

The Gender Gap and Women's Political Power in Myanmar/Burma

Advances in international law have changed the face of democracy and promoted the rights of women worldwide. Unfortunately, these advances have not yet helped or improved the lives of women in Burma. Women's rights have expanded to include rights to gender parity in all areas of governance: ceasefire discussions, peace treaty negotiations, constitution drafting committees, political parties, and equal representation in the executive, legislative and judicial branches.

In Burma, over sixty years of military rule has reinforced and perpetuated discrimination against women by preventing them from achieving positions of political power. Because women are not admitted to the Defense Services (*Tatmadam*), women have been ineligible for the employment, education, business, joint venture and travel opportunities created by military status. Moreover, the 2008 Constitution requires that the Defense Services appoint 25% of parliamentarians and guarantees that the Defense Forces will remain the integral and dominant political force of Burma. Therefore, the Constitution is the main obstacle preventing true equality and political power for women in Burma going forward.

The timeline below illustrates the absence of women in formal power positions in Burma. Beginning in the 1980s, global advances in women's rights helped secure increased political participation for women in many countries; unfortunately, this progress has not been felt in Burma. It is crucial for more women to be represented in the formal governing structures so that the voices of all Burmese women can be heard.

1927	Women activists staged the first strike against sex discrimination, protesting British regulations that prevented women from holding legislative positions. First woman was elected to the Rangoon City Council.
1929	Burmese women were granted the right to vote. Daw Hnin Mya from Mawlamying was the first elected woman in the Legislative Council in 1929. ¹
1931	Burma Round Table Conference in London discussed the Government of Burma Act of 1935. Miss May Oung (Daw Mya Sein), secretary of the Burmese Women's Association, represented the women of Burma and demanded equal rights for them. ²
1936	Under the 1935 Government of Burma Act, Burma was allotted local rule over certain areas of government, in a system called diarchy, Daw Hnin Mya was the first and only woman elected to the first legislative assembly. ³
1937	The 1935 Government of Burma Act came into force in 1937, with a Governor, appointed by the crown, and a ten member Council of Ministers responsible to the two house Legislature, the Senate and the House of Representatives. ⁴ The Senate consisted of 36 members, half elected by the House of Representatives and half nominated by the Governor. Of the 132 seats in the House, 92 were elected from territorial units. The remaining 40 seats represented appointed communal or other special interests. A woman, Dr. Daw Saw Sa was elected a member of the Senate in 1937. ⁵
1943	In January 28, 1943 Prime Minister General Hideki Tojo announced the intention of Japan to recognize Burma as an independent state within one year. ⁶ A 16 member Independence Preparatory Commission, was formed to produce a constitution for the new state of Burma; the Commission had no women members. ⁷
1943-1945	In preparation for independence a "Committee for Independent Burma" was established and comprised of six men; Ko Daw Hmaing, Thakin Mya, Thakin Than Tun, Thakin Nu, and Dr. Ba Maw. ⁸

		<p>An agreement was reached on members of the constitutional assembly; the frontier areas and Karenni states were allotted 44 seats. The Constituent Assembly tasked with drafting the constitution had 111 male (no female) members and met between June and September 1947.⁹</p> <p>April 7: elections were held to fill 255 seats in the Constituent Assembly; four women were elected.¹⁰</p>
1947		<p>June 19: Aung San and six cabinet members were assassinated in Rangoon. U Nu became new Anti-Fascist People's Freedom League (AFPFL) leader and chief cabinet.¹¹</p> <p>September 24: The Constituent Assembly approved a new constitution, which guaranteed a democratic system and limited federalism. The Shan and Karenni states were granted the right to secede from the proposed Union of Burma after a ten-year period of independence. A Kachin State with no right to secede was established. There was no provision for a Karen state.¹²</p>
1948		January 4: The Union of Burma emerged as an independent state.
1947-1951		There were four women elected to the parliament. After the assassination of Aung San and other leaders in parliament, the wives of the assassinated leaders were appointed as temporary members of parliament, Daw Khin Kyi (for Aung San), Daw Khin Nyunt (for Tha Khin Mya) and Daw Khin Khin (for U Razak). ¹³
1952-1956		From 1952 to 1956, three new women members were elected to the Parliament; Mrs. Ba Maung Chein (Irene Po), Daw E. Nyunt and Daw Saw Shwe. ¹⁴ Also of note, Mrs. Ba Maung Chein (Irene Po) was appointed Minister for Karen affairs in the first union cabinet—the first female Minister. ¹⁵
1956-1959		Three women were elected to the Second National Assembly, two women, Daw Mya Si of Bassein and Daw Sao Hein Kham of Theindi, Shan State were elected to the Chamber of Deputies, and an additional three women, Daw Sein Pu of Rangun Eastern Division, Daw Mya Mya of Pegu (South) and Daw Saw Shwe of were elected as members for Chamber of Nationalities. ¹⁶
1958-1959	Caretaker Gov't	In 1958, after the Anti-Fascist People's Freedom League (AFPFL) split, Prime Minister U Nu urged parliament to utilize a constitutional provision and elect a non-member, General Ne Win, as his successor. The Caretaker Government (CG) of General Ne Win was predominantly military and no women held high-ranking positions. The CG ended in April 1960, after a national election in which the public voted overwhelmingly to return U Nu to power as Prime Minister again. ¹⁷
1959-1961		In the elections for the Third National Assembly, Daw Aye May was elected to the Chamber of Deputies, and Daw Hnin Hla of Kyeik Ka Mi Township and Amay Chit of northern Mandalay were elected to the Chamber of Nationalities. ¹⁸
1960-1962		Angry over Prime Minister Nu's reversal of many of the Caretaker Government's decisions, and his apparent support for Shan and Karenni secession, General Ne Win and a cabal of officers overthrew the government, set the Constitution aside, dismissed parliament, and arrested government and ethnic leaders.
1962-1974	Military Rule	By various decrees and proclamations, women were excluded from the government and the ruling (military) party.
1974		The 1974 constitution, which provided that Burma was to be a "socialist state of the working people", replaced the 1947 Constitution. The 1974 constitution called for the power of the state to be in the popularly elected people's assembly (Pyithu Hluttaw).

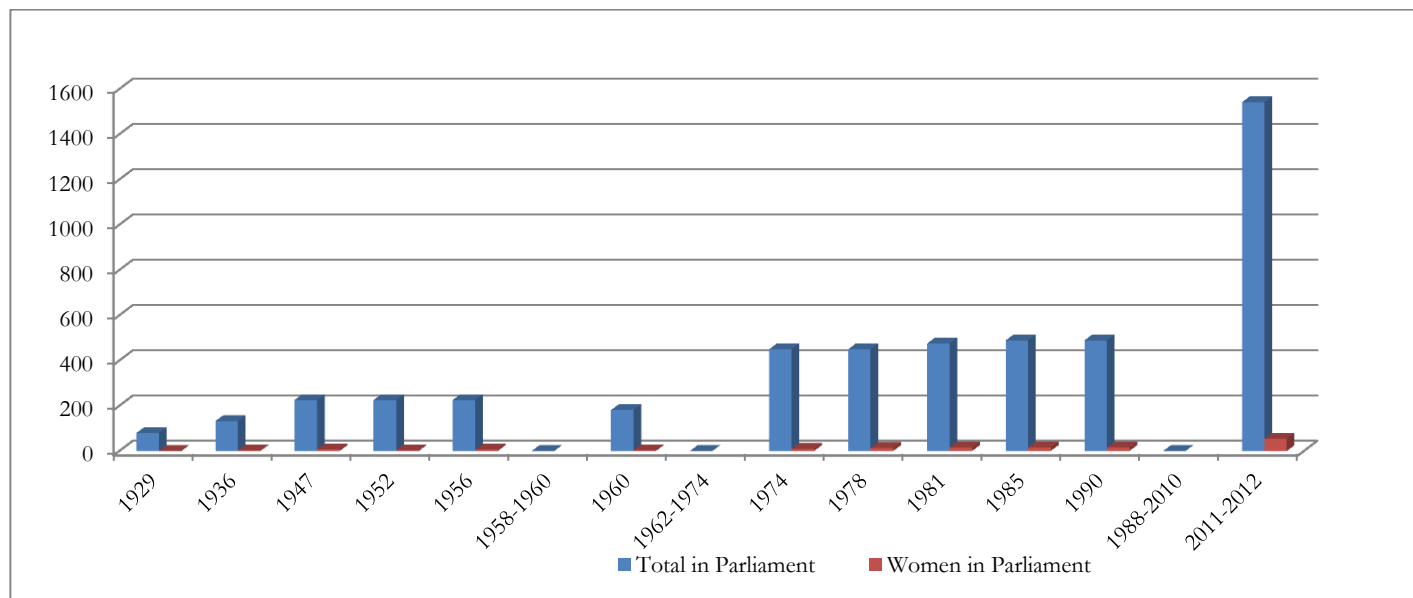
Separate Chin, Mon and Arakan States were established, but without the limited autonomy that the ethnic states were guaranteed under the 1947 Constitution.¹⁹ Nine women out of 449 members (2%) were elected to the 1974 People's Assembly of Burma Socialist Program Party legislature.²⁰

1978		In the 1978 People's Assembly of Burma Socialist Program Party legislature, of the 449 members only 13 were women (2.8%).
1982		The Central Committee of the Burma Socialist Programme Party (BSPP) had one woman out of 100 members.
1985		The Central Committee of BSPP had eight women out of 280 members, none of whom had major roles.
1988		Women participated in nationwide protests against the military junta aimed at establishing a democratic government. Daw Aung San Suu Kyi, daughter of the late general and independence hero Aung San, returned to Burma and formed the pro-democracy political party National League for Democracy (NLD).
1990		In the nation-wide elections for 485 parliamentary seats, there were 84 women out of 2,296 candidates. The NLD won 392 out of 485 parliamentary seats (80% of seats, with approximately 60% of the popular vote). Fifteen women (3.1%) were elected out of 485 parliamentary seats (all NLD). The second-largest winning party was the Shan Nationalities League for Democracy (SNLD), which won 23 seats. The military-backed party, the National Unity Party (NUP), won only 10 seats.
1990-2008	Military Rule	The military annulled the 1990 elections and retained military power. No women were appointed as regional commanders or government ministers, and none were a part of the ruling junta, sitting on the Supreme Court, or in any leadership positions.
2008		A military drafted Constitution established permanent military rule. The Constitution granted supreme power to the Commander-in-Chief. The military had autonomy from the civilian government, and received 25% of all parliamentary seats, and top ministerial offices. The Presidency and Vice Presidency, though civilian offices, required military experience. Because the military is comprised of men, except for some honorary positions, women were effectively banned from top positions. The Constitution further preserved the tiered relationship between men and women that minimized women's role in Burma, by stating in its section on equality, that nothing is to "prevent appointment of men to the positions that are suitable to men only."
2010		The first general elections under the 2008 Constitution were held in 2010. The NLD did not take part in these elections. Ultimately, out of 1541 Parliamentary seats nationwide, women won 36 (2.34%). ²¹ The first president under the 2008 constitution was U Thein Sein, who is an ex-general and was Prime Minister of the military regime (State Peace and Development Council).
2012		After the 2010 elections, the number of elected MPs in the Union Parliament went down, mostly due to elected MPs taking positions, such as Ministers, in the Union Government. The Union Election Commission called for by-elections in 2012 to fill 46 vacant seats. Out of 157 candidates, 24 (15.3%) were women, including Aung San Suu Kyi. Women won 13 out of the 46 contested seats. In December, 2012, President Thein Sein appointed Myat Myat Ohn Khin as Minister of Social Welfare, Relief and Resettlement, making her the first female cabinet minister since Ba Maung Chain was appointed to represent the Karen State in 1953. Currently, six women hold deputy ministerial positions, and three women hold ministerial positions in State/Regional Parliaments. ²²

Currently, women hold 25 of 440 (5.7%) seats in the Pyithu Hluttaw (lower house) and four of 224 (1.8%) seats in the Amyotha Hluttaw (upper house), which together make up the national Union Parliament. Women hold 29 out of the 498 elected seats (which does not include the 166 seats appointed by the military), or 5.8%. Including the military appointed seats, women hold 29 out of the 664 total seats, or 4.4%. Including the state and regional parliaments, women hold a total of 54 of 1,541 seats (3.5%). According to the Inter-Parliamentary Union, the Burma percentage of women in the lower house ranks at 132 out of 144, and the percentage of women in the upper house is tied with Yemen for the lowest of any upper house in the world.

Women's Political Representation in Burma/Myanmar

1929 (pre-independence) to 2012



	1929	1936 ²³	1947	1952	1956	1958 - 1960	1960	1962 - 1974	1974	1978	1981	1985	1990	1988 - 2010	2011 - 2012
Total in Parliament	79	132	225	225	225	Care Taker Government	180	Military Rule	449	449	475	489	489	Military Rule	1541
Women in Parliament	1	1	7	3	5		3		9	13	15	16	15		54
Percentage	1.27	0.07	3.11	1.33	2.22					2.00	2.90	3.16	3.27	3.07	3.50

Notes

¹ Central Committee, Burmese Socialist Program Party, “Political Activities of Women in Burma”, Burmese language publication, first edition, Yangon, 73, (December, 1975) [hereinafter *Political Activities of Women in Burma*].

² Maung Maung, Burma’s Constitution, Martinus Nijhoff, The Hague, Netherlands, 27 (1959).

³ Political Activities of Women in Burma, *supra* note 1, at 73 (1975).

⁴ J.S. Furnivall, Colonial Policy and Practice: A Comparative Study of Burma and The Netherlands 168, (New York, NYU Press, 1956).

⁵ Saw Mon Nyain, Burmese Women 45, (Yangon, Padaut Hlaing, 2nd ed, 2000).

⁶ Maung Maung, *supra* note 2, at 58, 59.

The members of the commission that drafted a constitution for Burma in 1943 were: Dr .Ba Maw and his cabinet; Maj.Gen. Aung San, Thakin Kodaw Hmaing, Executive Director of the Dohbama Sinyetha Asiyone;, Thakin Nu, U Chit Hlaing, U Aye, formerly Home Minister, U Mya , U Aye Maung, U Tun Pe, Dr. San C. Po, U Thwin , Sir Mya Bu, Chief Justice, U Thein Maung, formerly Advocate General, U Set, U Khin Maung Dwe of Mandalay and U Kyaw.

⁸ THAKIN NU, BURMA UNDER THE JAPANESE, (London: Macmillan and co ltd, 1954).

⁹ Maung Maung, *supra* note 2, at 83

¹⁰ Pyi Htaung Su Myanmar Naing Ngan Anniversary Magazine, 1948, Supplementary Page. Women elected members for the Constituent Assembly are:

1. Daw Saw Shwe (AFPLF) Lanmadaw Township, Yangon
2. Daw Khin Hla, (AFPLF) KyiMyin Tine Township, Yangon
3. Daw Hla Shin, (AFPLF) MaU Pin Township,
4. Daw Khin Pu, daughter of Dee Dote U Ba Cho (AFPLF), Hantharwaddy Township

¹¹ B. LINTNER, BURMA IN REVOLT 432 (2nd edition 1999).

¹² *Id.*

¹³ Maung Maung, *supra* note 2 at 86, the men mentioned here were assassinated on July 19, 1947 along with six others; *see also at* Political Activities of Women in Burma, *Supra* note 1, at 214 (1975).

[T]he four women elected and three wives replaced at the place of assassinated leaders between 1947 and 1951 are:

1. Daw Khin Kyi (for Aung San),
2. Daw Khin Nyunt (for Tha Khin Mya)
3. Daw khin Khin (for U Razak)

¹⁴ Mi Mi Khaing, *supra* note 10, at 159.

¹⁵ Political Activities of Women in Burma, *Supra* note 1, at 215 (1975).

¹⁶ *Id.*, at 215 -216 (1975), Daw Mya Si [Bassein Township], Sao Hein Khan [Northern Hseinnee Township] were elected to the chamber for deputies and Daw Sein Pu [Yangon East], Daw Mya Mya [Southern Pegu] and Daw Saw Shwe [Southern Yemintin] were elected. Daw E. May [Tavoy Township] was elected to the chamber for deputies, and Daw Hnin Hla [Kyeik Ka Mi Township] and Amay Chit [Northern Mandalay] to the chamber of nationalities.

¹⁷ B. LINTNER, *supra* note 11, at 445.

¹⁸ Political Activities of Women in Burma, *Supra* note 1, at 216 (1975).

¹⁹ B. LINTNER, *supra* note 11, at 454.

²⁰ D. Nohlen, F. Grotz & C. Hartmann, Elections in Asia and the Pacific: A Data Handbook 603, Volume I (2001).

²¹ New Light of Myanmar, November 11, 2010, supplementary pages.

The General Election was held on Nov 7, 2010 with the following results:

1. National Assembly: 6 women out of 440 (1.36%)
2. People Assembly: 11 women out of 224 (4.9%)
3. Assembly of the Union (National and People Assembly: Pyidaungsu Hluttaw in Burmese): 17 out of total 664 (2.5%)
4. State and Regional Assembly: 19 out of 665 (2.7%)
5. Total: 36 women out of 1541 (2.34%).

²² New Light of Myanmar, August 28, and September 7, 2012.

1. One woman at ministerial position in the Union Assembly:
 - 1) Dr Daw Myat Myat Ohn Khin, Minister of Social Welfare, Relief and Resettlement
2. Five women hold Deputy Ministerial positions in the Union Assembly:
 - 1) Dr Daw Khin San Yi, Ministry of National Planning and Economic Development
 - 2) Daw Sandar Khin, Ministry of Culture

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- 3) Daw Su Su Hlaing, Ministry of Social Welfare, Relief and Resettlement
 - 4) Dr Daw Thet Thet Zin, Ministry of Environmental Conservation and Forestry
 - 5) Dr Daw Thein Thein Htay, Ministry of Health
 3. In State/Region Parliaments, three women hold Ministerial positions:
 - 1) Daw Khin Pyone Yi Minister, Affairs of Nationalities (Shan), Kachin State Parliament
 - 2) Daw Bauk Ja, Minister, Social Welfare, Kachin State Parliament
 - 3) Daw San San Nwe, Minister, Finance and Revenue, Yangon Region Parliament

²³This was an election during British colonial rule based on the 1935 Diarchy, in order to form an assembly to draft the Constitution.