

# CHAPTER 1

## INTRODUCTION

### 1.1. Background

Democracy is a form of government in which all eligible citizens participate equally, either directly or indirectly through elected representatives in the proposal, development, and creation of laws. It comprises social, religious, cultural, ethnic and racial equality, justice, and liberty. The term originates from the Greek *dēmokratía* "rule of the people", which was found from *dêmos* "people" and *kratos* "power" or "rule" in the 5th century BCE to denote the political systems then existing in Greek city-states, notably Athens; the term is an antonym to *aristokratia* "rule of an elite".<sup>1</sup>

Aside the beginning existence of Democracy that is first established in Greece, as the world advances, and globalization streams to all corners of the international relations. In this modern era, democracy has become the most applied governmental system all over the world.<sup>2</sup>

The implementation of democracy in most of the nations is also supported by the acknowledgement of the members of United Nations on the Universal Declaration of Human Rights that was established (ratified) in 19 December 1949. As it is stated in the Article 29 (2) "In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely

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<sup>1</sup> Wilson, N. G. 2006. *Encyclopedia of Ancient Greece*. New York: Routledge. 511.

<sup>2</sup> The Democracy Index is an index compiled by the Economist Intelligence Unit, that measures the state of democracy in 167 countries, of which 166 are sovereign states and 165 are United Nations member states. See *Democracy Index 2013*. Democracy Index 2013. [http://www.eiu.com/public/topical\\_report.aspx?campaignid=Democracy0814](http://www.eiu.com/public/topical_report.aspx?campaignid=Democracy0814), (accessed 9 November 2014)

for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society”,<sup>3</sup> that simply encompasses to a conclusion that the enforcement and protection of human rights is the root of a healthy democracy in a nation, also as an acknowledgement of the principles of the United Nation.

In the modern era, the exercise of democracy has not only covered the rights of the citizens to involve themselves in the rights to live, as it is based on the UDHR, moreover, democracy has also opened a broaden freedom to the people to express themselves and pursue the rights they carry, people are now also suited with the rights to be involved in political matters, which we know as “for the people, to the people, and from the people”.

For example, newspapers and other communication media are free to criticize government policies and leaders. Second, that there is open competition allowed for political office, which usually is translated to mean that there is more than one political party competing for power. A third is that there be a popularly and regularly elected legislature and head of government.

Then there is also the widely accepted belief that democracies cannot coexist with lack of religious freedom and the right to hold and express unpopular ideas. Finally, for there to be a rule of law there must be fundamental documents

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<sup>3</sup> *The Universal Declaration of Human Rights, UDHR, Declaration of Human Rights, Human Rights Declaration, Human Rights Charter, The UN and Human Rights.* UN News Center. <http://www.un.org/en/documents/udhr/> (accessed 9 June 2014)

which structure the government, elaborate the rights and duties of government and the people, and which all governing officials and their policies must obey.<sup>4</sup>

Although, at first the culture of cooperation, as the foundation of the formation of international organizations, began in US and some European countries, but since the emergence of third-world countries to crawl for their existence, this kind of cooperation, which is supported by the trend of globalization that came out in the mid-1980s, some of them also began to promote themselves, to the international world, only just to prove and show the potential of each developing countries have, and also for the interest to attract the developed countries simply to “aid” them in accelerating the nation’s growth. As a result of a collective interest by each nation, then the solution to form an organization that is used to be a foundation came out. An organization consists of several countries with mutual interest and goals named international organization.

For example, through the Treaty of Lisbon, the European Union (EU) acknowledge and implement democracy among the continent, which can be seen through one of the points of the treaty, “A more democratic and transparent Europe” that comprises into three main principles, (1) Democratic equality: the European institutions must give equal attention to all citizens, (2) Representative democracy: a greater role for the European Parliament and greater involvement for national parliaments (3) Participatory democracy: new forms of interaction between citizens and the European institutions, like the citizens' initiative.<sup>5</sup>

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<sup>4</sup> Joseph Rummel, Rudolph. *Democratization*. University of Hawaii, <https://www.hawaii.edu/powerkills/DEMOC.HTM>, (accessed 9 June 2014)

<sup>5</sup> *Treaty of Lisbon*. EUROPA. [http://europa.eu/lisbon\\_treaty/glance/democracy/](http://europa.eu/lisbon_treaty/glance/democracy/) (accessed 9 June 2014)

From the example above, it is clear that democracy as the new climate to drive better governance is not only carried by an individual sovereign state, but also by a greater environment, such as an international / regional organization. The same trend has also begun not only in western countries (which are believed to be the triggering nations of promoting democracy), but also to other regions, with no exception, the South East Asia Region.

Democratization has been problematic across much of Southeast Asia, and the region's governments generally possess flaws in protecting the civilian human rights, with most violations occurring around issues of press freedom and political conflicts (disputes).

Countries like Vietnam, Laos, and Cambodia have largely foregone any efforts to democratize, whereas Indonesia has taken huge turn to democratization since 1998. Despite a long history of political oppression against the Buddhist-inspired opposition, military-ruled Burma (Myanmar) has also done a significant effort in shifting to democratization since 2008. Thailand has the most longstanding democracy in the region, though it too has experienced brief short break of military intervention in politics for the last decade.<sup>6</sup> From the brief explanation above, indeed, most of the nations as members of ASEAN ever experienced, and still experiencing a limited process of democratization, some issues that put scars on the idealistic pattern of democracy are still occurring. The solution to resolve all those issues may come to a greater scope of authority, which is through policy making of Regional Organization.

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<sup>6</sup> *Democracy in Southeast Asia*. Berkeley Center for Religion, Peace, and World Affairs. Georgetown University, <http://berkeleycenter.georgetown.edu/essays/democracy-in-southeast-asia>, (accessed 16 September 2014)

ASEAN (Association of South East Asia Nations) as the only regional institution in South East Asian Region also holds the responsibility to bring a positive and supportive environment between the cooperation of its ten member countries.

In November 2007, the heads of the ten member governments of the Association of South-East Asian Nations (ASEAN) signed a charter that will, once ratified, give the association a legal personality. The charter, significantly, requires more of its members than an adherence of the traditional ASEAN norm of non-interference and the practice of consensus. The charter lists a number of goals among the organization's purposes: 'to strengthen democracy, enhance good governance and the rule of law, and to promote and protect human rights and fundamental freedoms.'<sup>7</sup>

In view of the wide economic and political disparities between the member states of ASEAN, this charter examines whether strengthening democracy would in fact facilitate ASEAN's goal of becoming an integrated political, economic and security community. Rather than enhancing an integrated community, democratization would arguably create a fault line between the more politically mature and economically developed states and a northern tier of less developed, authoritarian single-party dominant regimes in South-East Asia.<sup>8</sup>

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<sup>7</sup> ASEAN Charter Preamble and the seventh point of ASEAN Charter Chapter (1) Article (1) which states "To strengthen democracy, enhance good governance and the rule of law, and to promote and protect human rights and fundamental freedoms, with due regard to the rights and responsibilities of the Member States of ASEAN". See: ASEAN Charter, ASEAN, <http://www.asean.org/archive/publications/ASEAN-Charter.pdf>, (accessed 3 November 2014)

<sup>8</sup> Martin Jones, David. *Security and Democracy: The ASEAN Charter and the Dilemmas of Regionalism in South-East Asia*. Wiley Online Library, <http://onlinelibrary.wiley.com/doi/10.1111/j.1468-2346.2008.00735.x/abstract>. (accessed 10 June 2014)

Frankly, promoting democracy is still one of the issues within ASEAN member states as the respective institution still strongly beholds on the non-interference principle that exposes the respect among the ten countries to not interfere nor influence the other nation in building a political realm domestically in each country, thus we can see it is quite impossible to implement democracy to other member states if it doesn't come from the consensus by the local government to reform their governance system.

Implementing democracy throughout the whole ASEAN membership is still on the list of ASEAN's problems in completing the ASEAN Community 2015, as the real evidence, Viet Nam is a single party-led socialist republic, far from democracy. Brunei Darussalam is currently a kingdom, whether Cambodia is constitutional monarchy. Those member states are non-democratic in the governance system, Indonesia as the largest democratic nation in ASEAN, just couldn't influence fellow members to implement the same system, again, as long as the 'non-interference' principal exists.

But, there might be a "glimpse" of light in patterning democracy across ASEAN, moreover to the still non-democratic of transitioning states. Through this thesis, writer will conduct a further research in Myanmar on how Myanmar as member of ASEAN, gain the benefits in human rights enforcement, economic advancement during the democracy transition of the nation.

Myanmar, as one of the latest addition of ASEAN membership, back in 2012, eventually held their first democratic election. In April 2012 the elections were held in which 17 political parties contested. The current president, General

Thein Sein, after a hard fought from the military boycott which tended the coup of the election back in the year of 2010, proved his sincerity and commitment for reforms.<sup>9</sup> One of the most defining moments in the path of Democracy by Myanmar is the release of Aung San Suu Kyi, a Myanmar revolutionist. This occasion marks the birth of “restored freedom” to this nation, after the long lasting 50 years (1962 – 2011) occupation by Junta military in governing the nation.

The reformation of Myanmar in bringing a more democratic realm is believed to be a positive step in building a state. Democracy is not only seen to be beneficiary to the people in terms of pursuing their rights, according to the UDHR, democracy also becomes a stimulus to nations’ growth, moreover to the economic growth of a nation, and during the modern era, economic capability measures the nation’s existence too, and as a developing country, e.g. Myanmar, to fasten the economic growth is in a pure essential and importance, through ASEAN membership as the tool.

According to Morton Halperin, Joseph Siegle and Michael Weinstein, in the book “The Democracy Advantage: How Democracies Promote Prosperity and Peace”, democracy and a nation’s development (economy) are compatible and complementary. (1) Effective democracies tend to allow a broader range of interests to be considered on a regular basis. This leads to more moderate policies and reduces the risk that ineffective leaders can stay in power for a long time. These characteristics encourage more robust and stable economic growth. (2) In authoritarian systems, economic growth is more likely to be narrowly based on a

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<sup>9</sup> Jha, Ganganath. *The Quest for Democratization in Myanmar*, Jawaharlal Nehru University, <http://www.jnu.ac.in/SIS/MakingSISVisible/Presentations/The%20Quest%20for%20Democratization%20in%20Myanmar.%20Ganganath%20Jha.pdf>. (accessed 10 June 2014)

small section of the population and corruption is likely to be higher. Few countries with authoritarian systems of government have achieved high levels of growth in the long term.<sup>10</sup>

Democracy contradicts authoritarian systems, and authoritarian systems are lacking towards the protection of human rights, since the people are controlled by the elites, therefore the rights to live in freedom become limited. As it is explained above, authoritarian systems are also slow and weak in economic development. In conclusion, democracy, human rights protection, and economic growth are complementing each other to create a better state.

Through this thesis, entitled “**The Role of ASEAN in Myanmar Democratic Transition, and its Impact towards Human Rights Protection and Economic Development after 2011 Political Reforms**” writer will conduct several studies to provide readers the information, data, statistics, and also questions-and-answers about the role of ASEAN in Myanmar transition towards democracy since the year of 2011 in terms of combining the “redline” between more moderate human rights protection and economic development.

## **1.2 Research Questions**

The purpose of this writing is to examine the impact of ASEAN Membership of Myanmar in the middle of the democratic transition, in two aspects, which are Human Rights Protection and Economic Development. In short, during a democratic transition, human rights enforcement increases, letting the people to access jobs to support nation’s economic growth, and more open

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<sup>10</sup> Halperin, Morton H., Joseph T. Siegle, and Weinstein., Michael., M. 2005. *The Democracy Advantage: How Democracies Promote Prosperity and Peace*. New York: Routledge. 3.

investment access. In regards to the background above, the research questions are as follows:

1. What are the roles and significance of ASEAN, as regional institution, during the democratizing Myanmar from a military-led state, and the impact of ASEAN's membership towards Myanmar democratization in terms of human rights protection and economic development?
2. What is the impact of having a democratic state in the development of Myanmar as a developing country in the middle of current global integration or globalization?
3. As more than 50-year Military-led and isolated state which ended in 2011, Has Myanmar been a better nation in terms of the nation building effort, human rights protection, and economic development?

### **1.3 Research Objectives**

In regards to the research questions, the objectives are as follows:

1. To provide an analytical research and explanation about the role of ASEAN, as regional institution, during the democratizing Myanmar from a military-led state, and the impact of ASEAN's membership towards Myanmar democratization in terms of human rights protection and economic development.
2. To provide a brief large picture of the situation of Burma during the military junta led state in terms of the political behavior, human rights protection enforcement, and economic situation.

3. To provide a conceptual frame of analysis and description about the impact of the democratization of Myanmar in the current global integration and globalization.
4. To describe Burma (Myanmar) as an example to provide an in-depth correlation between the effects of democratization towards human rights protection and economic development.
5. To provide a background of pre-democratic Burma, and complete timeline and framework of the new democratic government of Myanmar in terms of protection of Human Rights and Economic openness to foreign investment.

#### **1.4 Research Purposes**

This research is composed to fulfill several contributions to the writer and its reader in accordance to the research problems and research objectives. Several contributions expected from this research are:

1. Readers become able to understand the terminology and importance of democracy and democratization in creating a better political and economic realm within a state and among regional states.
2. Readers are provided explanations of the role and significance of ASEAN, as regional institution, during the democratizing Myanmar from a military-led state, and the impact of ASEAN's membership towards Myanmar democratization in terms of human rights protection and economic development.

3. Readers are given and become able to understand history and the path to democracy in Myanmar during the globalized era in terms of human rights protection, rule of law enforcement, and economic development.

4. The research can be used by the readers as the sources of references in the further and upcoming researches which may cover about democracy, human rights, economic development, nation building, Myanmar, and also ASEAN.

### **1.5 Thesis Organization**

This thesis is prepared systematically based on the provisions that have been defined which will be organized into the following structures:

— Chapter 1. Introduction.

This chapter is the introductory part which consists of background selection of the topics and title of the research, the formulation of the problems, the objectives based on the respective issues, as well as the purposes of the research.

— Chapter 2. Analytical Framework

This chapter consists of the theories and concepts that are needed to complete this research. This chapter will give in-depths comprehension on the theories and concepts that will serve as instruments to answer the research questions through intensive analysis. Write also provides theoretical explanations and several literatures related to the research topic.

— Chapter 3. Research Method

This chapter provides a description on the method analysis, the scope of the research, the techniques of researching, and data also materials that are used during completing the thesis.

— Chapter 4. Analysis

This chapter is the core of the research in which will profoundly discuss the result of the process of correlating conceptual framework to obtain data into intensive discussion and analysis in order to answer the research problems.

— Chapter 5. Conclusion and Recommendation

This chapter consists of resume of all the thesis contents by summarizing all of the information. And the conclusion will lead to recommendations toward the core issue of the thesis.

— Bibliography

Consist of detail information about the sources that have been used to complete the thesis (books, journals, articles, websites, etc.)

— Appendix

Contains pictures, documents, and letters that are used to complete the thesis.