

CHAPTER I

INTRODUCTION

A. Problem Background

Burma is ruled by one of the world's longest-standing dictatorships. In the history of Burma, military has been taking a part in getting independence from British. The independence that Burmese got was also a part of AFPFL (Anti Fascist People Freedom League) effort. It was established in 1944 with Aung San as the leader, father of Daw Aung San Suu Kyi. After independence, AFPFL became the Burma's army. Today, this army is called Tatmadaw.

Under the Prime Minister U Nu, Burma was collapse. He appointed Ne Win to replace his seat as a temporarily Prime Minister. Ne Win then ruled Burma from 1958 to 1960. With the long-term absence of U Nu, on March 2, 1962, the Burmese army under General Ne Win staged *coup d'etat* against the democratically elected government. Within weeks, basic freedoms were severely restricted.

Junta did not stop there. They also control economic sector by taking over all the key industries and all ex-British assets, like farms, building, and plantation. Junta was also conducting illegal logging, precious metal mining, opening smuggle way line, collecting money for security, and controlling market commodity.¹ Corruption, forced labour, human violations, and heroin trafficking are commonly happen. For

¹ *Kompas*, "Negara yang Dibajak Kelompok Serakah dan Bengis", by Maruli Tobing, October 29, 2007.

instance, in 1984, Junta occupied the Province of Karen which is an autonomy area in East Burma. Karen felt the brutal oppression by Junta, like forced labour, murder, rape, and so on. It made the Burmese go to the border area, like Burma-Bangladesh or Burma-Thailand to get more security.

Due to the abuse of power by the Junta military, on August 8, 1988 (commemorated in Burma as 8-8-88), a major nationwide protest took place. Thousands of people (some estimate up to one million) were marching on the street in Rangoon asking for democracy, elections and economic reforms.² Many people were beaten, shot, and killed.

On September 18, 1988, General Saw Maung took over the military and replaced General Ne Win's seat. He created SLORC (State Law and Order Restoration Council). Through military brutality and a shoot-to-kill policy against the protesters that had been led by thousands of Buddhist monks, the SLORC managed to deter further street protests. The number of killed people were estimated ranged from 1,000 to 10,000 deaths nationwide, with 3,000 civilian deaths a commonly accepted figure.³

1988 demonstration was commemorated as the biggest demonstration in the history of Burma, and Junta action was condemned by International society. They got sanctions from the West because of the human right violations toward protesters.

² “*Crackdown after Crackdown: 45 Years of Military Rule*”, Available at <http://www.hrw.org/reports/2007/burma1207/5.htm>, (accessed on February 7, 2008)

³ “*Crackdown after Crackdown: 45 Years of Military Rule*”, Available at <http://www.hrw.org/reports/2007/burma1207/5.htm>, (accessed on February 7, 2008)

However, demonstration that happened in 1988 was not the first time Burmese took actions to the street. The first demonstration happened on July 8, 1962, where many students were shot and many political activists and journalists were jailed for expressing dissent.

Since General Saw Maung was in charge, SLORC rapidly instituted a series of reforms to gain internal and external support. SLORC carried out trade liberalization by applying new Act, which abolished monopoly and gave a chance to small and big industry to carry out productions and trade. Junta also changed the English name of the country to Myanmar and promulgated an electoral law that permitted political parties to form and organize. The National League for democracy (NLD), led by Aung San Suu Kyi became the most popular and well organized throughout the country.⁴

In 1990, a new hope for democratization in Burma was widely opened. Burma finally carried out parliamentary elections in May, though Junta placed strict restrictions on political parties and activists. The National League for Democracy won the elections and defeated Junta military, but the Burmese hopes to gain freedoms were vanished, since Junta was not admitted the winning of NLD. Since then, SLORC became more repressive than ever. High schools and universities were often closed for fear of protests. Many lecturers, teachers, and students were forced to attend courses, which essentially re-educated them to deter their protests toward

⁴“*Crackdown after Crackdown: 45 Years of Military Rule*”, Available at <http://www.hrw.org/reports/2007/burma1207/5.htm>, (accessed on February 7, 2008)

government and confirmed that they obeyed and followed the regulated curriculum. Not only have that, SLORC also created Military Intelligence, controlled by major General Khin Nyunt. The undercover spies and informant was widespread and curtailed the everyday conversation of Burmese. Anyone who was found out against Junta would immediately be arrested, tortured, and prisoned. Junta also prisoned Nobel Prize winner Aung San Suu Kyi to house arrest. These generated more protests and arrests. Dozens of military were brutally attacked Buddhist and Nuns that marched on the street in Mandalay. Many of them were beaten and killed.

These harsh reactions of Junta caused more protests from International society, especially the United States. On July 22, 1991, President Bush revoked the Customs and Trade Act and refused to renew the bilateral textile agreement with Myanmar that had expired on December 31, 1990.⁵ On April 22, 1997, the United States under President Bill Clinton also placed economic sanction, which was written in Executive Order 13047 and legalized with the Cohen-Feinstein Amendment. In 2003, again the United States imposed sanctions against Burma, which was written in congressional passage of the Burma Freedom and Democracy Act of 2003 (Public Law 108-61). It was renewed by Congress in 2006 for another 3 years.⁶

After 45 years Junta took control over Burma, there are no significant changes to Burmese life. Even, they are getting poorer. Foreign investment from

⁵ Michael Ewing-Chow, "*First Do No Harm: Myanmar Trade Sanctions and Human Rights*", *Northwestern Journal of International Human Rights*, Volume 5, Issue 2 (Spring 2007), Available at <http://www.law.northwestern.edu/journals/jihr/v5/n2/1/Ewing-Chow.pdf>, (accessed on March 1, 2008)

⁶ CRS Report for Congress, "*Burma-U.S. Relation*", by Larry A. Niksch, Available at <http://www.fas.org/sgp/crs/row/RL33479.pdf>, (accessed on March 1, 2008)

multinational exploration like Total from France, and China National Petroleum Corporation has been giving capital to Burma. Tourism also has been giving a lot of capital to Burma, but all the money go to the leader of Junta, their family members, and for the military; only a very little amount went to the people. It was proven with the marriage party of General Than Shwe's daughter, that took him 300,000 US Dollar. Those couple also got wedding gift no less than 50 million US Dollar.⁷ In the late 2005, suddenly Than Shwe moved the capital from Rangoon to a jungle, 400 km far away from Rangoon. The newly constructed capital was called Naypyidaw (Abode of Kings).⁸ The constructions of Naypyidaw cost about 300 millions US Dollar. IMF estimated Burma spent one or two percent of GDP or about 122 and 244 millions US Dollar per annum in removing Burma's capital to Naypyidaw, nevertheless, some observer estimated that it was more than that.⁹ These situations really made Burmese heated, because Junta had to give prosperity to Burmese, but in fact they just thought about their own stomach.

Then on August 15, 2007, Junta once again made an unwise decision by removing subsidies on fuel and raised fuel prices as much as 500 percent. The rise of fuel prices led to immediate rises of basic goods and transportation, and these price hikes are unaffordable for poor residents. As many as 30 percent of population lived

⁷ *Kompas*, "Than Shwe, Jenderal yang Percaya Takhayul", October 2, 2007.

⁸ *Kompas*, "Than Shwe, Jenderal yang Percaya Takhayul", October 2, 2007.

⁹ *Kompas*, "Naypyidaw membuat junta jauh dari Rakyat", October 1, 2007.

below poverty lines, and one quarter of total populations only got 0,2 US Dollar per day (2,000 Rupiah).¹⁰

The rise of fuel prices made Burmese fed up with the oppression of what Junta had done to them. On August 19, 2007, approximately 400 to 500 people were gathered for a march in Tamwe Township of Rangoon to protest the fuel price hikes. The protestors included prominent leaders of the '88 generation movement.¹¹

On September 5, 2007, Junta responded to the situation by sending their troops, and forcibly broke up a peaceful demonstration in Pakokku, a religious centre located close to the city of Mandalay; and injured several monks. On the next day, monks later took government officials as hostages in retaliation. They demanded an apology by the deadline of September 17. Series of reactions toward the price hikes happened in entire Burma after Junta refused to apologize for the injuries. Monks, activists, students, and civilians marched on the street and spread across Burma including Rangoon, Sittwe, Pakokku, and Mandalay.

Daily marches by monks, prominent "8888" protestors, democratic figures, students, civilians, and nuns that happened from September 18 to the end of November in Burmese cities gradually gathered in size. They grew from hundreds into thousands of protesters. On September 22, 500 monks marched to the home of

¹⁰*Suara Merdeka*, ??????, September 28, 2007.

¹¹"*Price Hikes, Peaceful Protests, and the Initial Reaction of the Authorities*", Available at <http://hrw.org/reports/2007/burma/1207/6.htm>, (accessed on February 7, 2008).

Aung San Suu Kyi in Rangoon.¹² She has been under house arrested for 12 years of the past 17 years. Although still under house arrest, Suu Kyi made a brief public appearance at the gate of her house to accept the blessing of the Buddhist monks. On September 26, the crackdown began. Many democratic figures and opposition who had come out in support of the protest were arrested overnight. Violence and the use of teargas soon followed. Many unarmed people including monks were beaten and shoot during the protest and inside the monasteries. The riot police also beaten the monks who were sitting and praying inside the monasteries. Many people were injured, detained, arrested, and killed.

On September 28, The New Light of Myanmar reported that 10 people were dead, including Kenji Nagai, a Japanese Journalist. But everyone believed the real death toll was higher. A United Nations official said 40 were killed and 3,000 arrested, including 1,000 monks.¹³ The total killed and injured people were still unclear, since many things were cover up by the government.

According to Human Right Watch, the state-controlled New Light of Myanmar claimed on November 7 that a total of 2,836 persons had been detained throughout the country during the protests and the subsequent crackdown, and at least seven deaths in these detention facilities. Additionally, according to the NGO Assistance Association for Political prisoners in Burma based in Thailand there were

¹² *"The Monks Join the Protests"*, Available at <http://hrw.org/reports/2007/burma/1207/7.htm>, (accessed on February 7, 2008).

¹³ *Time*, "Blood, Robes, and Tears: A Rangoon Diary, by Andrew Marshal", October 22, 2007

72 persons were disappeared since the crackdown. However, the total number of these detained and disappeared people is undoubtedly much higher.¹⁴

This political insurgence in Burma was once again getting attention from the United States and European Union. The United States and the European Union reacted strongly against the actions of the Burmese military government. They urged UN, China, India, ASEAN and others in the region to use their influence to support the people of Burma and force the Junta to end their suppressive policy. However, there are no significant reaction from ASEAN and other big countries like China, and Russia; even the neighbouring countries seem so quiet in facing the situations in Burma.

In his speech facing this issue, on September 25, US President, George Walker Bush said,

*“Americans are outraged by the situation in Burma... the United States will tighten economic sanctions on the leaders of the regime and their financial backers... Impose and expand a visa ban on those responsible for the most egregious violations of human rights, as well as their family members... continue to support the efforts of humanitarian groups working to alleviate suffering in Burma, and I urge the United Nations and all nations to use their diplomatic and economic leverage to help the Burmese people reclaim their freedom”.*¹⁵

During the crackdown in Burma, the United States’ government has made difference attitude than most of other country in this world did by imposing further sanctions to Burma on September 25 and 27, 2007, the United States government

¹⁴ “*The Continuing Night Time Raids: Monasteries and Wanted Organizers*”, Available at <http://hrw.org/reports/2007/burma/1207/9.htm>, (accessed on February 7, 2008)

¹⁵ “*In Quotes: Burma Reaction*”, Available at <http://news.bbc.co.uk/2/hi/asia-pacific/7014704.stm>, (accessed on November 1, 2007)

announced modifications of the Executive Order 13310, on October 18, 2007, the government of the United States issued Executive Order 13448, and on October 18, 2007, H.R. 3890, lock *Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2007*, was introduced in the House, and passed the House on December 12, 2007.¹⁶

Many people see that the history of Burma was quite the same as what the Indonesian felt under President Soeharto. Everything was under control of the regime, especially basic freedoms. Since coup d'etat in 1962, Burmese do not have freedoms. Military watch their movement by spreading military spies in the entire Burma. Consequently, every people who are against Junta will be arrested, tortured, and prisoned. Junta will not see who they are, children, woman, Buddhist monks, and nuns, will get the same treatment from Junta. Junta in Burma known as the most repressive regime even worsen than Indonesian regime. Military taking control over politics and economic sector in Burma; corrupt all the money, perform smuggling, export large-scale of heroin, and conduct human violations. People suffer under this regime because all the money that Junta gets from tourism and foreign investment has hardly touched the people, because all of this money goes to Junta military. Facing this situation in Burma, the United States obviously will react to the Junta military which violates its people.

¹⁶ Larry A. Niksch and Martin A. Weiss, "*Burma: Economic Sanctions*", CRS Reports for Congress, Available at <http://www.fas.org/sgp/crs/row/RS22737.pdf>, (accessed on March 24, 2008).

B. Research Question

By giving the illustration above, the main problem of analysis is “Why does the United States impose sanctions to Burma while the other countries seem to ignore it?”

C. Purpose

The research aims to:

1. Give explanation on Why the United States imposes sanctions to Burma while the other countries seem to ignore the human rights violation and undemocratic ways shown by Junta military in Burma
2. Give explanation on democracy and human right in both Burma and the United States
3. Give explanation on relations between Burma and the United States

D. Theoretical Framework

If we examine carefully and connect the United States stance on human right violence and democracy, we will see that the demand to struggle for democracy and human right does not only emerge in Burma. Protest and curse to military regime also emerge in other country like Indonesia and Thailand.

To explain the research question on why the United States imposes sanctions to Burma while the other country seems to ignore it, some theoretical framework are

needed to explain it because theory helps us to explain and predict a certain phenomenon.

The writer will use bureaucratic politics theory to explain the main problems of this research which is related to the foreign policy making process. According to Weber, *Bureaucratic politics are the differing interests within and among the departments and agencies that have a role in foreign policy and national security, as well as differences among the military services.*

Discussing about democracy and human rights, especially the United States struggle for developing countries, underdeveloped countries, and least developed countries is common because the United States always promote the struggle for democracy and human rights in the entire globe. This struggle confirm by Carter Doctrine 1980 which is trying to attach the struggle for human rights in each United States foreign policy to other states. In supporting Burma to struggle for Democracy and Human Right, the United States imposes sanctions to the Junta military in Burma and gives foreign assistance to Burma through NGOs and IGOs which focused on the promotion of human rights and democracy. In the making of these foreign policy, the decision makers is not only influenced by President or small ruling elites, but also many bureau, such as National Security Council (NSC), The State Department, Congress, Central Intelligence Agency (CIA), Department of Defence (DoD), Office of the US Trade Representative, Interest Groups, public opinion (common people), and Mass Media.

During Cold War, President had played a dominant role in the decision making process. He can almost always get support from the Congress for policies that he believes will protect the nation. However, the end of Cold War has changed the stature of the President from the most powerful man to the common political leader who struggle to get support from the Congress. Since the struggle to get support from the Congress is not easy, President is helped by some of his personal advisers from National Security Council, CIA, and Office of the US Trade Representative. The roles of National Security Council are to examine the goal, commitment, and the risk of the United States foreign policy toward the ability of the national power and giving suggestion and advice to the President related to the domestic policy, foreign policy, and military issue in the perspective of national security and coordination between departments.¹⁷ On the other hand CIA played as spies to get information about other country and give the information to the President. Additionally, the Office of the US Trade Representative focused on the international businesses.

President is also helped by the State Department and Department of Defence. These two departments are the executive agency which also as the President's resource of information and adviser as well. The secretary of state is one the president's foremost foreign policy adviser, because the State Department is the sole agency of government charged to represent the United States in abroad countries. This department controls the United States embassy in entire world which is lead and

¹⁷ Dr. Bambang Cipto, "*Politik Pemerintahan Amerika*", Lingkaran: Yogyakarta, 2003, Pg 204

managed by diplomats. They also represented the government of United States in every ceremonial matter in foreign countries.

The influence of the Department of Defence in the foreign policy making process significantly could not be avoided, especially in the Cold War Era. War has made the Department of Defence became the most powerful department that could easily influenced the decision makers in the United States. However, after the end of Cold War, the Department of Defence still one the foremost department in the United States. The demand of the citizens to get more security has made the Department of Defence particularly important. Besides that, the Department of Defence is also more focuses on the drug trafficking, trans-national actors and WMD nowadays, because sometimes it involves the armed forces. Drugs trafficking in Burma were estimated as the biggest in South East Asia.

All of the President's advisor, executive office and executive agency, have a big role in influencing the President behaviour in the foreign policy making process, because they are the President's greatest advisor. The chief of each department have to compete with another chief department to achieve the interest of the department they administer. So, they are often in conflict with one another even the President because the chief of each department is advocates for the department they head and also to get more attention from the President.

The Congress also significantly shape and influence the foreign policy making. Since the beginning, the Congress authority in making the policy is bigger than the President as written in the Constitution. The Constitutions has clearly give

the bigger power to the Legislative rather than the Executive because the American Founders were afraid worried if the British governmental system emerges in the new land. This constitutional system, the American Founders hoped, would protect the citizens from arbitrary and abuse of power. However, from 1948 until 1990, Congress was more open to the President by giving more authority to President in foreign policy making process, because of the Second World War and the emergence Soviet Union. But the collapse of Soviet Union which caused the end of Cold War also changed the President's authority in the foreign policy making process. His authority decreased and Congress was more aggressive in monitoring the President's behaviour by pressing the President to behave like what the people of the United States and the Congress wants though the President has the rights to veto the Congress bill. However, the Congress also has the rights to override the veto by the President.

The end of Cold War also affected the increasing number of interest groups in the United States. In the Cold War era, interest groups was limited because the President was the dominant player as the decision maker, and other organization or group did not have a chance to follow in the decision making process. There are many interest groups in the United States nowadays, such as International Amnesty, Human Right Watch, Rotary International, and so on.

Mass media played as a tool to communicate political message for the people in creating public opinion. This opinion was used to influence the public policy including foreign policy. Mass media was also used to keep an eye on the

world's condition. The freedom of press in the United States gave an important role for the mass media to influence United States' foreign policy.

In seeing those facts of democracy system in United States, the government in fulfilling the interest of Interest Group, Public Opinion, Congress, Mass Media, and Executive body as well as maintaining their power. The government obviously reacted to undemocratic and brutal ways shown by Junta Military in Burma. Furthermore, the United States are a state that highly respects human right and a democratic country. So, it is impossible for the United States to ignore the human right violation and undemocratic government in Burma and pretending that it did not happen.

E. Hypothesis

By illustration and theory implemented above, the writer will reverse a statement to answer why the United States impose sanctions to Burma while the other countries seem to ignore the human rights violation and undemocratic way shown by Junta military in Burma? **Because the United States wants to implement its foreign policy to promote democracy and human rights in Burma due to the abuse of power by the Junta military.**

F. Range of Research

It is important for the writer to draw limitation on the research. The limitation will facilitate the writer to explore and analyze the data, thus keeping the

research focuses on the track and prevent the subject from being expanded. In this research, the writer will focus on the abuse of power by junta military and US reactions toward Junta military in Burma.

Here the writer will show the dynamic effort of Burmese to stop the Junta Military by demonstration and United States effort by giving sanctions to Junta. In this research, the writer will focus from 1962 to 2007. The reason the data taken from 1962 is because in 1962, the military began to ruled Burma. Furthermore, the reason the data take up to the year 2007 is because the recent demonstration happened in 2007 that made the United States and other countries reacted towards Junta regime by imposing sanctions.

G. Method of Research

This simple research will use a common method to sustain and arrange the data. Therefore, library research method will be used to explain the problems. The sources of information are by collecting references in the forms of books, internet media, newspaper, magazines, scripts, and electronic journals.

From the above-mentioned sources of references, the writer tries to elaborate with the real facts happening in the world today, analyzes the data by implementing the theory related to the case, thus the hypothesis will be drawn.

H. Writing System

Chapter I

INTRODUCTION

In this chapter, the writer will discuss about objectives, purpose, problem background, research question, theoretical framework, hypothesis, range of research, method of research, and system of writing.

Chapter II

Democracy and Human Rights in Burma/Myanmar

In this chapter, the writer will discuss about Democracy and Human Rights in Burma. The writer will elaborate about Human rights violation that happened there and the undemocratic ways of the Junta, and policy that connected to human rights and democracy.

Chapter III

The United States Foreign Policy

In this chapter, the writer will discuss about the United States Foreign Policy in promoting democracy and human rights since isolationist era until nowadays and who the actors behind it are.

Chapter IV

The United States Foreign Policy toward Burma/Myanmar

In this chapter, the writer will explain and elaborate the United States foreign policy toward Burma, the sanctions, and what the United States have done to promote human rights and democracy in Burma.

Chapter V

CONCLUSION

This chapter is the closing part of this thesis that contains conclusions and suggestions.