Access to Electricity in Dawei City: Implication of a transforming public sphere in Myanmar

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Introduction

• Myanmar is a **diverse and politically complex country. Since 2010**, there has been a **significant transition** from an authoritarian military regime to a semi-civilian government. The contested 2008 Constitution partly decentralized the government, including establishing State/Regional parliaments.

• **Started liberalization process** – releasing of political prisoners, abolishing the media censorship, and permitting civil societies to form the organizations through the legal framework

• Armed conflict are still happening, particularly in ethnic states. Ongoing peace negotiation process and federalism
• Myanmar is a perfect example of a hybrid regime (Diamond, 2015 and, Egreau and Robinson 2016).

• **The hybrid regimes** means combination of democratic and authoritarian elements

• **The military takes the political roles** in the new structure constitutionally such as sitting twenty five percent in both union and regional parliament and taking key ministerial posts such as Minister of Defense, Minister of Home Affairs, and Minister of Border Affairs
• Civil society's attempts to maintain the accountability of state and non-state actors are achieved through various formal and informal means.

• “Public sphere”, which is defined as a discursive arena where civil society can communicate and deliberate their opinions on key societal issues.

• The deliberation of the public sphere circulates within the mass media, social media, as well as in public forums and other venues.

• It is expected that those in political authority will respond meaningfully to issues raised by civil society within the public sphere.
• Overall it appears that the civil, political and media freedoms necessary for an active civil society and vibrant public sphere are increasingly challenged.

• The **purpose of this paper** is to understand actually-existing public-spheres in Myanmar and the work of civil society to ensure accountability of state and influential non-state actor.

• As the notions of public sphere comes from the liberal idea, it should be explored how the government in the hybrid region contain the public sphere and how the people and civil society struggle to form public opinion to deliberate the common interest. This paper contextualizes the existing uses, opportunities and challenges of public spheres vis-à-vis other formal and informal accountability mechanisms.
• Electricity planning in Dawei, Myamar was chosen as a case study of this paper.
• This paper is based upon empirical fieldwork in Dawei. Interviews were conducted in April & May 2018
• One of the biggest challenges in this township is to access electricity.
• Exercising the emergence of political space, civil society groups, local people, political parties, and activists organized social movement such as signature campaign, poster campaign, and protest to claim for the electricity supply change from diesel engines to gas turbines.
• The Key events were between 2014 and 2017.
Conceptualizing the hybrid public sphere

- **Government institutions**
  - Political system
  - Political culture
  - Influence of corporations

- **Public sphere**
  - Civil society diversity
  - Multiple scales (local; provincial; national; transnational; global)

- **Formal “non-public sphere” processes**
  - Elections
  - Parliamentary processes
  - NHRIs, ombudsmen etc

- **“Communicative Action”**

- **“Accountability”**
  - Human rights
  - Gender

- **Informal “non-public sphere” processes**
  - Sharing information through networks
  - Shaping donor agendas etc
Findings and Analysis

Public sphere and the electricity issue under the SLORC & SPDC (1988 – 2010)

• The military led government did not allow and attempted to block the space where public debate or disagreement over state policies could be occurred.

• The government created the organizations such as Union of Myanmar Chamber of Commerce and Industry (UMCCI), the Rice Millers’ and the Rice Merchants’ Association, the Border Trade Merchants’ Association, the Women’s Affairs Organization, and the Union Solidarity and Development Association (USDA)
• People stayed under the highly suppression of civil and political freedom, **imposing censorship on media and freedom of expression** by the military regime, they could not speak out their concerns and criticism on the government actions and decisions

• Local businessman had regular communication with the local authorities, which might influence on the local government actions and decisions.

• Local government responded on interests by the lobbyists, usually businessman, and the members from the government organized associations in order to claim that they responded on the public voices and concerns

• The transition from military regime to quasi-civilian government
  - Military involved constitutionally in politics & the government was formed by the military-backed Union Solidarity and Development Party (USDP)

• People could raise their concerns and interests more bravely in public after 2012

The Nation League for Democracy Party led by Aung San Su Kyi completed in by-election and took 43 seats in union parliament. Released a large number of political prisoners in 2012, abolished the pre-submitting censorship for media, and passed the Peaceful Procession and Peaceful Assembly Act in December 2011. (Restrictions - need to submit letter for permission from township police office five days before with the details such as biography of the leader, time, place, poster, slogan, route, and number of participants)
• Civil society groups and political conscious people in Dawei have talked about electricity issue to find the solution since 2013.

• Civil society groups organized the sticker campaign and protests mobilizing the general public in Dawei, involving over one thousand people in the protest in Dawei in 2014. (Resource rights and the price)

- Volunteer groups, activist groups, local NGOs, and members from 88 generation involved in this event
• Political parties and political activists could encourage people to speak out their regional issue. (Daw Aung San Su Kyi came to Dawei and cheered the local people in 2012, A student leader from ‘88 generation group’, Min Ko Naing gave a public speech in the campaign event for the constitutional amendment in 2014)

Source: AFP
• Public campaign, meeting with the government, media coverage, and protests were occurred at the same time.

• Regional government informally invited the leaders from the movement and discussed about to deal with it.

• Subsequently, regional parliament adopted the **Medium and Small Electricity Production and Distribution Law in 2014**. According to this law, the USDP government made a contract with Dawei Development Public Company for the electricity distribution before they handed over the power to NLD government in April 2016.
Public sphere under NLD Government (2015 – present)

• After 2015, the expectation of the people on the NLD government has been largely increased not only for the reform but also for the civil and political freedom. Civil society groups expected more engagement with the government, removing the legal restrictions on the function of civil societies.

• NLD could not remove the constraints and kept influences by power holders on the civil and political freedoms. There can be seen the potential attempts by the NLD government to control the functions of the civil society groups.
• Sub-national government try to limit the public sphere in which the people can criticize the government policies and decisions.

For example, the performances of antiphonal chant by the local people, which is satirical singing included the critics to the government and public issues, were not allowed to perform in the central stage of Dawei in water festival in April 2018. The government also informed the citizens to submit the context and words in advance to perform the antiphonal chant. The regional government sued the Tanintharyi Weekly Journal by the Media Law (2014) for the satire article
• CSOs exercised the countervailing power to check the state through the existing space
  - Social media, particularly Facebook (creating group) ‘Dawei Daytha Hit Tai’ (Hit Tai means a stand for the people to air their grievances and voices aloud to hear by the King, which was used in the Monarchy period), Local news papers, regional parliament became the communicative channels
• Among the civil society organizations, the perspectives of the groups were profoundly divided after 2015, which affected on the activities of the civil society groups.

“The standpoint of many civil society groups between 2010 and 2015 was to give a pressure to the government by choosing the confrontational way. However, after 2015, it was changed into engagement and discussion with the government instead of confrontational way.” (Interview with CSO)
‘we heard the statement of NLD party which restricted the party members to engage with civil society groups, which will also affect the local government to engage with the government.’ (Interview with CSO)

“It’s a precaution. There are so many CSOs nowadays, and some are politically active and have attacked our party in some ways. But we are not being so strict. They [NLD party members] can freely work with NGOs and CSOs that are not politically motivated, like IT groups. We only want to be cautious with some politically inclined groups. These groups highlight democracy and human rights in their work, but in reality, instead of finding solutions or providing support, they want to create problems for the NLD, such as bringing about actions that are not in accordance with the law and making impossible demands…….” (the interview of Radio Free Asia with the spokesman of NLD Party, Myo Nyunt (Radio Free Asia, 2018))
The Amyotha Hluttaw (Upper House) passed the amendment of the Freedom of Process and Assembly Act in early 2018, despite that civil society organizations and activist expressed the disagreement on it. In this amendment, those who organize protests need to provide information about their budgets and source of funds. Also, it also included harsher penalties, which can punish a maximum of three years’ imprisonment if anyone who is found guilty for persuading others intentionally to disrupt security, rule of law, and tranquility by providing money or material support. This was the attempt of imposing threat to those who will support to social movement as usually these movements need the resources.
• Although legal constraints were not much different under USDP government and NLD government, the civil society groups and local people were careful and had self-censorship to criticize the current government as it had a major public support. In addition, to organize these kinds of events, they would not receive a large public participation and support by the different stakeholders including the national level organizations. Civil society groups took care of their activities and voices to avoid anti-democracy, pro-military, and pro USDP according the dominant political ideology in the current situation in Myanmar.
Conclusion

• The accountable of the state is measured the responsibility of the authority to the people. It should also be considered for both the process and outcome.

• In the case of the electricity issue in Dawei, decentralized government did not initiate the reform for electricity supply by gas though they were transferred power to make a decision and policy until the social movement was occurred in 2014.

• Similarly, under the new government which was received a large support by the people who elected them, the government did not hold accountable to citizens without attempting countervailing power to state through the public sphere.
• The regional government responded on the public interests because civil society organizations could mobilize the general public to give enough pressure to the government, applying all the channels together constantly. The regional government’s response was occurred by **the attempt of the deliberation by the civil society organizations**, which formed the communicative action between the regional government and civil society groups, leading the accountability of the government to the citizens.

• The public sphere allows the civil society to raise public issues and to communicate to the state through multiple channels.

• The decentralized government responds the public demands through their deliberative channels.
• These actions formed the communicative action, contributing that the government accountable to the citizens.

• The public sphere can contribute the accountability of the government by allowing the civil society and the people through forming the communicative actions and allowing countervailing power to the people, particularly in the hybrid regime or undemocratic countries.

• In the case of Myanmar, public sphere is not only the elements of democracy, but also the space to make the government accountable to citizens.
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