

As the Association of Southeast Asian Nations (Asean) met in Hanoi last week, one contentious topic, as predicted, was discussed: political development in Burma and its upcoming election—the first in the country in 20 years. The issue continues to deepen the already stark differences between Asean and the international community over what would be the most effective way to deal with the stubborn regime.

While the international community has demanded a free and fair election and the release of all political prisoners, including Aung San Suu Kyi, the leader of the National League for Democracy (NLD), Asean has insisted on the engagement approach. Thus, it is likely that Asean will accept the legitimacy of Burma's new regime without asking too many questions.

In Hanoi, the Asean approach was re-emphasized. Indonesian Foreign Minister Marty Natalegawa said that there was a reasonable degree of hope that the election would be part of the solution to various issues in Burma.

Asean Secretary-General Surin Pitsuwan agreed. "Asean is very much interested in the peaceful national reconciliation in Burma and whatever happens there will have implications in Asean, positive or negative," he told reporters.

Having long performed as a rubber stamp for the military regime, Asean's current position does not seem to guarantee that, after the election, there will be real changes in the Burmese political system.

Asean has rejected the West's approach, criticizing it for demanding too much from Burma's junta and unrealistically expecting the election to completely transform the country from an outpost of tyranny into a full-fledged democratic state. Meanwhile, the West complained that Asean has failed to push for political reform in Burma and still provides a political sanctuary for its ruthless regime.

The different approaches between Asean and the international community have given the regime extra room to maneuver. The Burmese leaders have exploited such differences to their advantage, using the Asean approach to weaken the impact of Western sanctions. Unfortunately, this trend is set to continue, even in the post-election period.

Asean observers acknowledge that Burma's planned election is part of a military-led transition that will install a new regime in Naypyidaw. They also believe that the new regime will be less repressive and more civilian in character, although not necessarily more democratic. This is simply because, according to Burma's new Constitution, there will be a decentralization of power and the society will supposedly become more pluralistic. But critics argue that the Constitution was written to prolong the military's political power and its promise to plant the seeds democracy is merely symbolic.

The State Peace and Development Council (SPDC), the governing body of Burma's military regime, claims that the country is reaching the end point of the road map toward democratization and that the elections will be organized later this year, although the date has not yet been announced.

The SPDC may realize that a transition is inevitable. Sooner or later, it has to reposition itself to cope with the changing domestic and regional environment. As a result, the junta has chosen to initiate, and then dominate, the transitional process so that a large portion of political power remains in the hands of the military. Therefore, the ostensibly civilianized Burma could be considered a product of a political concession which the military regime has offered to the opposition and the ethnic minorities.

But this process will not be untroubled. Old problems will persist even after Burma installs a new government. Most of these problems concern the question of legitimacy of the new regime, which will undoubtedly be challenged by Suu Kyi.

Suu Kyi has been barred from the election according to the Union Election Commission Law (UECL), which states that anyone currently serving a jail term is banned from joining a political party. The junta enacted the UECL primarily to exclude Suu Kyi from the transitional process. Her party won a landslide victory in the 1990 election, but was never allowed to take power. Today, Suu Kyi is still hugely popular. The junta has learned from the past and wants to ensure that it remains in charge.

Thus, to Suu Kyi, the electoral process lacks legitimacy. In response, her NLD party declared that it would boycott the election. And since Suu Kyi has been able to command the world's opinion and is much respected in the West, the new military-backed government will have to work hard from the start to justify its existence in the face of various opposition groups inside and outside the country.

The new regime will also need to fix the collapsing cease-fire agreements which the SPDC has concluded with a number of ethnic groups over the years.

As of now, the government's scheme of establishing a border guard force (BGF) has not been completed. Under this scheme, ethnic armies would be downsized into several battalions. Each would operate under the central command of Burma's army, or Tatmadaw, as part of the military's consolidation of power.

But some ethnic groups have refused to be neutralized. It was reported that the majority of the 18 ceasefire groups, including the 30,000-strong United Wa State Army (UWSA), Burma's largest, have so far rejected the scheme.

In August 2009, heavy fighting between the Tatmadaw and the ethnic Kokang Army forced more than 30,000 refugees to cross into China, an incident that caused friction between Naypyidaw and Beijing. Initially described as part of a drug raid, the Tatmadaw's attack on the Kokang served as a violent warning to other ethnic armed groups refusing to disarm and join the national army.

Similarly, in June 2009, thousands of refugees fled into the buffer zone inside Thailand when the Burmese army clashed with the Karen National Union (KNU), a group that has sought independence for the past 60 years. The civilianized regime's urgent task will be to reorganize the power distribution so that peace with ethnic minorities can be guaranteed.

Should the world anticipate any significant change in Burma? Probably not. Asean is particularly excited about the upcoming election in Burma as it will conveniently vindicate its long-held engagement approach. In reality, however, with or without the election, the world will still live with the same old Burma—the one that has been opposed to democracy.

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