

“Muddling Through” Past Legacies: Myanmar’s Civil Bureaucracy and the Need for Reform¹

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Introduction

All too often when discussing contemporary Myanmar, the focus tends to shift quickly to its national politics, its ethnic schisms, or its state-society relations, crowding out everything else. Some have referred to this phenomenon as the “hostage” model – a one-dimensional approach to change in Myanmar in which any such discussion unrelated directly to the struggle between the military and the opposition over national power bumps hard against heavy scepticism or cynicism (or both) because political reform is seen by some as the *sine qua non* of everything else.²

While not discounting the importance of any of those issues, the aim of this paper is an attempt to redirect some attention among Myanmar watchers and researchers to something seemingly more innocuous but even so of no less importance: the country’s anodyne but enduring civil bureaucracy. Socioeconomic research and analysis has long been preoccupied with the role of public institutions, particularly the ‘bureaucracy’ in fostering or impeding socioeconomic transformation. That socioeconomic growth crucially depends on governance is not only a widely acknowledged fact today, but is also the basis for continuing fascination with the role of bureaucracies in any country for theorists and practitioners alike.³ Specifically, this paper tries to make the sometimes not so obvious case that understanding the history bequeathed by Myanmar’s various post-

¹ From: Hlaing *et. al.* (Eds.) *Myanmar: Beyond Politics to Social Imperatives*. (Singapore: Institute of Southeast Asian Studies) (*forthcoming*, 2005); Not to be cited before book’s publication. I would also like to thank Kyaw Yin Hlaing, Tin Muang Muang Than, Robert Taylor, Michael Switow and Caroline Brassard for helpful comments to earlier versions of this paper. The standard caveats apply.

² Cook, P. and Minogue, M. (1993).

³ See, for example, World Bank (1997) which examines the role of the state in economic development.

colonial governments to its contemporary civil bureaucracy is critical not only to understanding the bureaucracy's tribulations, but also for prescribing appropriate remedies. Indeed, regardless of its various ills, Myanmar today has a public service that refuses to wither away; for the moment it is all the country has. Accordingly, the first principle when considering reform options is to accept that it is crucial, at least in the medium-term, to work with the existing bureaucratic machine, and seek merely to turn it from its negative attributes inherited from past legacies. In the absence of a fair dose of realism to inform any bureaucratic reform, there is always the risk of compromised change. Such realism demands that any starting point is to comprehend how Myanmar's current civil bureaucracy came to be what it is today. At a minimum, it is imperative the country's colonial legacies as well as the effect on the bureaucracy of Myanmar's various post-independence government policies, ideologies, and even fate are examined.

To be sure, the old notion that somehow its civil bureaucracy is a professional structure insulated from the vicissitudes of a country's politics, blissfully impartial and objective – if it ever was true – is certainly not found in present-day Myanmar. Bureaucracy is the arm of government that ultimately must deliver political promises and face the public in day-to-day matters. Yet concerns about the nature and role of Myanmar's civil bureaucracy have been overshadowed by the salience of the seemingly more central political issues mentioned in the first paragraph. It is hardly surprising there is little time or thought for Myanmar's "public administration machinery" – a machinery ironically now burdened with an ever expanding role in the transition away from the very distortions with which, since the country's independence, it was identified.

As is usually the case in developing states under extended periods of either direct or indirect military rule, Myanmar's civil bureaucracy has long been characterized by a high degree of centralization, a weak degree of administrative and managerial autonomy and an almost nonexistent consultative process.⁴ The few recent studies that examine Myanmar's civil bureaucracy note several other difficulties plaguing the country's post-1988 civil bureaucracy: poor organization; decision-making processes that are at times irrational and arbitrary; mismanaged, under-trained and under-utilized staff; weak accountability mechanisms particularly in the higher ranks dominated by deputized

⁴ See, for example, Guyot (1966).

military personnel; poorly-designed public policy programs; and badly implemented public services.⁵ Because the term “bureaucracy,” as applied to Myanmar, is redolent with negative connotations and otherwise one of opprobrium, there is a deep-seated belief that the flaws of the country’s civil service are ineluctable, inevitable, endemic, almost fated. For such observers, the general attitude of Myanmar’s present leadership towards its civil bureaucracy is reminiscent of the cooption of the gigantic and often grotesque bureaucracy by Burmese Socialist Program Party (BSPP) apparatchiks during the socialist era. Thus, as the discussion on Myanmar remains hostage to narrow conversation about its politics, greater is the temptation to grudgingly accept the inevitability of the country’s dysfunctional civil bureaucracy and to ignore any serious consideration about that bureaucracy’s reform and transformation.

To be sure, Myanmar’s civil bureaucracy is not unique among developing countries in its problems. However, unlike many of those other countries, Myanmar has yet to undertake any comprehensive attempt at reforming its civil bureaucracy – something that is increasingly an intrinsic part of the whole national and political reform ethic. Indeed, starting around the mid-1980s, a number of developing states embarked upon various bureaucratic reform initiatives, many of which are still underway.⁶ Many of those reforms were rationalized on the grounds of efficiency and triggered by a convergence of political opportunity, economic crisis, and the spread of ideas about reform.⁷ Often, although not always, promoted by multilateral and bilateral agencies, and drawing on the experiences and rationales of selected Western countries, many of those reform initiatives promised, and sometimes actually did deliver, substantial returns in terms of improving how bureaucracies should and could work. Other times the initiatives failed. It is almost inevitable that Myanmar will eventually also attract these off-the-shelf “state of the art” skills and ideas, often run by outsiders who have absolutely no time, nor inclination, to understand historical provenance, nor who have effective local counterparts cognizant of this broader need. Such an approach of importing alien

⁵ See, for example, Cook, Kennedy, and Raitt (1989); and de Weerd (1992).

⁶ Bureaucratic reform programs specially tailored for developing countries have been around in one form or another since the inception of “development administration” in the 1950s. However, their mostly late twentieth century manifestations starting in the 1980s and 1990s were far more radical than the incremental efforts of those earlier years.

⁷ See, for example, Peters (2001) pp. 348-356.

packages reflects a naïve belief in the universal application of certain all-purpose “models” of public administration. Indeed, in the absence of clear reformist values, strategies, policies and legislation, the easiest approach to bureaucratic reform is to opt for technocratic gimmicks that employ the supposedly generic management skills and mantras of the leading gurus of the day.

Before proceeding, several caveats are in order. The first: A highly simplified periodization of the country since independence is adopted to make the discussion more tractable.⁸ Table 1, below, summarizes the simple periodization used herein:

Parliamentary Burma (covering the period from 1948 when the nation became sovereign, as the Union of Burma, through the end of democratic rule in 1962); Socialist Burma (covering the period from 1962 through the 26 years of General Ne Win’s rule; and Stratocratic⁹ Myanmar (covering the period since 1988 when Myanmar came under military rule to the present). As an illustration of the over-simplification of such periodization, what I refer to here as Socialist Burma can in fact be divided into two institutionally well-marked phases: the Revolutionary Council (RC) period (1967-1974), when the chairman of the RC ruled by decree; and the Socialist Republic (SR) period (1974-1988) when Myanmar was granted a one-party constitution. However, those and other such details are not entirely necessary for the purposes of this paper.

TABLE 1

Key features of the state in post-independence Myanmar

	PARLIAMENTARY RULE(1948-1962)	SOCIALIST RULE (1962-1988)	STRATOCRATIC RULE (1988-PRESENT)
LEGAL BASIS FOR THE “STATE”?	Yes: Constitutional	Yes: Constitutional	No: Extra-Constitutional
DOMINANT STATE IDEOLOGY	Democratic Socialism	Socialism; Nationalism; Buddhism	Nationalism
STATE-SOCIETY RELATIONS	Mostly pluralistic	Antagonistic	Antagonistic
FORM OF POLITICAL ORGANIZATION	Mostly pluralistic	Authoritarian: Socialist	Authoritarian: Military
BASIS OF POLICY STYLE	Mostly <i>ad hoc</i>	Top-down	Top-down; “Muddling through”
FORM OF CENTER-LOCAL ORGANIZATION	Partly federal	Mostly unitary; Highly centralized	Partly centralized

⁸ For other efforts at the periodization of modern Myanmar (Burma) as well as more detailed treatments of the respective periods, see, for example, Maung, M. (1991); Steinberg (2001); and Tinker (1957).

⁹ A stratocracy is a government of armed forces (coined from Greek *stratos* “army”).

The second: It is worth keeping in mind that regardless of the period under discussion, never has the entire breadth of territorial Myanmar been under complete central control, and, as a consequence, been fully integrated. Myanmar is one of the most ethnically diverse countries in the world, with various ethnic minorities making up about one-third of the population and occupying roughly half of the land area. For years, many parts of Myanmar – particularly the frontier regions of the colonial territory drawn up by the British in the nineteenth century – saw little, if any, central state penetration.¹⁰ Consequently, any discussion, however general, of institutions of the central government’s civil bureaucracy should be conducted against that backdrop.

The third: Whereas this paper obviously discusses the bureaucracy under military rule, it does not delve into the use of the army for extra-military purposes, in particular the role of the armed forces in the sort of state-building normally associated with the civil bureaucracy. That topic warrants separate treatment, which several authors have already carried out.¹¹ Likewise, the paper does not explore the close, though not necessarily desirable links between the military and the civil bureaucracy in post-independence Myanmar, as well as the nature of the boundaries between state-building military institutions and the civil bureaucracy.

The fourth: Up-to-date data on contemporary Myanmar’s bureaucracy are either hard to come by, not current or incomplete. Indeed, even in instances where data exist, they are often difficult to obtain for private researchers. The discussion herein is thus kept at a general level but is nonetheless based on a combination of in-country research, selected interviews and secondary sources.

The rest of the paper is organized as follows: The next section briefly discusses the two most common usages of the term ‘bureaucracy’ and how it is mostly used in this paper. The section after that then gives a broad historical overview of Myanmar’s civil bureaucracy since independence in order to provide some context. The last section sketches, again, in very general terms, some prospects for bureaucratic reform in present-day Myanmar.

¹⁰ See, in this regard, Smith, M. J. (1991); Lintner (1994); and International Crisis Group (2003).

¹¹ See, for example, Callahan (2003); and Callahan (2001) pp. 413-429.

Weberian Bureaucracy Revisited

Demarcating what constitutes bureaucracy in most countries is not a straightforward undertaking. A common complication with the term is that it is used both normatively as a synonym for the civil service (in the way it is used here), and also more abstractly in reference to models for organizing public administration as in the Weberian tradition.

Max Weber pioneered the observation and study of bureaucracies which developed in 19th century Germany. In his monumental essays, *Economic and Society*, Weber made a case for the fundamental value of bureaucracy as one of the institutional foundations of capitalist growth. Weber considered the bureaucracies he studied not only efficient, rational and honest, but also a major improvement over the rather chaotic administration that they replaced. For Weber, 'bureaucracy' was thus an 'ideal type' of modern officialdom based on six precepts. First, bureaucracies have fixed and official jurisdictional areas which are ordered by rules, that is, laws and administrative regulations. Second, bureaucracies are hierarchical in the sense that they have levels of graded authority in which the lower offices are supervised by the higher ones. Third, management of those bureaucracies is generally based on official documents. Fourth, bureaucrats tend to have thorough and expert training. Fifth, the bureaucracies necessitate the full time work of the bureaucrats. Lastly, the management of those bureaucracies generally follows some prescribed rules and procedures.¹² Whereas Weber's observations seem obvious today, at the time he made them German government agencies were pioneering modern administration to replace practices stretching all the way back to the Middle Ages, and which mostly emphasized patrimonial and prebendal forms of public administration. From a Weberian perspective, the central feature of bureaucracy was thus its rationality, which in turn reflected the advance of a reliable, predictable and, above all, efficient means of social organization. Bureaucracy was essentially the characteristic form of organization found in modern society and whose expansion, due to both the technical superiority of bureaucracy over other forms of administration as well as various significant economic, political and cultural

¹² See, in this regard, Weber (1968). Subsequent analysis by others (e.g., Polanyi (2001, [1944])) also echoed Weber's views.

developments, was irreversible. Weber saw the development of bureaucratization as closely linked to increasing pressures for economic efficiency and the emergence of large-scale business units, or in essence, the emergence of capitalist economies. The development and extension of the responsibilities into socio-economic spheres of the modern state led to the expansion of powerful government bureaucracies. It is important to note however, that Weber was also aware that bureaucracy – in the abstract sense – could be a mixed blessing. Not only could organizational efficiency be purchased at the expense of democratic participation, but bureaucratization could very well strengthen hierarchical tendencies based on merit.

In contrast, the everyday pejorative use of term ‘bureaucracy’ as a synonym for the civil service is strictly speaking not the Weberian sense of a set of administrative organizations with specific structural features. Indeed, when used that way, it often still not clear what the term exactly delineates, given especially the complexity of modern government in which public employees have a range of employment relationships with the state. Weber viewed bureaucracy not as a generic collection of state employees, but rather, as a particular kind of organizational structure. When used in this latter sense in this paper, the focus is limited to Myanmar’s civil bureaucracy proper, that is, that core part of the public sector whose employees are paid directly by the national treasury and who are both subject to the state’s conditions of service and engaged in shaping or more commonly implementing government decisions.¹³

Myanmar’s Post-Independence Civil Bureaucracy in Historical Perspective

No complete appreciation of the state of Myanmar’s civil bureaucracy in the years following the country’s independence on 4 January 1948 is possible without the historical backdrop of the British colonial period, the Japanese occupation that started in 1942, and the brief restoration of British rule between 1945 and 1947. Whereas space and other

¹³ Sometimes the term is used more broadly to refer to the “public sector” (also referred to as the “public service” or “public administration”), which encompasses all employees whose salary comes directly or indirectly from the public purse. For the purposes of this paper, teachers, law enforcement and military personnel, for example, are all excluded even though the public sector is normally taken to include them.

considerations preclude a full examination of those momentous years in the country's history, a few key observations are in order.

Civil Bureaucracy in the Parliamentary Era (1948-1962)

By and large, the British system of colonial administration in Myanmar was stable and efficient although, by far, not free of corruption.¹⁴ As in several other British colonies, the system of public administration was characterized by a three-tier organization: at the top were British expatriates, the intermediate tier comprised of specialized professionals (mostly Indians), and the lower tier by a combination of indigenous, Chinese and Indian personnel. In 1942, for example, Myanmar was administered by some 3,200 civil officers (including everyone from the governor's counsellor and high court judges to local administrative officers but excluding clerical staff and other lower ranked personnel) of whom only fourteen percent were English.¹⁵

During World War II when most of the country was under Japanese occupation, the colonial government fled into exile in India. Because virtually all the British and most of their Indian subjects had left the country, the entire administration from top to bottom, public and parastatal, industry and commerce, was run by locals using the British-built civil administrative system, which the Japanese retained with very little structural change during their three-year occupation.

The end of the war brought not only the restoration of British authority (a reappointment of the British civil servants at the top of the civil administrative structure), but also the rebuilding of the British and Indian domination of economic life. Yet the haste with which the British had fled coupled with the fact that a largely Myanmar personnel had run the civil administrative machinery during the period of the British bosses' absence, helped to ruin both the latter's prestige as well as the Burmese's continued acceptance of British political, economic and cultural thought.¹⁶

¹⁴ See, for example, Donnison (1953) p. 110; and Guyot (1966).

¹⁵ See, in this regard, Harvey (1946) pp. 30-48.

¹⁶ *Ibid.*, p. 91.

To re-establish their control over post-war Myanmar, the British made use of a military government in much the same way they did in most other reoccupied British territories following World War II. Through a military government and largely subject to the needs of military necessity at the time, the British sought to quickly re-establish an administration similar to the one they had had in place prior to the war and then hand this over as early as possible to the civilian government. Indeed, the reestablishment of British rule following the war presaged the sort of civil-military relations that some of those new leaders would subsequently refine and later turn into the leitmotif of much of post-independence Myanmar.

In the meantime, the fact that almost all of Myanmar's leading pre-war political figures had been replaced by younger leaders, many of whom styled themselves socialists and communists, was to have as many repercussions for civil administration as for other aspects of Myanmar society. For this younger group of nationalists, the bitter experiences under Japanese and British domination established an association between foreign rule and capitalism, between the necessity of Myanmar's independence and the necessity of a state economy organized according to socialist principles.

When Myanmar became a sovereign independent state outside the British Commonwealth on 4 January 1948, Article 221 of the country's new constitution provided for a Public Service Commission "to assist the Union Government in matters relating to recruitment to the civil services of the Union and to advise in disciplinary matters affecting the services." As highlighted elsewhere by many others, the first decade following independence was a period of much social unrest, political intrigue, and rivalries. With regards to civic administration, independence caused the withdrawal of many senior officials from the public services and their replacement by less trained and less experienced personnel, even as the administrative machinery was deteriorating and the number of public services increased.

At the time of Myanmar's independence, the ranks of civil administration included a core of very capable literate and experienced officers whose experience and competence could have been passed on to the new indigenous government. Instead, the bureaucracy found itself affected by the anarchy and chaos of the ensuing civil war and thus never quite translated into a reasonably stable public administrative system the way

colonial bureaucracies did generally in, say, post-independence India and Ceylon (now Sri Lanka).¹⁷ The weakening and corruption of that system can be partly attributed to “the introduction of a system of government workable in European countries, but alien and imperfectly understood in Burma, and though perhaps the people of Burma might have been able to assimilate it in the future, they were certainly not ready to do so at the time of its introduction.”¹⁸

When, at the end of 1958, a caretaker government was put into place under General Ne Win, he appointed military men as heads of many public agencies. In particular, state-owned industrial and commercial enterprises were operated by the military Defence Services Institute (DSI). In March 1962 the military seized power once and for all and quickly suspended the 1947 Constitution as well as parliament. They then set up a “Revolutionary Council” composed of high-ranking military officers who assumed supreme executive, legislative, judicial and economic powers and proceeded to pursue the infamous “Burmese Way to Socialism,” a sufficiently vague, though highly emotive doctrine with which the state could justify almost everything.¹⁹ In order to secure political legitimacy the Revolutionary Council banned all political parties while founding a new one, the BSPP, under military leadership in 1964.

Civil Bureaucracy in the Socialist Era (1962-1988)

Whereas in general one would expect the civil bureaucracy in a socialist regime, much like the military, to be a powerful institution given that, by definition, other institutions of representation (elections, competitive parties and freely organized interest groups) are weak or absent, this was only partially true for Myanmar during the socialist era. True, the military had earlier on dispensed with all democratic forms of representation and ruled under the auspices of a single party, the BSPP. However, the military officers who ran the country still needed the civil bureaucracy to implement their will. And whereas in some non-democratic states, the civil bureaucracy in conjunction

¹⁷ Ibid., pp. 89-105.

¹⁸ Ibid., p. 110.

¹⁹ See, in this regard, Taylor (1987) p. 296.

with the military becomes a leading political force by virtue of its technical expertise and ability to resist popular pressures, Burmese bureaucracy was mostly the BSPP regime's service agency.²⁰

One of the first things the military did after assuming power in 1962 was to create the Central Security and Administrative Committee, headed by a high-ranking military officer and directly responsible to the Revolutionary Council. In addition, a hierarchy of Security and Administrative Committees (SACs), headed by military officers, was instituted at each regional and local level, and made responsible for public order, administration of law, government directives and coordinating projects. For the next ten years or so many private enterprises, both domestic and foreign-owned, were nationalized, and new corporations, mostly operated by government ministries and headed by military officers, were set up.

Like all other state and non-state institutions in Myanmar, civil bureaucracy was also greatly affected by the new socialist one-party constitution approved by the Second BSPP Congress in October 1973 and promulgated in January 1974. In that constitution, presumably based on the concept of democratic socialism, several chapters had a direct impact on Burma's public administration.²¹ Among other things, the new constitution maintained the existence of seven sub-national states named after the dominant ethnic groups all the while abolishing all administrative, economic, judicial and political differences between those seven states and the seven administrative divisions in upper and lower Myanmar. A comprehensive twenty-year plan (1974-94) was adopted whose aim was to achieve an industrialized socialist state that would satisfy the basic needs of the population while preserving Burmese values.

²⁰ The civil bureaucracies of several Middle Eastern regimes, for instance, undoubtedly played positive roles during the 1950s and 1960s, when they helped to foster economic modernization. In particular, modernizing bureaucracies were able to initiate state-sponsored development even against the opposition of conservative landowners, in conjunction with the military and a strong national leader such as Egyptian President Abdul Nasser (1956-70). Similarly, during the 1970s in several Latin American countries such as Brazil and Argentina, bureaucratic technocrats, protected by repressive military governments, imposed more modern economies against opposition from some social groups – a phenomenon sometimes referred to as “bureaucratic-authoritarianism. (See O'Donnell (1979).) Likewise, several of the high-performing economies of East Asia (Malaysia, for example) provide more recent examples of the contribution civil bureaucracies can make to economic development in non-democratic settings. A powerful civil bureaucracy in Malaysia was able to ensure that long-term investment occurred, with strong political leaders helping to resist pressures for short-term improvements for ordinary Malaysians.

²¹ For example, chapters 3, 5, 6, and 10, respectively, deal with: the structure of the state, the powers of the Council of State, the role of the Council of Ministers, and the general pattern of local authorities.

It is thus unsurprising that with such lofty aims the position of Myanmar's civil bureaucracy during that period was characterized by one thing: its sheer scale.²² Indeed, the size of the civil bureaucracy under BSPP rule followed from the authoritarian character of the ruling party's operating principles. To achieve its grand mission of building a new society, the BSPP had to control all aspects of development, both economic and social, throughout the country.²³ As previously mentioned, by 1974 the private sector had been reduced to a fraction of its former size and much of the economy had essentially become an aspect of state administration. The numerous state enterprises that comprised part of the bureaucracy, for example, required a large army of workers to do the work as well as many administrators to provide the necessary coordination.²⁴

In addition, Myanmar's civil bureaucracy became intensely politicized, with the BSPP penetrating deeply into the administration. Indeed, the essence of BSPP rule lay in combining bureaucratic and political rule in one gigantic system. Ne Win regarded the bureaucracy as both indispensable and potentially unreliable – as a force through which its control of implementation might one day challenge its political BSPP masters. Hence the party sought to dominate the bureaucracy in the same way Ne Win controlled the armed forces: by controlling all major appointments to significant posts in the bureaucracy.²⁵ Such appointments doubled as a powerful incentive for the ambitious to gain and retain a sound reputation within the party.

The exclusive power the attempted ownership and control of all the factors of production and distribution brought the state during the socialist era led to the latent indifference of bureaucrats and the monopolies they ran to the provision of service, negative attitudes toward the public, and other pathologies. And whereas the system was not specifically designed to bring out the worst in human nature, it sometimes seemed it was. Again, everything functioned in parallel with services performed outside the orbit of recorded activity. In that context, the bureaucracy offered, through near-universal monopoly, unique opportunities for brokering petty power. Licenses, permits, tickets –

²² For more on the rapid expansion of the bureaucracy during the socialist era see Taylor (1987) pp. 309-311.

²³ See, in this regard, Taylor, R. H. (1987); and Guyot, J. F. (1966).

²⁴ Even in the agricultural sector where most of the farmland did in fact remain in private hands with freedom of choice in cultivation and marketing, those farms – mainly in the dry zone – that fell under the ministry of agriculture entailed a sizeable workforce.

²⁵ See, in this regard, Maung, Gyi (1983) pp. 184-224.

the whole range of the bureaucratic monopolistic paper chase – provided endless silage for this hungry fiend. In such a system many bureaucrats had a vested interest in increasing opportunities for erecting hurdles, since that boosted the potential for spoils.

In essence, Socialist Myanmar's bureaucracy operated, therefore, within a system – indeed it can be called a culture – preoccupied with petty secrecy and that micro-managed, distorted, and manipulated information to disguise inadequacies, root out dissension, exaggerate performance, and misinform. With its civil bureaucracy bloated, over-politicized, inefficient, and acting as a drag on rather than a stimulus to further progress, Myanmar became one of the most bureaucratic states in Southeast Asia.²⁶

Battered by a combination of bad politics and policy, the BSPP socio-economic system proved ultimately unsustainable. By the mid-1980s, almost forty years after the country's independence, the BSPP recognized the need for economic, political and constitutional reforms. With the restive population increasingly taking to the streets, the BSPP Central Committee finally agreed to introduce a multi-party system. As already documented elsewhere, the belated process of political liberalization was brought to a grinding halt on 18 September 1988 when the *Tatmadaw* (armed forces) once again took power in the name of the State Law and Order Restoration Council (SLORC). A hierarchy of Law and Order Restoration Councils – very similar to the 1962-era Security and Administrative Councils – was established at central, regional and local levels. The SLORC government also quickly suspended the 1974 Constitution, dissolved both parliament and local administration and purged the civil service of several thousand personnel suspected of participating in mass demonstrations.²⁷

The Civil Bureaucracy in Stratocratic Myanmar (1988-present)

Among other things, military regimes are usually characterized by a high degree of centralization, an emphasis on authority, little, if any, civil administrative and managerial autonomy, and few consultative bodies and proceedings. Post-1988 –

²⁶ See, in this regard, Hlaing (2003).

²⁷ See, in this regard, de Weerd (1992) pp. 89-102; Tin, M. Muang Than (2001) p. 221.

Myanmar's military regime has not been much different. Indeed, the post-1988 military period provides both similarities and contrasts with the BSPP approach to the country's civil bureaucracy. This is unsurprising since one of the fundamental legacies from the socialist era is the inheritance of a largely unaccountable and corrupt bureaucracy. As seen earlier, under the old regime presided over and dominated by General Ne Win, the civil bureaucracy was a central linchpin of the highly centralized, inward-looking dictatorship. The dominant test of appointment to the civil service was loyalty to the regime. In operation, the bureaucracy remained largely overstaffed, lethargic and prone to corruption – albeit with only a few changes as the BSPP era was morphed into the current one headed by the *Tatmadaw*.²⁸

In the transition to a mostly market-led economy, Myanmar experienced the inevitable economic distortions, uncertainties and instabilities. Many of the economic changes of the post-1988 period had some impact on the bureaucracy as well.

Yet even after Ne Win's BSPP order collapsed, restructuring of the civil bureaucracy remained a low priority amid the drama of the prolonged struggle between Myanmar's military government and the political opposition and the military's attempts at state building and consolidation. Though the end of the BSPP era ushered in the end of Ne Win's authoritarian rule, it never quite translated into the complete disintegration of the all-pervasive, over-extended and over-politicized state bureaucracy. True, the change in ideology led initially to administrative confusion, especially during the period leading up to the 1990 election. Many civil servants, particularly in the period immediately following the coup, found their salaries inadequate to keep up with inflation, more or less forcing them to fraudulently supplement their income through the exploitation of the colossal stockpile of formal regulations inherited from the socialist era as well as through other extra-legal means. As such, the post-BSPP era civil bureaucracy has largely remained pre-Weberian – operating by the inconsistent application of formal and informal rules and regulations in a state that can probably best be described as institutional ataxia.

Though still extensive today, Myanmar's bureaucracy is generally only weakly controlled, allowing its personnel to continue to extract "rents" from society in an

²⁸ SLORC transformed itself into the State Peace and Development Council (SPDC) in November 1997 in a major shakeup of the junta whereby only the top four generals in the eighteen-member ruling body remained.

arbitrary and unaccountable fashion when and if they can get away with it. Indeed, although grossly under-paid, jobs within the bureaucracy are still largely valued as an opportunity to extract as much lucre as possible where and when opportunities exist, especially as many bureaucrats find themselves well-positioned to exploit the continuing transition to a more market-driven economy.²⁹

The ideology of Myanmar's current military rulers is still largely that of mobilization, seeking to place the key resources of society at the service of an expansionist state, as was the case during the socialist era. For example, the military retains a vast planning machinery that it uses to institute multi-year socio-economic plans, particularly in social and infrastructure ministries. Bent primarily on preserving a unitary state, on containing civil unrest, on bringing the rest of territorial Myanmar under central government control, and on state-building, the military government does not seem particularly interested in civil administrative affairs. Instead, the military leadership regards itself and its structures of power and control as generally superior to the ineffective rules and bureaucratic procedures inherited from the BSPP era, particularly as the leaders emphasize the "caretaker" and "transitory" nature of the current government. In most government ministries as well as departments, corporations as well as state economic enterprises, active and retired military officers are appointed or seconded as executives. In addition to a 1991 decree banning civil servants and their relatives from participation in overt political activity, SLORC's successor, the State Peace and Development Council (SPDC), set out to revamp the Civil Service Selection Board (CCSB), the agency responsible for the recruitment and training of university-educated (or gazetted) officers as well as for scrutinizing any proposals by government agencies regarding civil service personnel.³⁰ Yet rather than expand governmental prerogatives through the civil bureaucracy, the military's reassertion into all aspects of the state machinery has progressively overwhelmed already inefficient civil administrative structures. Indeed, the subversion of Myanmar's civil administration under military rule since 1988 has been piecemeal and extemporized, the effect, perhaps, of a combination of ineptitude, impatience and neglect rather than the pursuit of any obvious alternative. In

²⁹ See, for example, Tin, M. Muang Than (2001) p. 222.

³⁰ Ibid., p. 221.

that way, the relatively less bureaucratic character of the military rule contrasts with practices during the BSPP's socialist era.

Whereas space considerations preclude a discussion of the state-building roles of the *Tatmadaw* during the post-BSPP era, it should be noted that since taking up the reigns of power, the armed forces have also taken on many responsibilities that are traditionally associated with the civil bureaucracy including the initiation, coordination, and implementation of policies in almost all areas of government.³¹ And in the countryside, where the General Affairs Department of the central government's Home Ministry has essentially ceded day-to-day responsibilities for state-building to the regional military commanders, the role of the civilian bureaucracy is marginal at best.³² In the frontier provinces that have only recently come under some form of central government control especially, but also elsewhere in provincial Myanmar, there is an almost personal form of sub-national rule where local *Tatmadaw* commanders and ceasefire group leaders wield all but complete power.³³ Elsewhere local government generally takes the form of local representation of both central government and a central budget within the military government's Yangon-based planning system. In many ways, these forms of "local government" are the grass-roots end of the military regime's control and patronage system, ensuring that regional commanders and ceasefire groups are acquiescent for the sake of internal "security" and the country's territorial integrity. The corruption and dysfunction that exist at local levels are thus indivisible from the corruption and dysfunction of the individuals who represent it, and this is better known and understood here than it is with the more remote individuals higher up, often shielded by the government's powerful information machinery.

Challenges and Prospects for the Civil Bureaucracy during Myanmar's Transition

The Myanmar bureaucracy can almost be said to be a synonym for inflexibility, lethargy, anachronism, shadiness, unresponsiveness and interference. The bureaucrats are

³¹ Callahan, M. P. (2001) pp. 425-426.

³² The General Affairs Department of the Ministry of Home Affairs is the key agency – at least in theory – through which sub-national administration down to the township level is exercised.

³³ See, in this regard, Tin, M. Muang Than (2001) pp. 217, 237.

seen as people whose dull working lives are spent pushing paper, act that result only in confusion, circumlocution and unnecessary red-tape.

One of the first challenges in overcoming the bureaucracy's present shortcomings is to recognize publicly not only that problems once existed but that they have enduring repercussions today. Myanmar's post-independence history cannot be swept under the rug along with the memory of General Ne Win and the BSPP. The socialist era, much like the parliamentary and colonial eras before it, left living, breathing legacies locked into contemporary Myanmar's body politic in the form of the civil bureaucracy, an institution that each of rulers in the respective periods tried hard to fashion to his needs and ideals. Accordingly, the first step is to be clear and open about that long post-independence legacy, to appreciate and understand it, and to decide just what is to be done about it. Otherwise, rather than the civil bureaucracy facilitating change, it will – if only through inertia and lethargy – continue to play its part in the frustration of state transformation. Many of these problems and obstacles stem from the fact that for the latter half of the twentieth century for most people in Myanmar that is how bureaucracy was “supposed to work.” During much of that time, change, except by fiat from the centre, represented a threat, and was seldom, if ever, envisaged by those who presided over that bureaucracy. Some far-reaching and bold statement will thus have to be made making clear just what is the role of the bureaucracy in relation to the public and the political ethos of twenty-first century Myanmar. And the people of Myanmar are going to want to know in what ways their bureaucrats will be held responsible for their actions, since they will no longer be able to hide behind the shield of indifference so common in the past as well as today.

As was pointed out at the beginning of this paper, it is rather unfortunate that the focus of the national debate in Myanmar today is overwhelmingly on the struggle between the military government and the political opposition, as well as on lack of compromise among the protagonists' ideological paradigms, not with the nature of the agency that must, ultimately, translate those paradigms and policies into goods and services for the common folk. It is little wonder then that in these circumstances discussion on the nature of public service in general, and of the bureaucracy in particular, is largely absent. Thus it is still a bit premature to say when and whether a much more professional bureaucracy will take root in Myanmar.

In this uncertain period of Myanmar's history, while the rest of the world is reeling with change, time becomes the enemy of real reform. Yet it is imperative that policy debate on the nature and role of bureaucracy in contemporary Myanmar takes place at the highest levels to facilitate effective agreement on the relevant rules and principles. Under the present military government there has been seen no failure to swiftly pass new laws nor to update old ones and thus, at least hypothetically, new laws could be written specifying procedures for, say, the recruitment, promotion, compensation, and dismissal of bureaucrats. The critical issue, however, is the *basis* upon which such laws, or for that matter, any broader public sector reform laws can be constructed, and whether or not the country's civil bureaucracy needs much more than the passage or amendment of laws and regulations to give it direction and momentum and push it in a Weberian direction characterized by, among other things, meritocratic recruitment and predictable, long-term career rewards.

"What Then?" and Other Concluding Thoughts

Overcoming the difficult inheritances from Myanmar's past is an important component of state consolidation amidst new challenges. With regards to civil bureaucracy, the task is to move it away from the highly political mode of operation that peaked during the socialist era toward a more professional Weberian model. Only when that long-term goal has been achieved will it make any sense to contemplate applying the latest fads and fashions in public management to the country's bureaucracy or the wider public sector. Indeed, any premature preoccupation with hardware, software, styles, and gimmicks is likely to produce only a bureaucracy efficiently worse than it was previously or, in fact, still is. For contemporary Myanmar, a public administration steeped in "old fashioned" Weberian concepts remains a reasonable and even demanding aspiration even as it comes to be seen as inadequate for the longer-term.

Whatever the ultimate form of Myanmar's political economy, it is clear that a reformed civil bureaucracy will play a vital role. Again, how that is to be defined is contingent upon the country's unfolding political process. Whatever the outcome of that

process, the bureaucracy ought to help facilitate that change, limit abuse in the public sector, and otherwise aspire to the prerequisites of a modern economy. Facilitating events is a world away from insisting, as a part of the bureaucracy, on doing them yourself, and will require new attitudes, new skills, and new dynamism aimed at results rather than routinized procedures of yesteryear. These are hardly traits to be found in Myanmar's monopolistic, highly centralized post-independence bureaucracy in which many of its rank-and-file is ever seeking out opportunities for privilege, nepotism, and kickbacks. But that is precisely what is being advised: that one system is transformed into the other.

To be sure, comprehensive change as handmaiden of both state transformation and a modern bureaucracy in what is essentially still a traditional spoils context will certainly work against the perceived interests of those who have long benefited from exploiting their positions in the public service. This calls for cutting down the number of lucrative hurdles and unravelling the complex system of "rents" and kickbacks. Indeed, moving away from such a spoils and patronage system will represent a personal setback for those who continue to benefit enormously from the way the civil bureaucracy has functioned since Myanmar's independence, but particularly since the dawn of the socialist era. And far from mere indifference and lassitude from them, one would expect resentment to be a natural outgrowth of any efforts at serious bureaucratic reform under these circumstances.

In this context it is important that Myanmar's bureaucrats be given a new set of rules to replace the old ones, and even more important, be availed a set of ethics and values to govern their role, attitudes, perceptions, and behaviour. Perhaps the central guiding tenet should be that which seeks to the greatest possible extent that control of the civil bureaucracy should rest with the public and officials who are representative of that public. Whereas this may sound implausible today when the control mindset is still strong and national politics not quite sorted out, it is not inconceivable at some future point.

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