

# FPTP Electoral System of Myanmar as a Barrier for Ethnic Minority Inclusiveness in Parliamentary Decision-Making

El sistema electoral FPTP de Myanmar como obstáculo para la inclusión de las minorías étnicas en la toma de decisiones parlamentarias

Yamonh Pwint Thit<sup>1,\*</sup>: <https://orcid.org/0009-0006-0371-8642>

**Abstract:** Objective: This study aimed to analyze limitations in Myanmar's political system that hindered inclusive participation of ethnic minorities in decision-making. The goal was to understand the impact of these limitations on minority representation and propose solutions for more equitable representation. Methodology: A documentary research design and systematic literature review were employed. Secondary data were gathered from academic articles and civil society reports on ethnic diversity, the non-inclusive political system, and challenges of the electoral system. Primary data from news and NGO reports were used to analyze election results and minority representation in parliament. Results: Findings revealed that ethnic minorities in Myanmar faced barriers in accessing public services and being represented in the political system. The FPTP electoral system exacerbated their underrepresentation, as only winners' voices were heard in parliament. Lack of inclusivity and equitable representation contributed to internal conflicts and civil wars between ethnic groups and the government. Conclusions: This study identified fundamental flaws in Myanmar's political system that hindered inclusive decision-making for ethnic minorities. The need for reforms to enable more equitable government representation and address ethnic tensions was highlighted. A review of the FPTP electoral system was proposed to ensure fair and just representation of all voices in parliament. These measures would strengthen the human security of ethnic minorities and promote stability and cohesion in Myanmar.

**Keywords:** Ethnic Minorities; Inclusive Representation; Myanmar Political System; FPTP Electoral System; Human Security.

**Resumen:** Objetivo: Este estudio tuvo como objetivo analizar las limitaciones en el sistema político de Myanmar que obstaculizaban la participación inclusiva de las minorías étnicas en la toma de decisiones. El propósito fue comprender el impacto de estas limitaciones en la representación de las minorías y proponer soluciones para una representación más equitativa. Metodología: Se empleó un diseño de investigación documental y una revisión sistemática de la literatura. Los datos secundarios se recopilaron de artículos académicos e informes de la sociedad civil sobre diversidad étnica, el sistema político no inclusivo y los desafíos del sistema electoral. Los datos primarios de noticias e informes de ONG se utilizaron para analizar los resultados electorales y la representación de minorías en el parlamento. Resultados: Los hallazgos mostraron que las minorías étnicas en Myanmar enfrentaban barreras para acceder a los servicios públicos y ser representados en el sistema político. El sistema electoral FPTP exacerbó su subrepresentación, ya que solo se escuchaban en el parlamento las voces de los ganadores. La falta de inclusividad y representación equitativa contribuyó a conflictos internos y guerras civiles entre los grupos étnicos y el gobierno. Conclusiones: En conclusión, este estudio identificó defectos fundamentales en el sistema político de Myanmar que obstaculizaban la toma de decisiones inclusiva para las minorías étnicas. Se destacó la necesidad de reformas para permitir una representación gubernamental más equitativa y abordar las tensiones étnicas. Se propuso una revisión del sistema electoral FPTP para

1. MASTER OF ARTS IN INTERNATIONAL DEVELOPMENT STUDIES, FACULTY OF POLITICAL SCIENCE, CHULALONGKORN UNIVERSITY, Bangkok, Thailand

\*Correspondence Author: [yamonhpwinthit77@gmail.com](mailto:yamonhpwinthit77@gmail.com)

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garantizar una representación justa y equitativa de todas las voces en el parlamento. Estas medidas fortalecerían la seguridad humana de las minorías étnicas y promoverían la estabilidad y cohesión en Myanmar.

**Palabras clave:** Minorías Étnicas; Representación Inclusiva; Sistema Político de Myanmar; Sistema Electoral FPTP; Seguridad Humana.

## 1. Introduction

### 1.1. Lack of Ethnic Minority Inclusiveness in decision making: a case of Myanmar

Ghosh (2008) evaluated the two statements, focusing on issues related to ethnicity and the rights of minorities. Myanmar, situated in Southeast Asia, is home to a multitude of distinct ethnic groups. Since its post-independence era, the country has found itself at the forefront of ethical dilemmas, drawing attention not only within Southeast Asia but also globally.

In Myanmar, each ethnic community tends to rally behind its preferred political party or candidate to ensure their voices are heard in parliament. A lack of representation for these groups can precipitate numerous challenges. As highlighted by Williams (2005), equitable representation is imperative to mitigate conflicts between the government and ethnic armed groups. However, in the current setting, ethnic minorities in Myanmar face barriers to accessing public services and voicing their concerns. The political framework falls short in offering them adequate opportunities for union-level decision-making.

Significantly, the six self-administered zones within States (Naga, Danu, Pao, Ko Kang, Palaung, and Wa) and the seven ethnic states (Kachin, Kayah, Kayin, Chin, Mon, Rakhine, and Shan) bear the names of the dominant ethnic minority within each region. Those not of Burmese origin are often labeled as “ethnic minorities” or “ethnic nationalities.” A prevailing sentiment among these minorities is that the central government has championed a policy of Burmanization, sidelining their rights and culture, and relegating them to the fringes of society.

This marginalization, fostered by the political system, has meant that ethnic grievances largely revolve around the absence of inclusive decision-making processes. Consequently, this has exacerbated internal tensions, occasionally culminating in civil unrest and conflicts between the government and various ethnic factions. Such a void in ethnic minority inclusivity and the frail system of fair representation imperils the human security of these groups.

Further compounding this issue is Myanmar’s First Past the Post (FPTP) electoral system, often characterized as “winner takes all.” It fails to proportionally allocate parliamentary seats based on the vote share garnered by each political entity. As a consequence, while minority groups are denied a platform in parliament via their chosen representatives, the winning party—despite possibly only resonating with a segment of the electorate—assumes representation for the entire constituency. This inherent flaw in Myanmar’s electoral apparatus means that not all political factions enjoy equitable representation in parliament.

### 1.2. Rise of Liberalism by ethnic minority and power struggle in Myanmar

Wilkes & Wu (2018) analyzed the dynamics between majority and minority rule within democracies and autocracies. Their findings suggest that in democratic structures, the majority wields significantly greater influence, particularly in the political realm, than does the minority. In contrast, the dichotomy of majority and minority rule becomes nebulous in non-democratic societies, with less contention between the majority and minority over power. In such nations characterized by weaker democratic foundations, minorities often temper their expectations of equitable treatment.

For members of historically marginalized communities, equality is not merely a desirable outcome but a cornerstone of democratic ethos. They are acutely aware of their legal right to advocate for and achieve parity. This perspective is vividly echoed by many of Myanmar’s ethnic minorities.

Having been sidelined politically in previous eras, they have invested substantial hope in Myanmar's democratic liberalization that commenced in 2011. This transformative phase also piqued the interest of the International Crisis Group (2020a), which examined the surge of ethno-nationalism following the augmentation of political and social freedoms in Myanmar post-2011.

### **1.3. Ethno-nationalism Politics in Myanmar vs authoritarianism and centralism**

**Power Concentration:** Since achieving independence, particularly after the 1962 military coup, power in Burma has been firmly ensconced in the hands of Burman elite groups. Over the past six decades, they have dominated the regional political framework, military, civil administration, and bureaucracy. This centralized control has largely precluded members of the country's ethnic minorities from ascending to influential positions. A distinct nexus is evident between this centralization and the rise of Burmese nationalism.

Myanmar's political landscape is largely characterized by authoritarianism and centralism. The nation has witnessed protracted confrontations stemming from ethno-nationalist movements. These movements, rallying against both centralization and systemic inequalities, ignited clashes and protracted warfare with the Burmese military that spanned a decade.

The "First Past the Post" (FPTP) electoral system, colloquially termed "winner-take-all," falls short in ensuring proportional seat allocation in legislative bodies. Given that FPTP systems have historically found favor in nations influenced by British governance, such a trend is consistent with the observations of Reynolds et al. (2008). Moreover, as Moscrop et al. (2008) elucidate, such systems can lead to a "false majority" where the electoral outcome may marginalize minority votes.

### **1.4. FPTP electoral system and parliamentary system in Myanmar**

In Myanmar, both the Hluttaw (parliament) and presidential elections are conducted using the First Past the Post (FPTP) system. While the FPTP method is utilized across all tiers of the parliamentary elections, comprehending the unique structure of Myanmar's parliament is crucial.

Known as a "three-quarter legislature," only 75% of the seats in Myanmar's parliament are occupied by elected or people's representatives. The remaining 25% is exclusively reserved for the military. This unelected military faction effectively wields veto power, especially when constitutional amendments necessitate the endorsement of more than three-quarters of the parliamentary members.

The Union Parliament comprises two chambers: the Lower House (Pyithu Hluttaw) and the Upper House (Amyotha Hluttaw). Out of the total seats in parliament, the military is assured 25. Furthermore, elections for both the Union Hluttaw and the State and Regional Hluttaws transpire concurrently every five years.

### **1.5. 2008 constitution, Composition of seats and Failure of FPTP electoral system for ethnic minority inclusiveness in decision making**

Under the provisions of the 2008 constitution, the Tatmadaw (Myanmar's Armed Forces) retained significant influence over the nation's governance. A stipulated 25% of seats in Myanmar's parliament are allocated to serving military officers. Moreover, key ministerial positions, namely the home, border, and defense ministries, are mandated to be helmed by a serving military officer.

Several salient aspects of the electoral system are outlined in the 2008 Constitution. While Myanmar employs the First Past the Post (FPTP) method for elections across all tiers of parliament, the constitution does not unambiguously advocate for single-member districts at any legislative level. Article 109(a) delineates that 330 members of the Pyithu Hluttaw should be elected based on township and population considerations. This implies that these 330 representatives are to be sourced from 330 distinct townships, suggesting the adoption of single-member districts for the lower house.

Regarding the Amyotha Hluttaw, the constitution mandates the election of 12 members from each state/region, with an additional member drawn from each self-administrative zone and division. Nonetheless, article 109(a) provides no lucid interpretation for the method of election of the 168 members of the Amyotha Hluttaw. It lacks a definitive stipulation that these 12 representatives should be chosen from 12 separate constituencies. Consequently, this omission negates the exclusive use of single-member constituencies and offers latitude in selecting any electoral system for the Amyotha Hluttaw representatives.

Post the adoption of the 2008 Constitution, electoral outcomes in Myanmar have consistently marginalized ethnic minority factions. These minorities remain conspicuously underrepresented in the legislative assembly, while Bamar-majority parties consistently secure a substantial number of seats. The inherent biases of the FPTP system, currently the standard electoral framework in Myanmar, result in pronounced disparities in parliamentary seat distribution among contending political entities. Such disparities exacerbate the underrepresentation of ethnic minorities, undermining the principles of inclusive decision-making within the parliament.

### **1.6. Human security and Peace**

As articulated by Paul Collier (2009), elections serve as a foundational pillar for peace, as the victors are perceived as legitimate by the broader populace. This legitimacy acts as a bulwark against violent opposition. Moreover, the inherent nature of the democratic process necessitates that the elected government be inclusive. Such an inclusive stance not only mitigates grievances but also ensures that the government remains answerable to its citizenry. Grounded in Collier's conceptual framework, it is imperative to investigate the factors that rendered Myanmar's political system undemocratic and why the First Past the Post (FPTP) electoral mechanism fell short in fostering inclusivity. This study aimed to analyze limitations in Myanmar's political system that hindered inclusive participation of ethnic minorities in decision-making. The goal was to understand the impact of these limitations on minority representation and propose solutions for more equitable representation.

## **2. Methodology**

This thesis will employ a documentary research design, drawing upon secondary data from academic papers addressing the electoral system, inclusiveness, ethnic diversity, and minority representation, particularly focusing on the case of Myanmar. A systematic literature review will be conducted to delve into the historical intricacies of ethnic diversity, the political system's non-conformity with inclusiveness, the electoral system's inherent bias towards larger parties, and the constitutional provisions concerning parliamentary seat distribution.

Primary data will be sourced from news articles, as well as reports published by civil society organizations and non-governmental entities. This will enable comprehensive data collection on election results, the representation of ethnic minorities in parliament, and recommendations for an electoral system that ensures equitable and inclusive representation.

This research aims to pinpoint the fundamental flaws in the political system that impede inclusive decision-making for ethnic minorities in Myanmar. Further, it will critically assess the barriers presented by the First Past the Post (FPTP) electoral system through a methodical review. Finally, the research will adopt the human security framework to gauge the repercussions of the absence of inclusivity at the union-level decision-making process.

### 3. Results and Discussion

#### 3.1. Proliferation of Ethnic political parties and single-member plurality-ruled elections

##### 3.1.1. Fragmentation among ethnic parties and vote splitting under FPTP

Political shifts have notably impacted the fragmentation of ethnic parties. Most pivotal is the transition orchestrated by the military, which has driven a wedge between the nascent electoralist parties, established specifically for the 2010 elections, and the longstanding movement parties formed between 1988-1990 that abstained from participating in those elections.

Vote splitting has been frequently posited as a principal rationale for the inability of ethnic parties to provide authentic and precise representation for ethnic communities, particularly amongst their party delegates. There is a prevailing sentiment that, especially in the realm of single-member electoral districts with a first-past-the-post voting system, vote splitting played an instrumental role (Stokke, 2019).

Table 1.

*Vote splitting pattern in Pyithu Hluttaw in 2015 Elections*

State and Constituency	Winner's vote share	Split Vote Share of Ethnic Parties	
Shan State: Namkham Constituency	TPNP (36.63%)	SNDP (21.88%)	SNLD (21.34%)
Shan State: Minpan Constituency	USDP (36.82%)	SNDP (33.50%)	SNLD (16.28%)
Shan State: Namsan Constituency	USDP (37.23%)	SNDP (5.27%)	SNLD (32.45%)

**Source:** adopted from Briefing paper on electoral system and results, 2015 General Elections of Myanmar, Democracy Reporting International Myanmar (2016).

Table 1 displays data from the 2015 Myanmar General Elections. Within Shan State’s Namkham Constituency, the TPNP won with 36.63% of the votes, trailed by the SNDP at 21.88% and the SNLD at 21.34%. In Minpan, the USDP led with 36.82%, while SNDP and SNLD captured 33.50% and 16.28%, respectively. In Namsan, USDP took the lead with 37.23%, followed by SNLD at 32.45%, and SNDP at 5.27%. Source: Democracy Reporting International Myanmar (2016).

Examining the Shan state parties competing in the Namkham, Minpan, and Namsan Constituencies, it becomes evident that the intense rivalry between the SNDP and SNLD inadvertently paved the way for other parties to emerge victorious. Specifically, the TPNP garnered the most votes in the Namkham Constituency, while the USDP secured majorities in both the Minpan and Namsan Constituencies.

Beyond mere vote splitting, the NLD’s strategic decision to endorse ethnic candidates – aiming to captivate and sway voters in ethnic constituencies – significantly influenced electoral behaviors in ethnic states. The charisma-driven campaign led by Aung San Suu Kyi also contributed to widening disparities among political parties (Kempel et al., 2015; Burke, 2015).

##### 3.1.2. The rise of two-party dominance: polarization by FPTP system

In Myanmar, the political landscape is dominated by the polarization between the USDP and NLD, leaving ethnic parties overshadowed. Many ethnic voters, either for strategic considerations or drawn to the NLD’s pledge of inclusive representation, opted for the NLD over local ethnic parties (Sai Wansai, 2015). The 2015 election marked the first instance of open rivalry between the NLD and USDP. The electoral tussle encapsulated a clash of narratives: on one side, the legacies of military governance and the USDP’s unifying developmental campaign, and on the other, the historical thrust of the pro-democracy movement coupled with the NLD’s clarion call for “change” (Ardeth, 2016; Tin Maung Maung Than, 2016). Within this sharply polarized setting, where two potent non-ethnic parties vie for dominance, ethnic parties and their identity-centric politics assume a

more secondary, auxiliary position (Maung, 2021). However, the current electoral structure, rooted in the first-past-the-post system, inherently favors large national parties, positioning them at a legislative advantage, particularly when representing majority interests. Additionally, many regions traditionally recognized as ethnic minority territories have seen an influx of Burmese populations due to recent or past migrations. This demographic shift enables major parties like the NLD and USDP to secure additional seats in these states, even without significant backing from minority constituents. Consequently, both the NLD and USDP strategize their electoral campaigns with a particular emphasis on the Burmese populace.

Table 2.

*Comparison of Parliamentary elections by 2010, 2015 and 2020*

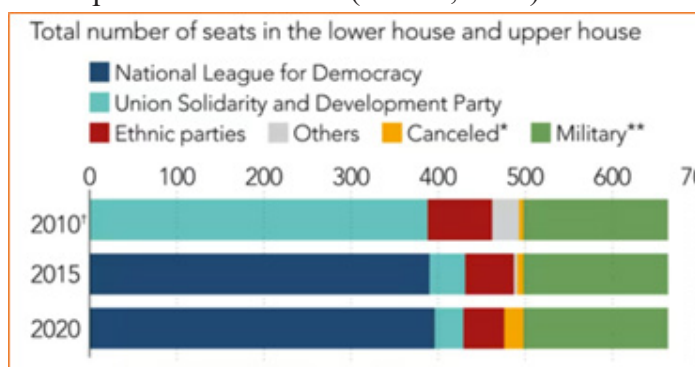
Political Party	2010	2015	2020
<b>People's Assembly (Lower House)-330 seats</b>			
National League for Democracy (NLD)	0	255	258
Union Solidarity and Development Party (USDP)	259	30	26
<b>National Assembly (Upper House) -168 seats</b>			
National League for Democracy (NLD)	0	135	138
Union Solidarity and Development Party (USDP)	129	11	7

**Note:** adopted from Union Election Commission, ‘Announcement of the results of 2020 Multi-party Democratic General Elections’ November 15, 2020

Table 2 showcases the electoral results in Myanmar’s People’s Assembly (Lower House) and National Assembly (Upper House) across three elections (2010, 2015, and 2020). In the Lower House, the National League for Democracy (NLD) went from having no seats in 2010 to securing 255 seats in 2015 and then 258 in 2020. In contrast, the Union Solidarity and Development Party (USDP) saw a decline, from 259 seats in 2010 to 30 in 2015, and further down to 26 in 2020. For the Upper House, NLD went from 0 seats in 2010 to 135 in 2015 and 138 in 2020, while USDP declined from 129 seats in 2010 to 11 in 2015, and then 7 in 2020. The source of this data is the Union Election Commission’s announcement from November 15, 2020.

### 3.1.3. NLD with its populism

In a nation long accustomed to the grips of authoritarian rule, the NLD’s campaign slogan, “It’s time (to change),” struck a chord with individuals from diverse socioeconomic backgrounds. This sentiment was particularly poignant in an era that marked the most democratic space for discourse and expression in decades (Thuzar, 2015).



**Source:** Nikkei research for Myanmar election data, Suu Kyi’s Myanmar election win fails to excite foreign investors, <https://asia.nikkei.com/Spotlight/Asia-Insight/Suu-Kyi-s-Myanmar-election-win-fails-to-excite-foreign-investors>

Figure 1. Myanmar elections of 2010, 2015 and 2020

Figure 1 illustrates that, since 2015, the NLD has capitalized on prevailing anti-military sentiments. This has led the majority of Bamar voters to overlook the party’s underwhelming economic performance. Furthermore, despite the electoral system’s inherent biases, ethnic parties championing their community’s interests have been more likely to maintain steady support. The genesis of these ethnic parties can be traced back to deep-seated societal conflicts against the military. However, they initially struggled within the political framework orchestrated by the military and the USDP.

#### 3.1.4. Merged parties in geographically concentrated areas: Did ANP and SNLD benefit from FPTP?

Ethnic parties in Myanmar often compete for the same ethnic voting base instead of aligning with multi-ethnic parties to establish broad-based national parties. In Rakhine State, party mergers exemplify the potential benefits within the First Past The Post (FPTP) system. Solutions like merging parties representing the same ethnic groups or establishing party alliances and “no-compete” agreements have emerged in response to the challenges posed by vote splitting (Hlaing, 2022).

Case in point: Rakhine State previously had two dominant political entities – the Rakhine Nationalities Development Party (RNDP) and the Arakan League for Democracy (ALD). However, in 2013, both parties amalgamated to form the Arakan National Party (ANP). The merged entity, ANP, gained significant traction in northern Rakhine State, securing 12 seats in the lower house and 10 in the upper house. This is the highest seat tally any ethnic minority party has achieved. Compared to the 16 seats that RNDP procured in the 2010 elections, ANP witnessed a marginal increase post-merger (Hlaing, 2022).

Table 3 elucidates the underrepresentation of ethnic minority parties in the 2010 elections across different levels of the Hluttaw. Shan Nationalities Democratic Party (SNDP) emerged as the frontrunner among minority parties, clinching 18 seats in Pyithu Hluttaw, 3 in Amyotha Hluttaw, and 37 at the State and Regional Hluttaw level. The RNDP, before merging, was a distant second with 9 seats in Pyithu Hluttaw, 7 in Amyotha Hluttaw, and 19 in the State and Regional Hluttaw.

Table 3.

#### *Seats won by the minority political parties in the 2010 general elections*

Political Party	Pyithu Hluttaw	Amyotha Hluttaw	Regional and State Hluttaw
Shan Nationalities Democratic Party- SNDP	18	3	37
Rakhine Nationalities Development Party - RNDP	9	7	19
All Mon Region Democracy Party- AMRDP	3	4	9
Chin Progressive Party - CPP	2	4	6
Phalon-Sawaw Democratic Party - PSDP	2	3	4
Chin National Party - CNP	2	2	5
Pa-O National Organisation, PNO	3	1	6
Other minority ethnic parties	5	6	20
<b>Total</b>	<b>44</b>	<b>30</b>	<b>106</b>

Note: adopted from 2010 Myanmar General Election: Learning and sharing for future, Observation Report, Center for peace and conflict studies, April 2011

The table presents the seat distribution for minority ethnic parties in the 2015 elections across different legislative bodies – Pyithu Hluttaw (Lower House), Amyotha Hluttaw (Upper House), and the State and Regional Hluttaw.

**Arakan National Party (ANP):** Formed from the merger of Rakhine State’s two dominant political entities, ANP emerged as the top-performing ethnic party in the 2015 elections.

- Pyithu Hluttaw: 12 seats

- Amyotha Hluttaw: 10 seats
- State and Regional Hluttaw: 22 seats

**Shan Nationalities Democratic Party (SNDP):** In a departure from its performance in the previous elections, the SNDP was positioned second in the 2015 vote tally among ethnic parties.

- Pyithu Hluttaw: 12 seats
- Amyotha Hluttaw: 3 seats
- State and Regional Hluttaw: 25 seats

The results highlight the positive impact of party mergers within the First Past the Post (FPTP) system, with the ANP’s success standing testament to this strategy in Rakhine State.

Table 4.

*Seats won by the minority political parties in the 2015 general elections*

Political Party	PyithuHluttaw	AmyothaHluttaw	Regional and State Hluttaw
Arakhan National Party- ANP	12	10	22
Shan Nationalities Democratic Party- SNDP	12	3	25
Ta-ang National Party - TNP	3	2	7
Pa-O National Organisation, PNO	3	1	6
Zomi Congress for Democracy - ZCD	2	2	2
Lisu National Development Party - LNDP	2	0	2
Other minority ethnic parties	3	1	14
<b>Total</b>	<b>37</b>	<b>19</b>	<b>79</b>

Note: adopted from 2015 Myanmar General Election: Learning and sharing for future, Observation Report, Center for peace and conflict studies

Table 4 provides a breakdown of seats held by various political parties in three of Myanmar’s legislative chambers: PyithuHluttaw (House of Representatives), AmyothaHluttaw (House of Nationalities), and the Regional and State Hluttaw following the 2015 Myanmar General Election.

- Arakhan National Party (ANP) secured 12, 10, and 22 seats in each respective chamber.
- Shan Nationalities Democratic Party (SNDP) obtained 12 seats in the PyithuHluttaw, 3 in the AmyothaHluttaw, and 25 in the Regional and State Hluttaw.
- Ta-ang National Party (TNP) had 3, 2, and 7 seats respectively.
- Pa-O National Organisation (PNO) secured 3 seats in the PyithuHluttaw, 1 in the AmyothaHluttaw, and 6 at the regional/state level.
- Zomi Congress for Democracy (ZCD) and Lisu National Development Party (LNDP) both obtained seats in all three chambers, with ZCD holding 2 seats in each and LNDP having 2, 0, and 2 respectively.
- Other minority ethnic parties collectively held 3, 1, and 14 seats in the respective chambers.
- In total, there were 37, 19, and 79 seats distributed in the PyithuHluttaw, AmyothaHluttaw, and Regional and State Hluttaw respectively

The success in attracting votes from the Rakhine people can be largely attributed to the merging of the prominent political parties. Notably, among the seven ethnic minority states, only these two witnessed ethnic political parties securing a significant portion of the votes (Michael, 2021).

### 3.1.5. Limited resources as poorly-balanced Competition with National Parties



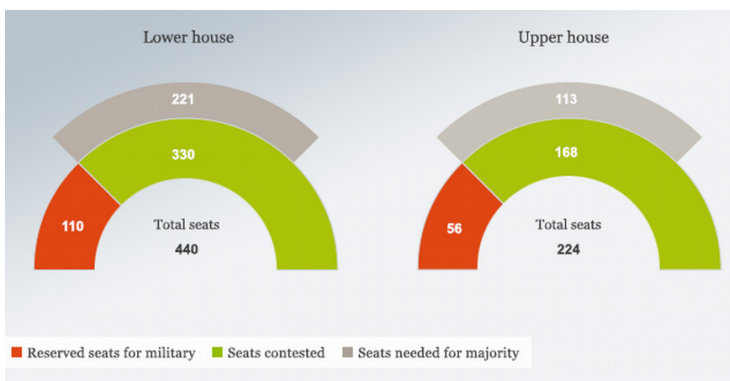
Furthermore, ethnic parties faced challenges such as limited organizational capacities and financial constraints, which hindered their ability to conduct effective campaigns and consolidate support (Burke, 2015; Transnational Institute, 2015). These parties often lacked the capacity to devise alternative political strategies.

More than just representing a specific identity, many ethnic parties typically lacked comprehensive political platforms or well-defined goals (Stokke & Aung, 2020; Wells, 2018). Weaknesses in internal democracy and organizational robustness are prevalent among these parties. Their limited capacity to coordinate party activities, rally supporters, and act as effective political representatives is evident, although there are notable exceptions like the SNLD (Stokke, 2019).

### 3.2. FPTP electoral system and Mal-appointment

#### 3.2.1. Seat composition in Parliaments by 2008 Constitution

The Assembly of the Union (Pyidaungsu Hluttaw), Myanmar’s national assembly, comprises two chambers: the House of Nationalities (Amyotha Hluttaw), which is an upper house with 224 seats, and the House of Representatives (Pyithu Hluttaw), a lower house with 440 seats (Hluttaw Brochure Working Group, 2017). According to the 2008 Constitution, 498 of these seats across both Houses are determined through elections, while the military appoints individuals to occupy the remaining 166 seats, as depicted in Figure 2.



Source: adopted from report by DW: Suu Kyi’s NLD surges ahead, 10.11.2015

Figure 2. Seat Composition of Parliaments

Elections are conducted at the regional level across Myanmar’s 14 primary administrative regions and states, with a total of 644 regular seats and an additional 29 seats specifically reserved for racial and ethnic minorities. Myanmar’s administrative framework divides the country into 21 subdivisions, which include states, regions, union territories, self-administered zones, and self-administered divisions. From these 14 administrative areas, members are elected to serve in seven distinct regions and seven states, each with its own assembly, be it a Region Hluttaw or State Hluttaw. Once elected, these representatives then participate in the governing bodies of the self-administered zones and divisions, as illustrated in Map 1 (Hluttaw Brochure Working Group, 2017).



Source from Asia: Myanmar, D-maps.com, [http://d-maps.com/carte.php?num\\_car=35249&lang=en](http://d-maps.com/carte.php?num_car=35249&lang=en)

Figure 3. Administrative Map of Myanmar

### 3.2.2. Constitution composition – Township based is the challenge

Constituency size posed a significant challenge in the electoral process. In Myanmar, the largest electoral district had a staggering 322 times more eligible voters than the smallest, based on township counts. This disparity meant that voters in smaller constituencies exerted disproportionately more influence on the election outcomes.

Seats in the Pyithu Hluttaw are determined through single-member districts, with each township representing an electoral district. In contrast, the Amyotha Hluttaw allocates one seat for each state and region for its twelve elected positions. Should a state or region exceed 12 townships, voting districts are based on combinations of townships and districts. Moreover, each Self-Administered Zone selects a single representative for the Amyotha Hluttaw (Hluttaw Brochure Working Group, 2017).

Wa, Kokang, Naga, Pa-O, Palaung, and Danu delineate the self-administered districts. Geographically concentrated ethnic states prominently house Kachin, Kayah, Chin, Rakhine, Kayin, Mon, and Shan ethnic groups. This research underscores the impact of spatial voter concentration on the electoral chances of ethnic parties. Specifically, in 2015, the ANP in Rakhine and the SNLD in Shan, as the two most prominent ethnicity-based parties, greatly benefited from this voter concentration (Transnational Institute, 2015; Hluttaw Brochure Working Group, 2017).

### 3.2.3. Disproportionate Representation: Lack of Proportionality in vote share and seat share

The First-Past-The-Post (FPTP) system often faces criticism for its disproportionality. The level of this disproportionality is gauged by the absolute difference between a party's percentage of the total votes and its percentage of total seats won, especially for the party that is overrepresented the most. Despite these criticisms, the overall disproportionality in Myanmar is relatively minimal, suggesting that the country's FPTP system effectively translates votes into parliamentary seats.

The essence of FPTP is that a party only needs to secure a plurality of votes in a constituency — just one vote more than its closest competitor — to win the seat, leading to potential imbalances in political representation. To illustrate, in a hypothetical two-party contest, if one party gains 51% of the votes in each constituency, it would clinch 100% of the seats, leaving the party with 49% of the votes empty-handed.

However, it's crucial to clarify that by pointing out the winner's advantage inherent in the system, we are not diminishing the NLD's electoral achievement. In fact, out of the 255 seats the NLD won in the Pyithu Hluttaw, a remarkable 196 were secured through absolute majorities. An analysis of the NLD's vote share across constituencies indicates that its vote distribution was exceptionally efficient (Huang, 2022).

Table 5.

*Votes vs Seats in Amyotha Hluttaw (2015 Elections)*

Party	Vote Share	Seats	Seat share
National League for Democracy- NLD	58%	135	80%
Union Solidarity and Development Party (USDP)	28%	11	7%
Arakan National Party (ANP)	2.2%	10	6%
Shan National Party (TPNP)	1.6%	3	2%
Ta-Ang (Palau) National Party (TPNP)	0.41%	2	1%
Pao National Organization (PNO)	0.70%	1	1%
Zomi Congress for Democracy Party (ZCDP)	0.6%	2	0.5%
Mon National Party (MNP)	1.88%	1	1%

**Source:** adopted the data from book by NAKANISHI Yoshihiro, *The 2015 Myanmar General Election: A Historic Victory for the National League for Democracy*, Center for Southeast Asian Studies, Kyoto University, March 2016

As reflected in Table (5), the NLD secured a dominant 80% of the seats in the Pyithu Hluttaw, even though they garnered 58% of the total vote share. In contrast, the USDP managed to claim only 7% of the seats despite having a vote share of 28%. This discrepancy highlights the issues of fragmentation and vote splitting, primarily driven by the smaller ethnic parties, and underscores the disproportionate representation inherent in the system.

Table 6.

*Votes vs Seats in Pyithu Hluttaw (2015 Elections)*

Party	Vote Share	Seats	Seat share
National League for Democracy- NLD	57.2%	255	79%
Union Solidarity and Development Party (USDP)	28.3%	30	9%
Arakan National Party (ANP)	2.2%	12	4%
Shan National Party (TPNP)	1.6%	12	4%
Ta-Ang (Palau) National Party (TPNP)	0.4%	3	1%
Pao National Organization (PNO)	1%	3	1%
Zomi Congress for Democracy Party (ZCDP)	0.1%	2	1%
Lisu National Development Party (LNDP)	0.1%	2	1%
Kachin State Development Party (KSDP)	0.1%	1	0%
Kokang Democracy and Unity Party (KDUP)	0.1%	1	0%
WaDemocractic Party (WDP)	0.04%	1	0%

**Source:** adopted the data from book by NAKANISHI Yoshihiro, *The 2015 Myanmar General Election: A Historic Victory for the National League for Democracy*, Center for Southeast Asian Studies, Kyoto University, March 2016

Table (6) illustrates that the NLD secured 79% of the seats in the Pyithu Hluttaw with a vote share of 57%. Conversely, the USDP managed to obtain only 9% of the seats, even though they amassed 28% of the total votes. Such disparities are indicative of the role vote splitting and fragmentation play in the electoral outcomes. For instance, in states like Kachin, there were instances where up to 12 candidates vied for a single seat. This scattered the vote among multiple ethnic groups, paving the way for national-level parties to clinch seats with a relatively smaller number of votes (Mun, 2020a).

The findings indicate that the prevailing voting system provided an advantage to certain ethnic parties. Due to the geographically concentrated nature of their support, the First-Past-The-Post (FPTP) system allowed parties like the Arakan National Party (ANP) and the Shan Nationalities League for Democracy (SNLD) to secure more parliamentary seats than would be reflective of their overall popular vote. In several cases, similarly aligned ethnic candidates split the vote, which, had it been consolidated, could have triumphed over the national-level party (International Crisis Group, 2020b).

### 3.3. Lack of inclusive representation and Human security

#### 3.3.1. Marginalization for political representation by FPTP and and Discrimination against the political rights of ethnic minorities

The First-Past-The-Post (FPTP) system in Myanmar nudges both the NLD and the USDP to gravitate towards the middle ground in order to appeal to a broader spectrum of voters, solidify their dominance, and amass a cache of seats, thereby ensuring political stability. Myanmar’s ethnic political parties grapple with the effects of Duverger’s law under the FPTP system, which tends to diminish minority representation and enthusiasm (International Crisis Group, 2020a).

According to Table (7), ethnic parties have secured only a small portion of the seats, claiming 15% in 2010, 11% in 2015, and 10% in 2020. In stark contrast, the NLD captured a commanding majority of seats, particularly in areas dominated by the ethnic Burman population.

Table 7.

*Ethnic minority representation in three elections of Myanmar*

	2010	2015	2020
Ethnic Parties who contested	24	55	54
Ethnic Parties who won seats	13	10	11
% available seats won	15%	11%	10%

**Source:** data are adopted from Myanmar Policy Briefing Paper by Transnational Institute, 2020 General Elections Myanmar, December 2020

Based on the 2015 and 2020 election data in Myanmar, the NLD, securing a majority of seats, often amasses substantial power. This can occasionally lead to the consolidation of authority within a narrow leadership cadre. Such a concentration can erode checks and balances, stifle political competition, and weaken the safeguarding of civil and political rights. Hence, it is imperative to establish strong institutional checks to deter the abuse of power and guarantee minority rights protection.

Given the representation data of minorities in Myanmar’s parliament, the FPTP system appears to marginalize smaller parties or independent candidates, diminishing their chances of winning seats. This can curtail political pluralism and narrow the spectrum of options presented to the electorate. When political inclusivity is compromised, it potentially jeopardizes the preservation of civil and political rights by sidelining a myriad of voices and viewpoints. This lack of representation and political clout may lead to the oversight of minority rights, spanning from their cultural conservation, equitable resource allocation, to equal engagement in policymaking (Kasuya & Reilly, 2022).

### 3.3.2. Ethnic conflicts and Human security

Ethnic minority regions in Myanmar have been marred by protracted armed conflicts between ethnic militias and the national military. These protracted confrontations and internal displacements, rooted in the quest to safeguard the rights of ethnic minorities, are inextricably linked to Myanmar's electoral system (International Crisis Group, 2020a). The FPTP electoral system in Myanmar fails to adequately represent these minorities or address the deep-seated causes of these disputes. The consequent absence of a potent political voice for ethnic minorities in the Parliament can perpetuate this tumultuous cycle of violence and conflict. These skirmishes have precipitated displacement, widespread human rights violations, and ensuing humanitarian crises. Communities uprooted by these conflicts frequently grapple with impediments in availing basic services, health-care, and education, further deepening their marginalization and vulnerability.



**Source:** created by Lee Yuet-man, Wikimedia commons, File: Armed conflict zones in Myanmar.png, [https://commons.wikimedia.org/wiki/File:Burma\\_en.png](https://commons.wikimedia.org/wiki/File:Burma_en.png), 6 May 2016

*Figure 4.* Conflict areas of Myanmar

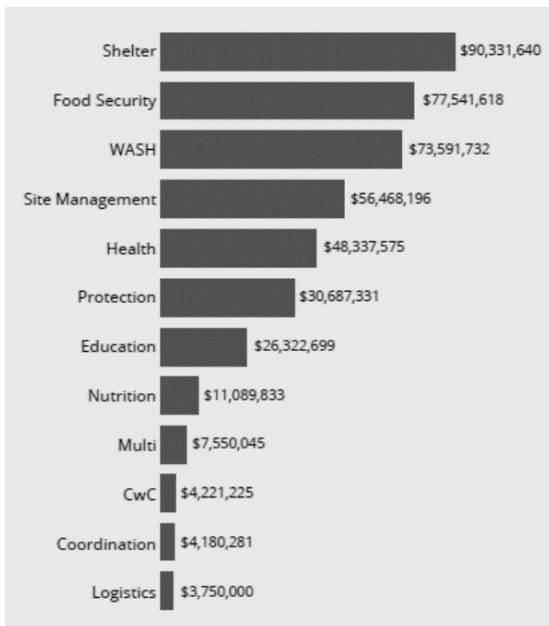
According to Figure (4), the persistent political turmoil in Myanmar underscores the intricate factors at work, transcending just the realm of the electoral system (International Crisis Group, 2020b). Myanmar's past, marked by military dominance, ethnic tensions, and lingering political disputes, has fostered a delicate political climate. Attaining stability in Myanmar demands delving into these deep-seated challenges and forging inclusive institutions that can harmonize the multifaceted interests of its myriad ethnic communities and political factions.

### 3.3.3. Case study: Role of Rakhine state's representation and Human security

Articulating the concerns and human security needs stemming from the situation, the role of political parties in Rakhine State and their parliamentarians in both regional and national parliaments is of paramount importance. There are various factors that might curtail the influence of Rakhine state's representatives in the Parliament (Stephanie, 2020).

Besides the national polling, state legislature elections were concurrently conducted. Here too, the ANP fared impressively, securing 22 out of the 35 contested seats in Rakhine State. However, under Myanmar’s hybrid system, 25% of seats across all parliamentary chambers are reserved for military-appointed legislators. Consequently, despite its strong performance, the ANP still fell slightly short of achieving an outright majority on the legislative floor (Kyaw, 2020).

Vote splitting among Rakhine ethnic parties and party fragmentation meant that despite the ANP’s significant victory in 2015, the NLD’s presence was not completely overshadowed under the FPTP system. The NLD only managed to clinch 3 seats in the lower house, 1 in the upper house, and 8 in the Rakhine State legislature. This underscores the NLD’s enduring dominance, the state of Rakhine’s representation at the national level, and the increasingly marginalized Rakhine State Parliament.



**Source:** adopted from the report by Shelter Box, Recovery Starts with Shelter, Design and layout by Matthew Stone

*Figure 5.* Impacts on Human Security of Rohingya people at the midst of conflicts

Due to the conflicts and crises detailed in Figure (5), Rakhine State grapples with considerable humanitarian challenges, especially in areas impacted by conflict. These disparities, when combined with the ramifications of conflict and displacement, have pushed communities to the margins and stymied socio-economic growth in the state. As a consequence, Rakhine State emerges as one of the most underdeveloped regions in Myanmar, marked by pronounced economic inequities and inadequate infrastructure (Crisis Watch, 2017).

### 3.4. Implication for better inclusiveness of ethnic minority

#### 3.4.1. Re-designing the Electoral System of Myanmar

In a nation such as Burma, marked by a lengthy history of political and social conflicts and rich in cultural diversity, the design of the electoral system should foster a democratic environment that is inclusive of all its inhabitants (Reynolds, 2006). Ensuring the voices of states and regions are heard at every governmental level is pivotal for laying the foundation of a federal union that truly respects the rights of its constituent parts. An electoral system can play an instrumental role in achieving this.

However, if implemented within a genuine democratic framework as opposed to the confines of the 2008 Constitution, a Proportional Representation (PR) system may offer a more progressive trajectory for Burma's institutional and political evolution. Notably, a PR system might more equitably allocate legislative seats based on vote shares, leading to a broader political milieu and enabling a more diverse range of parties to partake meaningfully in the political landscape (International Crisis Group, 2015). Such a system could promote cooperative politics, decreasing the likelihood of potentially destabilizing competition. Moreover, it could prompt politicians to engage more constructively in conflict resolution, rather than merely pursuing electoral victory.

However, it's crucial to recognize that while alternative electoral methods to PR, such as alternative vote plurality systems, may achieve similar inclusivity goals (Low-Beer, 1984), the success of PR, like any electoral method, hinges on its detailed design, execution, and the broader political landscape, including the nation's commitment to true democratic inclusivity.

Reflecting on global electoral system reform trends, countries often tend to gravitate towards more proportional systems either by adopting PR-enhanced versions of plurality systems, like the Mixed Member Representation system (MMR), or by directly transitioning from a plurality system to a PR one. For instance, List PR, the most straightforward PR variant, is employed in 35% of global nations, in contrast to the 24% using the FPTP system (Reynolds et al., 2008; Scheiner, 2008).

#### 3.4.2. Is Proportional Representation a cure for Human Security Impacts?

Proportional representation (PR) holds the potential to bolster human security by championing inclusive governance, facilitating social cohesion, and aptly addressing the multifaceted needs and concerns of diverse groups. Here's an exploration of how PR can specifically fortify the human security of ethnic minorities:

- **Protection of Minority Rights:** The PR system can safeguard the rights of minorities by ensuring their equitable representation in legislative bodies. Traditional majoritarian systems often sideline minority opinions, but PR amplifies diverse voices, fostering unity and diminishing the likelihood of discrimination and exclusion (Amy, 1995).
- **Fostering Inclusive Institutions:** The PR system paves the way for marginalized groups to gain political resonance. By allocating seats in a proportionate manner, it amplifies a myriad of voices in the decision-making process. Such inclusivity inherently promotes human security by catering to the multifarious needs and interests spanning diverse social, ethnic, and cultural demarcations (Antweiler, 2019).
- **Promotion of Responsive Governance:** The mechanisms inherent in the PR system heighten the accountability and responsiveness of elected officials. Such active engagement bolsters democratic institutions, augments social cohesion, and engenders a sense of security among citizens by allowing them a stake in policy and decision-making processes (Naing, I. 2012).
- **Policy Prioritization:** The PR system compels political parties and candidates to adopt a holistic policy outlook to appeal to a broader spectrum of the populace. This fosters policies that prioritize comprehensive access to education, healthcare, social welfare, and environmental conservation. Through PR, policy objectives can better resonate with the aspirations and necessities of the citizenry (Hill & Richie, 1998).
- **Facilitating Conflict Resolution:** PR serves as a conduit for dialogue and negotiation, instrumental in the pacific resolution of conflicts and thwarting violence. By ingraining various groups in the political discourse, PR engenders a collective sense of national ownership and responsibility in maintaining harmony.

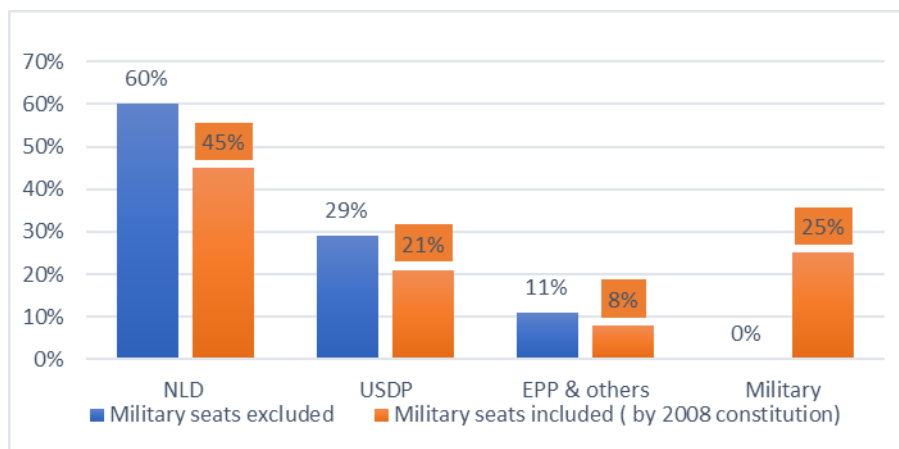
To conclude, Myanmar’s long-standing ethnic discord has perpetuated political instability and compromised human security. PR, by endorsing power-sharing accords and transparent governance, could offer a remedy. It can amplify the electoral weight of ethnic minority parties by allocating seats commensurate with received votes, fostering an environment conducive to dialogue, cooperation, and conflict resolution.

### 3.4.3. Is PR system a right time to apply for Myanmar?: Assessment on PR drawbacks

While PR, in theory, appears to offer a fairer system, its practical implementation in Myanmar might be fraught with risks, especially concerning minority representation. This is informed by Myanmar’s historical context where two major political entities consistently secured sweeping election victories in 2010, 2015, and 2020 (Naing, I. 2012).

While the PR system might present a promising avenue for reform and the progressive evolution of Burma’s institutional and governance structures, a significant obstacle remains in the form of the 2008 Constitution. This legal document restricts the military and its affiliated party, the USDP, from occupying parliamentary seats. Thus, deploying a PR system within the confines of this constitution could inadvertently pave the way for a military regime. This creates the paradoxical situation where, instead of diversifying representation, the PR system might unduly favor the military establishment.

An illustrative case for the potential pitfalls of PR can be discerned from the 2015 election outcomes and the resulting parliamentary seat distribution. This is elucidated further in two distinct scenarios presented in Figure 6.



**Source:** data adopted from Proportional Representation: Why Now is Not the Right Time, Nu Tsen Mun. (2020a)

*Figure 6.* Two scenarios in the Union Parliament under PR: based on 2015 Election results

The first scenario, illustrated by the blue bars in Figure (6), hypothetically removes the 25% seat reservation for the military. Under this PR configuration, the NLD would have secured 60% of the seats, in contrast to the 77% they garnered under the FPTP system (Mun, 2020a). However, they would still maintain a parliamentary majority. Conversely, the opposition party, USDP, would have witnessed an advantage under PR compared to FPTP, seeing their seat share surge from 10% to 29%. Regrettably, ethnic entities and other smaller parties would have been at a slight disadvantage in a PR system, capturing 11% of seats compared to 13% under FPTP (The Carter Center, 2015).

In the alternative scenario, represented by orange columns in Figure (6), the 2008 Constitution’s stipulation of reserving 25% of the seats for the military remains intact. In this instance, the NLD would have been restricted to 45% of the seats, consequently losing their majority. Furthermore, the USDP would also secure fewer seats (21% versus 26% in the prior scenario) (Mun, 2020b). Notably, when accounting for both the constitutionally reserved military seats and the electoral



successes of the military-affiliated USDP, they would jointly hold 46% of seats, positioning the USDP as the new parliamentary “strongman” (The Carter Center, 2015). This alternative also paints a bleak picture for ethnic and other political factions, whose representation would plummet from 13% (FPTP) to a mere 8% under a PR system set within the 2008 Constitution’s constraints (Reynolds et al., 2008).

Thus, as Figure (8) underscores, employing PR within the framework of the 2008 Constitution could inadvertently buttress a militaristic regime. This implies that the PR system in Burma, under such conditions, might amplify the military’s influence. Disturbingly, with merely 21% of the total popular vote and an additional 25% of seats assured by the 2008 Constitution, the USDP wouldn’t even necessitate broad-based electoral validation to assume a commanding role.

It’s worth highlighting that the 2008 Constitution mandates the military to hold a quarter of seats in both national and sub-national assemblies, leaving only 75% up for electoral contention. Political analysts contend that the implementation of PR could stymie democratic endeavors in the Parliament, given that roughly 30 of Myanmar’s 90 political parties are suspected military allies (Naing, 2012).

Yet, an appraisal of the PR system also reveals its merits. It ushered more parties into the three parliaments than the FPTP approach. Additionally, there’s a perceptible shift in the distribution of seats for the two predominant parties across varying voting methodologies, most notably in the Union parliament. As Figure (8) demonstrates, under PR, the NLD’s seat count would decrease from 77% (FPTP) to 45% (PR). In contrast, the USDP’s representation would rise from 21% (FPTP) to a dominant 46% (PR) (Naing, 2012). This shift, coupled with the Constitutional advantage that guarantees the military 25% of seats at various governmental levels, hints at PR’s potential to inadvertently fortify the military’s hold.

#### 4. Conclusions

The First Past the Post (FPTP) electoral mechanism in Myanmar presents inherent challenges to the representation of ethnic minorities. Specifically, the winner-takes-all nature of FPTP means that only the candidate or party with the highest vote tally in a constituency is represented. Consequently, votes cast for other candidates, especially those representing minority interests, go unrepresented. This dynamic, wherein ethnic minority representation becomes challenging due to their vote distribution across constituencies, results in reduced representation of these communities in the legislative assemblies.

Additionally, the prevailing voting tendencies under the FPTP system may inadvertently discourage voters from supporting smaller ethnic parties, deeming them less likely to secure a win. Instead, they might lean towards larger parties perceived to have higher chances of success. This dynamic further diminishes the electoral potential of ethnic minority parties, amplifying the influence of larger parties (Mun, 2020b). Ultimately, the FPTP system in Myanmar could suppress the representation of ethnic minorities in Parliament, potentially sidelining their concerns and issues pertaining to human security.

In the intricate socio-political landscape of Myanmar, marked by deep-seated ethnic and political conflicts, the FPTP system could exacerbate these divisions. A singular focus on majority attainment could foster a “zero-sum” mentality, undermining collaborative solutions and jeopardizing initiatives to address human security concerns.

In contrast, Proportional Representation (PR) holds promise in ensuring more equitable representation of minority ethnic groups in the political arena. By design, PR allocates legislative seats based on the proportion of votes secured by each party, theoretically ensuring that even minority parties have adequate representation. Given Myanmar’s historical ethnic conflicts and diverse ethnic com-

position, PR could emerge as an instrumental tool in addressing these long-standing disputes and promoting power-sharing.

However, it's crucial to be wary of the complexities of Myanmar's current political milieu and the provisions of its 2008 Constitution. With the military's guaranteed 25% representation, coupled with the potential success of the Union Solidarity and Development Party (USDP), there exists a risk of unintended disproportionate representation. The stipulation, ensuring seats for a party based on its electoral performance, might inadvertently bolster the influence of the USDP, irrespective of the popular vote.

### **Recommendations**

Considering the complexities of Myanmar's political landscape, it is essential to carefully weigh the benefits and potential risks of transitioning from an FPTP system to PR. It may be worthwhile to consider phased implementation, with thorough pilot studies and continuous assessments to measure its impact on minority representation and national stability.

### **Contribution to Scientific Knowledge**

This study sheds light on the intricacies of electoral systems and their implications for minority representation in a multi-ethnic nation like Myanmar. By comparing the FPTP and PR methods, the research provides valuable insights into how each system might influence ethnic minority representation, thus offering policymakers critical data to inform future electoral reforms.

### **Limitations**

While this research offers a comprehensive analysis of the FPTP and PR systems in the context of Myanmar, it primarily relies on past electoral results and the existing political dynamics. Future political shifts, changes in voter behavior, or alterations in party dynamics might influence the outcomes in ways not accounted for in this study.

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### **Conflicts of Interest**

The author declares that there are no conflicts of interest

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