

I Introduction

1 Trials in and of Myanmar

On 11 August 2009 Suu Kyi, 1991 Nobel Peace Prize Laureate, General Secretary of the National League of Democracy (NLD) and opponent of the military junta which had ruled Myanmar since 1988, was sentenced to three years' imprisonment by a special court in Insein Prison near Yangon. The charge: she had hosted for two days an American citizen who had swum across Inya Lake bordering her house and thus violated the terms of the house arrest imposed upon her in 2003.¹ Five minutes after the ruling, the country's Home Minister entered the courtroom and read aloud a special order from junta chief Senior General Than Shwe.

In the order, Than Shwe decreed that the sentence be halved to 18 months and that the prison sentence be commuted to house arrest. Two explanations for the reduction were given. Firstly, it was meant to "maintain peace and tranquillity" in the country and secondly, Suu Kyi was being given credit for being the daughter of Aung San, the national hero who had won Burma's independence (NLM 12.8.2009: 9).

The court passed the same sentence of three years' imprisonment on Suu Kyi's two house attendants, who had been the only people staying with the detainee for the past six years. Their sentences were also reduced by order of the country's top leader. For the three residents of University Avenue 54, the last home of Aung San's family, into which Suu Kyi had moved in 1988 to care for her ailing mother, the result of the trial was a continuation of the state of affairs that had been existing with some interruptions since 1989. The last house arrest, imposed on Suu Kyi at the end of May 2003, was simply prolonged for 18 more months.

American citizen John William Yettaw, who had visited Suu Kyi on 4th May, was found guilty of violating three laws. He was sentenced to seven years in prison, including four years' hard labour. Only following the intervention of American Senator Jim Webb some weeks later was Yettaw pardoned and released.

In itself the verdict on Suu Kyi came as no surprise. It was reported that in preparing herself for the expected prison term she had already chosen

¹ The exact judicial terms of the house arrest and its legal justification are disputed. For details see chapter V.

some books to take along.² Equally predictably, the verdict was criticised globally by governments, organisations and individuals with a concern for Burma, and at the same time strongly defended by the ruling military junta and its mouthpieces. Such actions could be seen as parts of a routine that had been repeated since Suu Kyi's first house arrest in July 1989. The same applies to the special circumstances of the case, which were labelled "bizarre" and "farcical" by foreign observers.³ Similar terms had been used earlier to describe the actions of the government vis-à-vis Suu Kyi.

Both the actual tribunal in Myanmar against Suu Kyi, which took place mostly *in camera* in a court room in Insein Prison, and the public condemnation of Myanmar's ruling junta were merely interconnected episodes in a conflict between two contenders who were very unequal in many regards. One side was represented by the leadership of the country's military, the Tatmadaw, to use the Burmese honorific name of Myanmar's armed forces. On the other side stood the daughter of this military's founder and her allies inside and outside of Myanmar. The contest began some twenty years before the trial in 1988, with Suu Kyi's arrival on the political scene of her home country and the military's coup d'état of 18 September 1988. The contest developed into an asymmetric confrontation that resulted in a long political deadlock.

2 The scope of the study

Observers noticed that the verdict passed on 11 August 2010 was connected to the political timetable of the military government. At the end of August 2003 a "roadmap" consisting of seven steps had been announced which aimed at establishing a "disciplined democratic system" in Myanmar.⁴ After the constitution drafted by a National Convention was adopted by a referendum in May 2008 (step four of the roadmap) the government in early 2009 announced that elections (step five of the roadmap) would be held in 2010. However, no precise date was initially given. Only on 13 August 2010

² *The Guardian* 31.7.2009: "Aung San Suu Kyi trial verdict delayed. Burmese pro-democracy leader begins to prepare for prison life as she awaits trial verdict now delayed until 11 August" (<http://www.guardian.co.uk/world/2009/jul/30/burmese-leader-awaits-verdict> [1.8.2009]).

³ CNN, 18.5.2009: "Bizarre Suu Kyi trial will change nothing for oppressed Myanmar" (<http://inthebfield.blogs.cnn.com/2009/05/18/bizarre-suu-kyi-trial-will-change-nothing-for-oppressed-myanmar/> [5.9.2011]); Indo-Burmese News, 19.8.2009: "Suu Kyi's trial is a complete farce" (<http://www.indoburmanews.net/archives-1/2009/august-2009/suu-kyi-s-trial-is-a-complete-farce/> [5.9.2011]).

⁴ NLM 31.8.2003 (<http://burmalibrary.org/docs/Roadmap-KN.htm> [28.7.2010]).

was 7th November announced as election day. Suu Kyi's sentence was interpreted by observers as a move to prevent the NLD leader from playing an active role in the election process.⁵ The date of the election, the last Sunday before the end of the sentence on 13th November⁶, was thus deliberately chosen to achieve this goal. This detail shows that the Tatmadaw's plans for Myanmar's future and the personal fate of Suu Kyi were closely interwoven.

Five laws regulating the elections were published on 8 March 2010. According to the "Political Parties Registration Law" parties that had already been registered had to apply for reregistration within 60 days. The Central Executive Committee (CEC) of the NLD, winner of the elections of 1990, decided on 29 March 2010 not to register. They did so in protest against the constitution and the election laws which did not allow Suu Kyi and other imprisoned members of the party to participate in the elections. From this moment onwards, the political conflict between the military government and Suu Kyi entered a new stage. The party no longer legally existed⁷ and its General Secretary was like a general without any organised troops. Therefore 29 March 2010 can be regarded as marking the temporarily exit of Suu Kyi as an actor on the public political stage who was challenging the military's claim to lead the country. The date, however, did by no means signify the end of the conflict between the two contestants and their respective allies. This conflict continued after the elections of November 2010 and the dissolution of the State Peace and Development Council (SPDC) together with the transfer of power to a nominally civilian government headed by former general Thein Sein on 30 March 2011.

However, overlapping with a continuation of the conflict begun in 1988, a new period of Myanmar's history began. This is characterised by a rapprochement between the two sides, highlighted by a meeting on 19 August 2011 of Thein Sein and Suu Kyi in Myanmar's capital, Naypyidaw, the decision of the NLD to re-register as a political party on 18 November

⁵ Under section 10e) of the Political Parties Registration Law issued on 8 March 2010 only a "person who is not a convict" could become a party member. According to section 12 a) (vi) ,a party was refused "the right to subsist" in the case of "concealing intentionally without dismissing from the party the persons not in conformity with any fact contained in Section 10." For details see <http://www.hrw.org/en/news/2010/03/10/burma-election-laws-may-shut-down-opposition-parties> [23.12.2011]. For details of the legal implications see ICG 2010: 10-12.

⁶ For a discussion of this question see ICG 2010: 7. – The period of detention started on 14 May 2009, the day on which the case against the defendants was brought to court.

⁷ The de-registration of the party was finally confirmed by the Election Commission on 14 September 2010. An appeal against the decision filed after the elections was turned down by the country's High Court at the end of January 2011.

2011, and Suu Kyi's announcement that she would run in the by-elections to be held on 1 April 2012.⁸

This study documents and analyses the period of confrontation between the beginning of military rule in September 1988 and its – formal – end in March 2011. This timespan is regarded as a period of transition between the 26 years of the “Burmese Way to Socialism” (1962-1988) dominated by Ne Win and the beginning of the last step of the military's roadmap under the constitution adopted in 2008.

Suu Kyi's political career started on 15 August 1988, when she entered the scene of Burmese politics with an open letter to the Government that she co-signed (see chapter II, 4; 5.2.1). Some days later on 26th August she addressed a crowd of about half a million people on the slope of Shwedagon Pagoda. Here she openly proclaimed her intention of preserving the legacy of her father, Aung San, the founder of the Burmese army, and coined the famous phrase of the “second struggle for national independence” (Suu Kyi 1991: 199). An open conflict between Suu Kyi and the leaders of the Tatmadaw commenced when the military leadership took over power from the last government of the Burma Socialist Programme Party (BSPP) by setting up the State Law and Order Restoration Council (SLORC) on 18 September 1988.

All conflicts feature a mixture of unique and general attributes. This study employs a multi-perspective approach in order to account for the various aspects of the controversy which it investigates. It provides a chronology of events between 1988 and 2011, while also shedding light on a variety of aspects of Burmese history before 1988. It will also analyse public and academic discourse concerning Myanmar. The material and the reflections provided here connect the period between 1988 and 2011, dominated by the conflict between the military and Suu Kyi and their respective supporters in Burma/Myanmar, with both the country's previous history and international responses to events in the Southeast Asian country.

⁸ The new development was made possible by an amendment of the Parties Registration Law. Article 10e) was removed on 5 November 2011 when President Thein Sein signed the “2011 Union Assembly Law 11” (<http://www.burmalibrary.org/docs12/PYIDH-Law11-NLM2011-11-09.pdf> [23.12.2011]). 14 days later, the NLD Central Committee decided unanimously to re-register as a political party. (<http://www.asianews.it/view4print.php?l=en&art=23210> [23.12.2011]). Suu Kyi stated that she would run in the by-elections (CNN 18.11.2011). The party's registration was officially submitted on 23 December 2011 (BBC 23.12.2011). For this occasion Suu Kyi, elected vice-chairman of the party some days before, flew to the capital, Naypyidaw, together with the new chairman, Tin Oo (DVB 20.12.2011). The Commission confirmed the registration on 5.1.2012 (*Irrawaddy* 5.1.2012).

3 Contrasting images

The title of this book, “The Beast and the Beauty”, points to a basic assumption of this study. It is borrowed from the fairy tale so effectively depicted in a Walt Disney movie⁹ and indicates that the media play a crucial role in the conflict under investigation here. The media offer a simple, plausible and emotional picture to explain what is and has been happening in the South-east Asian country. The antagonistic image, which in the fairy tale tradition promises a happy ending initiated by the human qualities of the Beauty, can help us to understand events in a far away and little-known country. It also allows for the integration of new information such as the trial of Suu Kyi in 2009. The following quotation from a British newspaper may illustrate this function. It contains a comment by a well-known Burmese activist about the news of the postponement of the verdict on Suu Kyi and the other accused in the “Suu Kyi – Yettaw case” from end of July to 11 August 2009:

Burmese leadership’s mad behaviour betrays its fear

It was billed as the climax of this farcical trial. The media was there, foreign diplomats had come from as far away as Bangkok. They left the madhouse, baffled. True to form, Burma’s Senior General Than Shwe pulled off a surprise move from the handbook of psycho-warfare. Emotions had been built up, so the man deflates them. The excuse, according to a diplomat who quoted the judge, was that more time was needed to interpret the 1974 constitution. Even taken at face value, this means that men with depraved minds reign in Burma.

Since when have military generals tried to resurrect constitutions which they themselves abolished when they usurped power? Their desire to hold on to power is so great that being seen to behave madly is a small price to pay. [...]

The real reason for yesterday’s decision may be that 8.8.88, the 21st anniversary of the popular uprising which toppled Ne Win’s corrupt, incompetent dictatorial rule but failed to seize power and install a new government, is around the corner. Generally, anniversaries make these men sleep in their bunkers and war-rooms. The only thing that needs to be interpreted in Burma is Than Shwe’s words and whims. Astrologers, occultists and fortune-tellers, of course, already do it, for handsome fees and access to power.

The leadership’s mad behaviour betrays its fear. They have guns, but they are cowards, with neither the balls to face either the world or the public in whose name they justify their madness. But why are they so scared of Aung San Suu Kyi, a 64-year old, harmless widow?

Change will come to Burma, for better or worse but the road is going to be a long and painful one.¹⁰

⁹ The fairy tale has often been visualised. For details see Erhart 2007 and the Wikipedia article on “Beauty and the Beast”.

¹⁰ <http://www.independent.co.uk/news/world/asia/suu-kyi-made-to-wait-for-trial-verdict-amid-legal-wrangling-1765892.html> [5.8.2009]. The author of the comment, Dr. Zarni, is the founder of the Free Burma Coalition. For more information on his biography see http://en.wikipedia.org/wiki/Maung_Zarni [5.8.2009].

The Beast and the Beauty

It may be assumed that this persuasive antagonistic picture favouring Suu Kyi contributed to counterbalancing the military's physical supremacy through the "moral capital" (Kane 2001; Fleschenberg 2005) accredited to her. The "harmless widow" was in every regard the opposite of Than Shwe and his cronies. In contrast to the fairy tale, however, the antagonism as described by Zarni and many others leaves no room for sympathy towards the "human beasts" at the top of the Myanmar military. Redemption and reconciliation are precluded.

The method of constructing an absolute opposition by blaming a contrasting "other" can also be found on the side of the military, which created a reverse antagonism in their own favour. They argued that the incident that had led to the trial might have been created by "the other side and not by the Myanmar government" in order to harm the relations between Myanmar and other countries. On 22 May 2009 the response of the country's Foreign Minister, Nyan Win¹¹ to the concerns of his Japanese counterpart was reported:

The court will decide according to the law. Both Daw Aung San Suu Kyi and the American citizen are in good health. Well-qualified doctors and specialists are assigned to attend to their medical needs. Myanmar is trying to build improved relationship with countries all over the world including US, Japan and European nations. [...] at a time when US, Japan and European nations are reviewing their policies on Myanmar, it was likely that this incident was timely trumped up, to intensify international pressure on Myanmar, by internal and external anti-government elements who do not wish to see the positive changes in those countries' policies towards Myanmar (NLM 22.5.2009: 7).

In less diplomatic language, Ye Myint Aung, Myanmar's Consul General to Hong Kong and Macau, posted the following answer to questions of interested people on his website:

Dear Friends, frankly, we have no idea whether he is either a secret agent or her boy friend at this moment. We shall try to learn it and tell you later.¹²

This comment was in line with a long tradition of depicting Suu Kyi and the Burmese people associated with her as stooges in the service of neo-colonial forces.

¹¹ The minister coincidentally, bears the same name as Suu Kyi's main defence lawyer and spokesman of the NLD.

¹² http://www.irrawaddy.org/article.php?art_id=15709 [3.10.2009] The diplomat was known for rather rude commentaries. Before his remark on Yettaw he had called the Rohingyas, the Muslim minority in Northern Rakhine State "ugly like ogres [traditional Burmese monsters]" (ibid.).

These quotations point to a similarity of language employed to describe a conflict between “good” and “evil” forces. The structural similarity in the arguments of both sides, however, is accompanied by an asymmetry between the two contestants. Suu Kyi is not only virtuous in the eyes of her supporters, she is beautiful as well. Here ethics and aesthetics come together. Furthermore, almost nobody either inside or outside Myanmar believed in the interpretation of the events provided by the Myanmar government. The majority of the Myanmar public believed in the superiority of news coming from the foreign media,¹³ dismissing the coverage of events by the official¹⁴ Myanmar media as pure propaganda, as did the majority outside the country.

How aesthetics, ethics, and trust in the media portrayal of the contrasting images of the two contestants affected the political conflict in Myanmar will be discussed here.

4 Conceptualisation of a conflict set in a global context

The above observations on perceptions of the conflict both internally and internationally are reflected in the simple thesis upon which this study is based: Myanmar politics can only be adequately assessed when seen and set in a global context. At the latest¹⁵ from 1988 onwards, when the mass demonstrations and Suu Kyi’s entrance into the political arena caught worldwide public attention, the country’s development has been heavily influenced by a variety of global factors. This thesis includes some theoretical and practical challenges. Three of these shall be outlined here.

4.1 The political rhetoric of antagonism

Stephen McCarthy has noted an “intellectual crisis in comparative politics” (McCarthy 2006: 8-40), arguing that the “deterministic” trend of modern political science assuming a historic “move towards democracy” contributes to a failure in understanding regimes that do not follow this trend. He thus questions some basic assumptions upon which attempts to measure the degree of democratic and authoritarian rule rest. Such measurements are attempted by the leading “rating agency” in the field, Free-

¹³ For an analysis of this phenomenon see Zöllner 2009, Chapter 5.

¹⁴ After 1988, many private media have sprung up in Myanmar. Their reporting is, however, still restricted by a government board’s censorship.

¹⁵ One may argue that the age of globalisation in Burma, as in many other countries, began with the first contacts with Western countries in the 16th century.

dom House, and widely acknowledged both by academics and political actors. The surveys published are based on a methodology which claims “not [to] maintain a culture-bound view of freedom” and -- a somewhat contrasting statement -- to “operate from the assumption that freedom for all peoples is best achieved in liberal democratic societies.”¹⁶

Instead, McCarthy proposes to come back to a “classic” political theory as developed by Aristotle. The Greek philosopher compared empirically the political regimes of his time in Europe and in Asia, distinguished different types of “democratic” and “tyrannical” political systems, and developed a typology of regimes that allows for a mix of both schemes. Moreover, Aristotle’s enquiry does not imply the idea of historical progression toward a certain goal as most modern theories do, but undertakes a “cyclical analysis of regimes”.

According to McCarthy, an examination of the rulers’ rhetoric is helpful for a proper understanding of different tyrannical regimes. Even the most tyrannical rule is never “naked”, but is veiled by the ruler’s attempt to “give a fine performance of the part of the kingly ruler” (McCarthy: 54). Royal rule is considered to be one of the two milder forms of tyranny identified by Aristotle in comparison to the third, the “brutish” type, which might have prevailed in Myanmar under the rule of SLORC and SPDC as a military-dominated form of tyranny that Aristotle did not anticipate.

One way to “give a fine performance” is with a special kind of rhetoric that makes use of a historically passed-down reservoir of common wisdom in order to influence public opinion in favour of the actual or potential rulers. Main sources for this reservoir are religion and ethics. In this context McCarthy analyses the rhetoric of Singapore’s rulers, the “Buddhist rhetoric” of Myanmar’s junta, and that of Suu Kyi and of her father, Aung San (McCarthy 2006: 149-185; 210-217).

But whereas McCarthy analyses only a type of one-way rhetoric from the side of the rulers and rulers-to-be towards “the people” (and perhaps first and foremost towards themselves), this study tries to assess the two-way communication of both the contestants for power in Myanmar and their allies, as illustrated by the remarks on Suu Kyi’s trial. The contrasting comments on Suu Kyi’s trial of both sides’ advocates are viewed as representing indirect communication using strong and partially abusive assertive rhetoric to justify their own standpoint as well as to attack and ridicule the other side and thus influence public opinion. Furthermore,

¹⁶ http://www.freedomhouse.org/template.cfm?page=351&ana_page=341&year=2008 [7.10.2010].

the relationship between indirect communication through the media and the direct exchange of views, as in the telephone conversation between the Japanese and Myanmar foreign ministers on the issue of Suu Kyi's trial, will be taken into consideration.

An examination of the reports on the monks' demonstrations of 2007 has shown how indirect communication may work in practice (Zöllner 2009: 45-58). The monopolist Myanmar state media are compelled to adopt some features of the system of a free press that is dominant outside of their sphere of influence. Thus they react to news from abroad, which are being received and trusted as truthful by the people inside the country. On the other hand, the media outside Myanmar are induced to employing some kind of self-censorship in order not to harm the "moral capital" of Suu Kyi which they want to increase.¹⁷ Promoters of "democracy" and "tyranny" are, therefore, much more connected to each other than their antagonistic rhetoric might suggest.

Based on these findings, this study investigates the emergence of the simplistic antagonism between a "hero/heroine" and "the other" that seems to be devoid of any ambiguity, as exemplified by the statements quoted above. The consequences of such mutual rhetoric will be examined here, as well as possible alternatives to it. The reduction of the sentence against Suu Kyi by the government and the reasons given for this by the Home Minister demonstrate the usage of "soft rhetoric" on the side of the Burmese "tyrants". The question needs to be raised whether such rhetoric is merely a cover-up for hard political action or if it might indicate possibilities of "softer politics" which might not have been recognised and acknowledged by their opponents.

The investigation into the origin, development, and hardening of the rhetoric employed by both sides in the conflict will be complemented by a discussion of the "alternative communication" interwoven in the confrontation. This examination will focus on the role of direct talks between the

¹⁷ A critical article on Suu Kyi by Cathy Scott Clark and Adrian Levy published in the "Guardian" on 11 November 2008 was heavily criticised even by people like Zarni who earlier had doubted the wisdom of relying only on Suu Kyi as the only beacon of Myanmar's independence. He and other critics pointed to some incorrect facts in the article. A first correction was published on 2 December 2008. A lengthy "correction and apology" by the Guardian's readers' editor was published on 9 June 2009 after the trial had begun (for details see <http://www.guardian.co.uk/world/2008/nov/11/burma-aung-san-suu-kyi> [2.8.2009]). – Desmond Tutu wrote a response on the article that was published by the Guardian on 31 July 2009 (<http://www.guardian.co.uk/world/2009/jul/30/desmond-tutu-aung-san-suu-kyi> [2.8.2009]).

contestants and various mediators¹⁸ and the function of the oft-postulated calls for “dialogue”, which finally did not produce any tangible results.

4.2 Communication and conflict

In fairy tales à la Walt Disney, there is always the hope of a happy ending for even the most antagonistic of conflicts. This is of course not the case in reality. Nonetheless, the desire for a happy ending might very much influence understandings of “conflict”, “confrontation”, “antagonism” and other related terms. A conflict may thus be conceptualised as a – perhaps necessary – transition to a state of harmony, reconciliation or compromise. If the expectation of an end of the conflict is not fulfilled in due time, people might tend not to look for the cause of the conflict but for a culprit who can be blamed.

The following deliberations are based on a conceptualisation of conflict that does not regard conflict as an anomaly but rather as a functional system that may or may not deliver positive effects. This concept is borrowed from Niklas Luhmann’s systems theory (Luhmann 1995: 357-404).

Luhmann’s theory can be seen as belonging to the Aristotelian tradition as it is not linear and additive, but in a sense circular. Systems emerge out of the infinite complexity of ‘reality’ and may disappear when the boundary of the system’s environment is dissolved. Time is regarded neither as a “chronology based on natural laws” nor as “teleology”. However, time plays a crucial role in the formation of social systems as an answer to the problem of double contingency (Luhmann 1995: 125-126). Contingency means that in a given situation nothing is either mandatory or impossible. In the interaction of *ego* and *alter* the insecurity arising from this phenomenon results in a circular relationship: both know that both know that one could also act differently. This brings about indeterminacy, which makes social order impossible.

Luhmann does not solve the problem by suggesting common cultural symbols as the basis of consensus. He argues that the problem itself leads to a solution by building social order through communication which, over time, becomes self-reproducing. Established patterns of communication thus reduce insecurity as well as complexity without completely abolish-

¹⁸ With regard to Zarni’s comments, it is interesting to note that he tried to directly communicate with the junta by undertaking a very controversial trip to Myanmar in March 2004 where he met with deputies of then Prime Minister Khin Nyunt. The mission was a failure (see chapter XI, 5.2.4). Khin Nyunt was ousted in October 2004.

ing the risks involved in the phenomenon of contingency.¹⁹ As a consequence, trust and mistrust play a salient role in the management of risky communication (Luhmann 1995: 127-129).

Systems thus reduce complexity and increase security by way of differentiation and the production of “meaning” through a series of communications about symbolically generalised media like money (the economic system), justice (the legal system) and power (the political system). All systems have a universal and thus a global dimension. As a consequence, the single nation-state and its society are peripheral to Luhmann’s abstract concept (Thyssen 2006).

According to Luhmann, any communication that constitutes a system is guided by expectations and how to deal with them in the face of the many risks caused by the great number of decisions to be taken in a highly complex world. Under these preconditions, a conflict arises when two individuals or groups say “no” to the expectation of the communication partner and expect the communication partner to do the same. In Luhmann’s words:

Conflicts serve to continue communication by using one of the possibilities that communication holds open, by saying no. [...This concept] concerns a special (ever possible) realization of *double contingency*, *communication*, and finally a *social system of a special kind*. [italics in the original]
Conflicts are social systems, indeed [...] The occasion that triggers them and the catalyst of their own order is a negative version of double contingency: I will not do what you want if you don’t do what I want. (Luhmann 1995: 389)

As an illustration, the conflict between the representatives of employers and workers/employees in a wage dispute may be useful. As a rule, trade unions will not accept the first offer of the employers’ side – and they do not expect that the employers will accept their own demands. After some bargaining, and maybe a strike, there will be an arrangement, but after some time, mostly agreed upon by both sides, the conflict will start again. The permanence of the conflict does not harm the stability of society but, to the contrary, is a stabilising factor within a democratic system. In Luhmann’s words:

¹⁹ Luhmann describes the creation of reality through a process of communication as follows: “Beginning is easy. Strangers begin by reciprocally signalling each other indications of the most important behavioural foundations: the definition of the situation, social status, intentions. This initiates a system history that includes as well as reconstructs the problem of contingency. As a result, the system increasingly is occupied with arguments about a self-created reality: with handling facts and expectations that the system itself has helped to create.” (Luhmann 1995: 131-132)

The Beast and the Beauty

As social systems, conflicts are autopoietic,²⁰ self-reproducing unities. Once they are established, one can expect them to continue rather than to end. Their end cannot ensue from autopoiesis, but only from the system's environment – as when one party in the conflict kills the other, who then cannot continue the social system of conflict. (ibid.: 394)

This rather sordid description can be illustrated by a historical incident that threw the old Burma into the modern, global world: the removal of Thibaw, the last Burmese king from the throne in 1886. The third Anglo-Burmese war, which resulted in the colonisation of the whole of Burma and the shipment of the king's family into exile, was caused by a dispute between the Burmese court and the Bombay Burmah Trading Corporation over the modes of transaction of the teak trade. The conflict had been preceded by many other failures to reach an agreement on a variety of issues and could not be resolved. In the end, one of the conflicting partners, the king as the lord of trade in the Kingdom of Burma, was physically removed from the scene by the war.

The conflict, however, continued or – in terms of systems theory – reproduced itself in the confrontation of the nationalist movements and the British, and then through the independence struggle which resulted in the removal of Britain as the colonial power and Burma's independence in 1948. By refusing to join the Commonwealth of Nations and thus not accepting the British sovereign as the nominal head of the nation, Burma symbolically took revenge. By way of analogy, one may regard the official British stance of unequivocally condemning the military government's actions and of supporting Suu Kyi's case²¹ as a continuance of this old conflict (Zöllner 2011a).

This example underlines the thesis stated above that Burma's internal conflicts are indissolubly linked to the country's global environment. The social systems to which the conflicting communication partners involved in the conflict belong are very different. Apart from the fact that communication within global society is subject to special conditions (for details see chapters VII and IX), the societies of Burma/Myanmar and, to single out the country's former colonial power, the United Kingdom, are

²⁰ The term 'autopoiesis' and its derivations are adopted from biologist Humberto Maturana's theory of self-organisation.

²¹ The British Ambassador, who was allowed to attend the trial against Suu Kyi for some days, was – in line with Prime Minister Gordon Brown – the most outspoken critic of the trial and praised Suu Kyi for her courageous appearance before the court. After he attended one of the first court sessions together with 20 other diplomats, he said: „She [Suu Kyi] was composed, upright, crackling with energy, very much in charge of her defense team.“ (*Irrawaddy* 20.5.2009)

very dissimilar. The latter society is functionally differentiated whereas the former is – still – predominantly vertically structured and lacks horizontal differentiation. Anything happening in Myanmar will be attributed to the people at the top of the whole state system who set the rules for communication within all sub-systems of society – economy, law, politics, religion, etc. In other words, the conflict under investigation here might be seen as part of a “clash of civilisations”, not in Huntington’s sense of cultural confrontation but as a historically-triggered result of communicating difference. If the problem of double contingency is based on the symmetry of *ego* and *alter*, then the solution needs to be guided by a-symmetrisation, which results in two options of re-symmetrisation, consensus or dissent. In Myanmar’s case, the relationship of the conflict partners can be regarded as characterised by both symmetry *and* asymmetry.

This special feature is exemplified by Suu Kyi, who was – and still is by many of her followers – regarded as the paramount leader of the Burmese opposition and the person whose political stance heavily influenced and still influences the politics of Western countries towards Myanmar. She was born in Burma, but educated in the West, and thus for her foreign supporters represents the ideals of a differentiated democratic society to be implemented in her home country.

In a way, Suu Kyi’s life reflects a process of global hybridisation, the two sides of which could be antagonistically assessed. On the one hand, she is seen as a promoter of modern democracy. On the other hand, as indicated in the remark of the Myanmar Consul in Hong Kong on the occasion of the trial of 2009, the Myanmar government might have regarded her as an agent of those powers who put an end to the glorious Burmese kingdom. These two assessments negate each other and are therefore irreconcilable. Dissent is the consequence. The example shows that the conflict between the Tatmadaw and Suu Kyi has to be put into the context of the relations of different Burmese actors with a variety of foreign “others” in recent Burmese history. The following chapters will include some material specifying the historical context of the recent struggles in Myanmar’s politics.

This conflict is thus part of – in Luhmann’s terminology – the most extensive social system: world society. World society, however, is devoid of an environment that could bring an end to a global conflict. In other words, a study based on the assumption that world society is the ultimate horizon comprising all communication will not be able to suggest any solution to the conflict or any assessment of the rapprochement happening after March

2011. What can be expected is a description and analysis of the conflict from the point of view of an observer who is part of the systems he observes.

As a consequence, this study will concentrate on describing the communication between the conflict partners in as rational and comprehensive a manner as possible. No "alternative communication" like the "genuine dialogue" often called for will be suggested, simply because the concept borrowed for the purpose of this study does not discriminate between "good" and "bad" communication.

The sometimes lengthy quotations integrated in this work underline this intention and attempt to counter the trend of moralising and emotionalising the discourses on Burma/Myanmar under the presupposition that the conflict is part of a teleological process that should have a "happy end". The quotations provide material which are intended to illustrate the structure of the conflict and may help the reader to make up his or her own mind. Additionally, the citations present material which might be new for some readers.

4.3 Global and national political iconography

Another problem area comes into sight if one looks at one of the most common epithets of Suu Kyi as a "democracy icon". The success of the film "The Beauty and the Beast" relied not just on the good adaptation of a traditional fairy tale, but also on its visualisation by Disney's experienced team of animation experts. As a parallel, one may ask if the "icon" Suu Kyi was created by special means of portraying her physical image. Here, the young discipline of "political iconography" comes into play.²²

The traditional role of political iconography is summarized by one of the leading research institutes dealing with this topic as follows: "Traditional iconographic interpretation reads political messages as artistic products that depend on a single and absolute source of power. The patrons of pictures are imagined as omnipotent instances that can prompt their ideas to the artist and dictate their work."²³ This description, obviously, cannot directly be applied to a "democracy icon". Moreover, the aspect of contrasting the female leader's picture with those of the generals

²² The discipline has developed from the analysis of medieval art as documents of the concept of power and has recently been used to study modern phenomena. The German art historian Martin Warnke (born 1937) is regarded as the initiator of the discipline. In 1990, he founded the Research Centre on Political Iconography in Hamburg.

²³ Aby-Warburg-Stiftung, Hamburg, Research Centre „Political Iconography“ (http://www.sts.tu-harburg.de/projects/WEL/english/ublick_pi.html [2.8.2009])

must be taken into account. Furthermore, at least within Myanmar her image is closely connected to that of her father, the national hero. This connection, however, might not appeal to the public outside of Myanmar. Therefore, it might be difficult to harmonise the political iconography on the national – Myanmar – stage and in the global theatre. Perhaps even in Myanmar, as well as in different parts of the world, there might be different responses to a single iconography of the heroine and its political implications.

To sum up: setting the conflict between the Tatmadaw and Suu Kyi in a global context leads to increasing the complexity of an issue which – to come back to systems theory – calls for its reduction. The focus on different aspects of communication in this study can be seen as one aspect of such a reduction of complexity. The reader is forewarned that communicating conflict will involve repetition but – as the next paragraph indicates – surprises as well.

5 Contingency and constancy

The trial that took place in the final stage of the time-span under review here was caused by an event that was not anticipated, the arrival of the American visitor at Suu Kyi's house.²⁴ Another unexpected arrival from abroad, Suu Kyi's flight to Rangoon to care for her ailing mother in April 1988, influenced the course of events to a much greater extent. To date, the meaning of such accidental events to the country's post-1988 history has neither been fully appreciated by academics nor by the concerned public.

In different ways, many other milestones of modern Burmese history surprised observers of the country's politics. The public unrest led by the students in 1988 was totally unexpected. The same applies to the monks' demonstrations of 2007 as well as the holding of "free and fair" elections in 1990. Going further back, the coup d'état of March 1962 came out of the blue for them, as did the transfer of power from Nu to Ne Win in 1958. Finally, none foresaw the assassination of Aung San and his cabinet on 19 July 1947. In regard to this tragic event, Luhmann's remark on the forced end of a

²⁴ As usual and as indicated above by the comment of Myanmar's representative in Hong Kong, some conspiracy theories were brought up afterwards. The Myanmar authorities were suspected to have masterminded Yettwas's second visit to Myanmar; conversely, foreign powers were accused of having taken an active part in the visit.

systemic conflict can be recalled. It seems that this and other more or less bloody power changes are a recurrent feature of modern Burmese history.

One can summarise these observations by way of a paradox: contingency constitutes a constant feature of Burmese history. This leads to another basic assumption of this study. It is worthwhile to look for some constant patterns to be found beneath the upheavals and breaks of Burmese history noticed by the casual observer. They might represent variations of a basic conflict between the contenders who fight for leading Burma/Myanmar and encompass both contingencies and continuities in modern Burmese history. By focussing on the “durable conflict” between the military and Suu Kyi over a long period of time, this study tries to shed some light on the meaning of what was going on in Burma/Myanmar before 1988 and what might happen beyond 2011. The obvious series of misfortunes that characterises modern Burmese history is seen here as a consequence of world society’s incapacity to resolve the conflict rather than “abnormalities” to be identified on the part of specific actors, both inside and outside the country, or simple “bad luck”.

6 Design of the enquiry

The backbone of this work consists of a chronology related to the conflict between the two parties involved. The main criterion for structuring the events are the periods of time since 18 September 1988 during which Suu Kyi lived under house arrest (1989-1995; 2000-2002; 2003-2010²⁵) and in – relative – freedom (1988-1989; 1995-2000; 2002-2003) respectively. The beginning of SLORC’s rule after the coup of September 1988 is regarded as the beginning of the open conflict between the Tatmadaw leadership and Suu Kyi. The transfer of power from SLORC’s successor SPDC to the new leaders elected by parliament is seen as the end of this overt political confrontation. The six chapters are preceded by some information on the short period between the beginning of the students’ protests in March 1988 and SLORC’s coup d’état. The final chapter will draw some conclusions on the impact of the period between 1988 and 2011 on future developments in Myanmar and take a look beyond the regime change happening in March 2011.

The chronology will concentrate on the relations between the contending camps, including the role of the global players such as the United

²⁵ Chapter XIV is a small exception to the rule. It covers the period of Suu Kyi’s last house arrest until 13 November 2010 and the events leading to the installation of a new government on 30 March 2011.

Nations and the international community, represented by the media, politicians and civil pressure groups. After a documentation of events of the respective period, arguments will be presented which can help to understand the logic underlying the events covered in each chapter. After each of the chronologies a chapter follows dealing with a topic carrying relevance for the whole period of time between 1988 and 2011 and for modern Burmese history in general.

The alternation of more descriptive and more reflective chapters aims at presenting a differentiated picture of the conflict from different perspectives that will enable the reader to make up her/his own mind. He or she may decide on how to handle the sequence of chapters. The chapters with uneven numbers might be omitted by those who are mainly interested in the chronology of events and their logic as suggested by the author. Other readers might be attracted by single topics or prefer to crisscross through the book. An attempt has been made to write each chapter in a way that it can be basically comprehended without having read the preceding parts of the study. The reader who bothers to read the whole text is asked for leniency when faced with repetitive passages.

Finally, a word on terminology: the parties involved in the conflict can be identified superficially by looking at how they choose to call the country – Burma or Myanmar. The latter term was introduced in 1989 by the Myanmar government to designate the state as a whole on international level instead of “Burma” as it was known before.²⁶ To Burmese speakers this denotation was not new because the term *myanma* – an adjective – had been used to signify the “Myanmar country” or the “Myanmar Union”. The NLD and many foreign supporters of Suu Kyi as well as the government of the United

²⁶ For some more details see chapter IV, 2.6.

States, Great Britain, Australia and Canada²⁷ until recently did not accept this change, arguing that a government not legitimised by the people has no right re-naming their country. Further, the issue of how to call the country indicates a division in the research on Burma/Myanmar (Metro 2011).

This “name question” is, therefore, directly linked to the conflict under investigation here. Since this study tries to avoid taking sides, both terms are used – “Myanmar” when talking about the time after 1989 and “Burma” with regard to the time before. Further, in some contexts “Burma” is used when referring to groups that did not accept the name change.

Burmese names are rendered without the prefixes used in the Burmese tradition. “General” – before 1974 – and “U” Ne Win – after turning into a civilian after the implementation of the constitution – is simply called “Ne Win”. And Daw Aung San Suu Kyi is stripped of two prefixes, “daw” designating her as a respected woman and “Aung San” characterising her as the daughter of Burma’s national hero.

²⁷ The Foreign Offices of the countries end of 2011 provided the following information on the stance of the respective government on the name question: United States: No information. The country profile on the State Department’s website gives the country’s official name as “Union of Burma” thus indicating that the name change according to the 2008 constitution to “The Republic of the Union of Myanmar” is not accepted. The United States downgraded its diplomatic representation in Myanmar by appointing no Ambassador, but just a Charge d’Affairs. – United Kingdom: “Britain’s policy is to refer to Burma rather than Myanmar’. The former military regime changed the name to Myanmar in 1989. Burma’s democracy movement prefers the form ‘Burma’ because they do not accept that the military had a legitimate right to change the name of the country. Internationally, both names are used.” (<http://www.fco.gov.uk/en/travel-and-living-abroad/travel-advice-by-country/country-profile/asia-oceania/burma> [4.9.2011]). – Australia: “The Australian Government refers to the country as Burma. The Australian Government uses Myanmar when communicating directly with Burmese officials and in multilateral contexts, as appropriate.” (http://www.dfat.gov.au/geo/burma/burma_brief.html 4.9.2011).