

Moving beyond “100 days” in Myanmar

In the month since the National League for Democracy (NLD) administration marked 100 days in office, much has been made of the government’s accomplishments and shortcomings over that period. Local and international news outlets have weighed in with their verdicts, and government officials have, to varying degrees, used the timeframe to outline early achievements or unveil policy direction. State Counselor and party leader Daw Aung San Suu Kyi herself employed the benchmark, instructing each government ministry to develop its own ‘100-day plan’ and pledging that policy prescriptions would be steadily announced during the initial three months.

The numerous appraisals of the first 100 days, published since July 7 when the period concluded, highlight two main perspectives. The first conveys continuing, optimistic support for a measured pace of reform, and the other expresses deep dissatisfaction with the NLD-led government for not effecting more dramatic, immediate change. Some critics speculate that the country’s de facto leader has become a “pragmatic politician” or “democratic dictator,”¹ while others suggest the newly minted policymakers are in over their heads. Notably, surveys of local people largely reveal the opinion that patience is needed and by many accounts the NLD still enjoys substantial public backing.² Even in the face of controversy and criticism, many community members describe a prevailing sense of hope, a tolerance for slow-but-steady reform, and a recognition of the enormous task at hand for the first civilian government in over 50 years.

Political transitions and the “100 days” benchmark

It is a natural characteristic of presidential transitions that sky-high levels of early optimism translate into equally lofty expectations for reform, particularly when the election marks a historical shift like the NLD’s landslide victory in November 2015. Generally, political transitions born from broad popular support can ride a wave of confidence for a while, but it does not take long before the same enthusiasm that pushed for a platform of change will attach to a new objective: seeing change occur.

In 1933, Franklin D. Roosevelt assumed the presidency in the United States at the height of the worst economic depression in the country’s history. In his first three months as president, his office was a flurry of activity – passing laws, developing recovery and relief programs, and implementing strict new regulations. Since that time, the “first 100 days” benchmark has increasingly gained international attention as a measuring stick for new administrations, using Roosevelt’s remarkable success rate as the standard by which incoming leadership can be assessed.

¹ Gray and Htusan 2016.

² Vogt 2016.

The problem is, the conditions of 1933 America that allowed for such a brisk pace of reform would be hard to replicate, and nobody would want to.³ With unemployment at 25% and huge segments of the population desperate for food and shelter, the country had little reason to resist immediate intervention in whatever form it came. According to David Greenberg, “Most impressive was the incomparable sense of urgency that muted serious political opposition.”⁴ This particular feature of Depression-era politics in America is unique: Typically, even in countries with severe economic shortages, civil unrest, and defunct public institutions, most political transitions are characterized by complex and competing political forces that make direct, rapid transformation a bit trickier. Myanmar is no exception.

The argument that the ‘first 100 days’ present a legitimate indicator of long-term political success or failure is rooted in the notion that mistakes made early on are incredibly hard to undo, and are valid signs of what is to come. For this reason, many politicians see their first 100 days more as a public relations campaign, a time to take advantage of the ‘honeymoon phase’ following triumphant electoral results when energized constituents remain devoted to the winning party and its platform.

[...] Transitions are times when momentum builds or it doesn’t, when opinion about the new leader begin to crystallize. It’s a time when feedback loops – virtuous cycles or vicious ones – get established. Significant missteps feed downward spirals that can be hard to arrest. So it’s far better for new leaders to get early wins that build personal credibility and political capital, rather than dig themselves into holes and have to clamber back out.”⁵

There is precedent to uphold this rationale that reflects Myanmar’s own recent transition. In 2014 the presidency of Indonesia was peacefully transferred from a former general to a civilian from outside the military and political establishment.⁶ Joko Widodo was a symbol of hope to millions of ecstatic supporters, but within the first few months he was embroiled in scandal and some of his most vocal supporters became his fiercest critics.⁷ By his administration’s one-year anniversary, progress was stalled and a deep public skepticism had grown.⁸ The weaknesses exposed during the first 100 days may, in fact, have foretold the troubles ahead.

At the same time, some governments that are slow to get off the ground eventually gain momentum, and varying influences on the administration’s first 100 days may be out of the leadership’s control.⁹ During his first three months in office, former President U Thein Sein was scrutinized by domestic and international observers keen to determine his party’s level of commitment to reform. Only later was it more widely understood that a “low grade but intense

³ Greenberg 2009.

⁴ Greenberg 2009.

⁵ Watkins 2009.

⁶ Tisnadibrata 2015.

⁷ Kwok 2015.

⁸ Tisnadibrata 2015.

⁹ Greenberg 2009.

struggle” was occurring in the administration between conservatives and moderates who disagreed over the pace for reform.¹⁰ These types of dynamic, clashing political forces are not always broadly visible to the public and can evolve throughout a political term. The lack of a mechanism to assess more subtle political factors is a significant flaw of the 100-days yardstick, that instead emphasizes easily quantifiable achievements like the number of laws passed.¹¹

The main reason that the hundred days are an unreliable indicator of future performance is the same reason we watch them so closely: They constitute the period in which the public is just getting to know the new president.¹²

The changes in Myanmar since 2010 highlight the unique characteristic of a planned transition, with the leadership staging “gradual steps toward democratization while retaining many of the authoritarian structures of the previous government during the transition.”¹³ The fact that the military constitutionally retains a quarter of parliamentary seats and administrative control of three key ministries, and itself constructed the early architecture for reform, cannot be underestimated when considering why the NLD may choose to tread carefully in the transition’s early stage. There is much yet to be seen.

The NLD’s first 100 days

On April 1, the National League for Democracy’s party leader Daw Aung San Suu Kyi instructed union and state-level ministers to outline their policy objectives by preparing and issuing 100-day plans. Some did, others did not, others may never have released their plans publicly. Criticism and confusion grew as the plans appeared to be produced in isolation and without prioritizing the synchronization of their policy goals.¹⁴ There were also differing opinions about when the ‘100 days’ period began – the Planning and Finance Ministry, among others, said the period commenced May 1, not April,¹⁵ and NLD senior official U Win Htein said the campaign was never intended to finish within the 100 days.¹⁶ By mid-May few details had emerged from the ministries, “leaving the plan concept more of a gimmick than a reality.”¹⁷

Analysis of 100-day plans that were circulated shows that many ministries focused on “low hanging fruit,”¹⁸ or issues that could be tackled quickly.¹⁹ This approach is not uncommon during political transitions when elected officials, eager to prove their chops and capitalize on popular support, aim to produce immediate results where possible. State and region

¹⁰ Clapp 2015, p.7.

¹¹ Greenberg 2009.

¹² Greenberg 2009.

¹³ Clapp 2015, p. 2.

¹⁴ Thurein Hla Htway 2016.

¹⁵ Ei Ei Toe Lwin and Swan Ye Htut 2016; Aye Thidar Kyaw 2016.

¹⁶ Ei Ei Toe Lwin (11 May) 2016.

¹⁷ Ei Ei Toe Lwin and Swan Ye Htut 2016.

¹⁸ The Irrawaddy Dateline Edition 2016.

¹⁹ Aye Thidar Kyaw 2016.

government plans emphasized crime reduction and strengthening rule of law,²⁰ cracking down on gang activity, gambling, and illicit drugs, and the President's Office issued new guidelines ordering civil servants not to take gifts valued at more than 25,000 kyats. These policy angles have been criticized for falling back on populist schemes, although for many Myanmar people these issues are real and distressing social ills. More substantial quick-fix initiatives were the formal revocation in May of the much-reviled 1975 State Protection Law,²¹ the release of hundreds of political prisoners, and the very ambitious promise in early July to resolve all land grabs within six months. In a country with reportedly the third worst deforestation in the world, the decision by the Minister of Environmental Conservation and Forestry to halt logging for one year was described as "courageous."²² The discrediting of the hardline nationalist group Ma Ba Tha was not overtly portrayed as an NLD initiative, but the process that steadily isolated the hardline organization had trappings of orchestration from above.

The NLD's primary focus and most clearly defined objective has been the national peace process and ethnic reconciliation. In light of the country's decades of bitter armed conflict, this priority is not misplaced, and for many it would be unreasonable to insist on other political advancements while hostilities between the military and ethnic armed groups continue to threaten civilian lives and social and economic stability. The next union-level peace event, dubbed the 21st Century Panglong Conference to invoke the potent symbol of the 1947 Panglong Agreement, is hoped to herald progress towards peace and a genuine federal union, although cracks have already begun to show.

The thorny nature of many of the NLD's efforts so far, often deemed effective or disastrous depending on the commentator, is reflected in several concerns and criticisms levelled against the new administration. The months following the party's triumphant election results were primarily dedicated to governmental restructuring but seemed light on policy development, instead devising the State Counselor's office for Daw Aung San Suu Kyi, cutting the country's ministries from 36 to 22, and appointing administrative leadership to a host of new committees and task forces.²³ Except for a few designated spokespeople, members of parliament were barred from talking to the media. This silence extended to civil society organizations and activists as well, many of whom continue to feel locked out of key discussions that would benefit from their years of hard-earned expertise. Anticipation of constitutional reform has been dampened by House Speaker U Win Myint's assertion that it cannot be expected in the near term.²⁴ Women's representation among union-level ministers was cut in half, from two under the Thein Sein administration to one (Daw Aung San Suu Kyi herself), and according to UN Special Rapporteur Ms. Yanghee Lee, humanitarian access to Myanmar's conflict-affected areas has worsened.²⁵

²⁰ Ei Ei Toe Lwin and Swan Ye Htut 2016.

²¹ Also known as the Law to Safeguard the State against the Dangers of Those Desiring to Cause Subversive Acts.

²² The Economist 2016, p. 6.

²³ Taylor 2016.

²⁴ Mizzima July 9 2016.

²⁵ Lee 2016.

Additionally, the near absence of statements addressing specific economic policies has troubled some investors and business owners. Nyantha Maw Lin, the managing director of Vriens & Partners, said at The Economist's Myanmar Summit this year that "the NLD needs to learn the ropes about the importance of communication," and the founder of Genius Coffee, Ngwe Tun, said "an outline of the government's plan to make the business environment more conducive to social entrepreneurship would soothe his anxieties."²⁶ Political analyst Khin Maung Zaw told Channel News Asia in July,

The first 100 days are important for a new government to give people the impression of how confident and reliable they are to lead and govern our country for the next five years. At that point, in my opinion, they lost that opportunity.²⁷

Moving beyond '100 days'

Many of the criticisms of the NLD's first 100 days are reasonable and genuinely disconcerting, but many also rely on the assumption that the administration's three months in office adequately inform sweeping statements about the years to come. Myanmar is emerging from decades of economic devastation and fifty years of military oppression, with ravaged education and health systems, ongoing armed conflict, religious tensions, and political sensitivities that pose major obstacles to constitutional reform; change will take time. One of the NLD's earliest mistakes simply may have been giving too much credence to the "100 days" benchmark.

Despite the relative arbitrariness of "100 days" and its mixed reviews as an indicator of political competency, the key message that has emerged in Myanmar during that period is profound: much clearer communication from the government is badly needed. The NLD may be able to defend its actions thus far as constrained by deeply entrenched political rivalries and pervasive bureaucratic roadblocks, but why the silence around plans to address these problems and the resistance to consult civil society? Politicians shape policy, but also perception.²⁸ In this the NLD and its leader are struggling.

As mentioned above, however, the complexity of the relationship between the democratically-elected civilian government and the long-standing military brass should not be overlooked as a significant driver in what the government is willing to do or say in these early days. The extent to which this relationship is fragile or friendly will likely be increasingly revealed over the administration's five-year term. But it is undoubtedly the 2008 Constitution that gives military leadership the confidence to tolerate and implement reforms, and a cursory look into Myanmar's history and its modern-day, regional neighbors underscores compelling reasons to be wary of provoking military discontent.²⁹ Even a brisk pace of reform could require "a generation or more" to fully arrest the culture of corruption and lack of accountability defined

²⁶ The Economist 2016, p. 6.

²⁷ Mizzima July 9 2016.

²⁸ Greenberg 2009.

²⁹ Clapp 2015, p. 1.

public institutions during the long military years.³⁰ The 100 days have ended; now the real work must begin.

³⁰ Clapp 2016, p. 16.

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