		
Median 2012 NLD Vote:	69.87%	
Predicted NLD Vote 2015:	62.70%	
99.9% Confidence Interval:	(60.00%, 65.41%)	

* $p < 0.05$, ** $p < 0.01$, (two-tailed tests). Entries are ordinary least squares linear regression coefficients with heteroskedasticity-robust standard errors in parentheses.

¹ This refers to the percentage of districts in 2015 where the NLD won at least 55.70% of the vote.

Appendix 1: Interviews & Focus Group (all in Yangon, Myanmar; listed in date order)

- Cabinet-level minister in Thein Sein government, Union Solidary and Development Party (USDP) member, 9 May 2016
- Candidate for 2015 elections, Chin Progressive Party (CPP), 10 May 2016
- Senior CPP official, founding member of the armed group Chin National Front, 11 May 2016
- Executive Committee Member, New Society Party, 12 May 2016
- Senior official in Shan Nationalities League for Democracy (SNLD), 14 May 2016
- Senior official and executive committee member, National League for Democracy (NLD), 16 May 2016.
- Members of central executive committee of USDP (focus group), 18 May 2016.

Notes

- ¹ This article will use the names Myanmar and Burma interchangeably to avoid repetition for the reader. For more on the naming of the country, see Dittmer, 'Burma vs. Myanmar: What's in a Name?'
- ² Thawngmung, 'The Myanmar Elections 2015'.
- ³ See full set of Myanmar's 2010 electoral laws here: <http://www.burmalibrary.org/show.php?cat=3423> (accessed 27 July 2017).
- ⁴ See Smith, *Burma: Insurgency and the Politics of Ethnicity*; Boudreau, *Resisting Dictatorship*; Lintner, *Burma in Revolt*.
- ⁵ See Tonkin, 'The 1990 Elections in Myanmar'.
- ⁶ V-Dem, 'Varieties of Democracy Country Graph'.
- ⁷ SLORC Declaration No. 1/90.
- ⁸ Dukalskis, 'Stateness Problems or Regime Unification', 957.
- ⁹ Stokke et al., 'Political Parties and Popular Representation', 14.
- ¹⁰ International Crisis Group, *Myanmar's Post-Election Landscape*.
- ¹¹ See, e.g., Holliday, *Burma Redux*; Pedersen, 'The Politics of Burma's 'Democratic' Transition'; Callahan, 'The generals loosen their grip'; Englehart, 'Two Cheers for Burma's Rigged Election'; Huang, 'Re-thinking Myanmar's Political Regime'; Jones, 'Explaining Myanmar's Regime Transition'.
- ¹² Dukalskis, 'Stateness Problems or Regime Unification?'; Hlaing, 'Setting the Rules for Survival'.
- ¹³ Croissant and Kamerling, 'Why do Military Regimes Institutionalize?'; Morgenbesser, 'In Search of Stability'.
- ¹⁴ Zin and Joseph, 'The Democrats' Opportunity'.
- ¹⁵ International Crisis Group, *Myanmar: The Politics of Economic Reform*.
- ¹⁶ Dukalskis, 'Why Do Some Insurgent Groups Agree to Ceasefires'; Nilsen, 'Will Democracy Bring Peace to Myanmar?'
- ¹⁷ Stokke et al., 'Political Parties and Popular Representation'.
- ¹⁸ Human Rights Watch, *All You Can Do is Pray*.
- ¹⁹ Nyan Hlaing Lynn, 'Can the USPD Rebuild its Reputation?'
- ²⁰ See, e.g., Lemargie et al., 'Electoral System Choice in Myanmar's Democratization Debate'; Martson, 'Myanmar's electoral system'; Selway, 'Ethnic Accommodation and Electoral Rules in Ethno-Geographically Segregated Societies'.
- ²¹ See Dukalskis, *The Authoritarian Public Sphere*, 44-52.
- ²² Rokkan, *Citizens, Elections, and Parties*; Boix, 'Setting the Rules of the Game'.
- ²³ Elgie, 'Exogenous political institutions?'; Remmer, 'The Politics of Institutional Change Electoral Reform in Latin America'; Shin, 'The choice of electoral systems in new democracies'.
- ²⁴ Rokkan, *Citizens, Elections, and Parties*; Boix, 'Setting the Rules of the Game'.
- ²⁵ Duverger, *Political Parties*; Cox, *Making Votes Count*.
- ²⁶ Marston, 'Myanmar's electoral system', 280-283.
- ²⁷ On tactical voting, see Cox, *Making Votes Count*, chapter 4.
- ²⁸ Svobik, *The politics of authoritarian rule*; Schedler, *The politics of uncertainty*.
- ²⁹ Kuran, *Private truths, public lies*.
- ³⁰ Dimitrov, 'What the party wanted to know'.
- ³¹ Greitens, *Dictators and their Secret Police*.
- ³² See, e.g., Gandhi and Lust-Okar, 'Elections under authoritarianism'; Miller, 'Elections, information, and policy responsiveness'.

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- ³³ Heydemann and Leenders, 'Authoritarian Learning and Authoritarian Resilience'; Koesel and Bunce, 'Diffusion-proofing'; Ortmann and Thompson, 'China's Obsession with Singapore'; Weyland, *Making Waves*.
- ³⁴ Sundhaussen, 'Indonesia's New Order'; Ruland, 'Burma ten years after the uprising', 141; Macan-Markar, 'Indonesia's Special Relationship with Burma Faces Testing Times'.
- ³⁵ Slater and Wong, 'The Strength to Concede'; Fukuoka, 'Indonesia's "democratic transition" revisited'.
- ³⁶ Kamiński, 'How Communism Could Have Been Saved'.
- ³⁷ See Ford et al., 'From Cronyism to Oligarchy?'
- ³⁸ Levy, 'Learning and Foreign Policy'.
- ³⁹ Cairns, 'The Electoral System and the Party System in Canada'; Rae, *The Political Consequences of Electoral Laws*; Selway, 'Ethnic Accommodation and Electoral Rules in Ethno-Geographically Segregated Societies'.
- ⁴⁰ See, e.g., Rae, *The Political Consequences of Electoral Laws*; Gallagher, 'Proportionality, disproportionality and electoral systems'.
- ⁴¹ Cairns, 'The electoral system and the party system in Canada'; Rae, *The Political Consequences of Electoral Laws*.
- ⁴² Marston, 'Myanmar's electoral system'.
- ⁴³ Focus group, 18 May 2016.
- ⁴⁴ Latt, 'Bill on Voting System Slated for June'.
- ⁴⁵ [Radio Free Asia. "Burma Eyes Proportional Representation." The complete list of parties is available in the article.](#)
- ⁴⁶ Fisher, 'Why has Myanmar Dropped Proportional Representation Plans?'; Shwe Mann's decision was embedded in a larger struggle within the USDP. He was ultimately removed as leader of the party in August 2015 because he was seen as becoming too close with Aung San Suu Kyi and the NLD. See BBC, 'Myanmar Ruling Party Chairman Shwe Mann Ousted'.
- ⁴⁷ Interview, 14 May 2016; Interview 16 May 2016; see also Blazevic, 'In Burma's Young Democracy'.
- ⁴⁸ For a summary of the economic challenges of this period, see International Crisis Group, *Myanmar: The Politics of Economic Reform*. On the complex relationship between the peace talks and political liberalization, see Dukalskis, 'Myanmar's Double Transition'.
- ⁴⁹ Focus group, 18 May 2016.
- ⁵⁰ Focus group, 18 May 2016. [Some military MPs apparently supported a PR plan when it was discussed in July 2014. See Aung Ye Muang Muang, "Myanmar Legislature Considers Proportional Representation."](#)
- ⁵¹ [Fisher, 'Why has Myanmar dropped proportional representation plans?'; Latt, 'Bill on voting system slated for June'.](#)
- ⁵² Fisher, 'Why has Myanmar dropped proportional representation plans?'
- ⁵³ We also accounted for the outside chance that – despite observing the popularity of the NLD – the USDP perceived they had a chance of winning a plurality of the vote in a majority of districts due to malapportionment (uneven distribution of voters across districts). To do this, we examined whether districts won by the USDP had significantly fewer voters than districts lost by the USDP. Contrary to this possibility, the mean number of voters in districts won by the USDP in 2010 was higher than in the districts they lost (~68,430 in seats won by the USDP, compared to ~47,969 in

seats the party lost). Thus, the USDP could not have counted on retaining their majority by winning in malapportioned districts with few voters.

⁵⁴ See Marston, 'Myanmar's electoral system'. In addition to the benefits noted above, the USDP had little to fear from PR: the small size of each ethnic minority group meant parties representing ethnic minorities posed no threat to the USDP's second-place status, while the 2010 elections – and the confidence in the USDP's record expressed in this interview – showed other parties like the NUP were not feared by the party because they were less popular than the USDP.

⁵⁵ Focus group, 18 May 2016. See also Radio Free Asia, 'Myanmar's Ruling Party Predicts Victory Ahead of General Elections'.

⁵⁶ See Aung Ye Muang Muang, "Myanmar Legislature Considers Proportional Representation."

⁵⁷ Steinberg, *Burma/Myanmar: What Everyone Needs to Know*, 252-277.

⁵⁸ Morgenbesser, *Behind the Facade*, 108-120.

⁵⁹ See Slater and Wong, 'The Strength to Concede'.

⁶⁰ Steinberg, *Burma/Myanmar*, 125.

⁶¹ Human Rights Watch, *Vote to Nowhere*; Dukalskis *The Authoritarian Public Sphere*.

⁶² Lemargie et al., 'Electoral System Choice in Myanmar's Democratization Debate'.

⁶³ Gandhi and Lust-Okar. 'Elections Under Authoritarianism'.

⁶⁴ Haggard and Kaufman, *Dictators and Democrats*; Jones, 'Explaining Myanmar's Regime Transition'.

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