The role of the European Union in the democratization of post-military regimes

A case study on the role of the European Union in the democratization of Myanmar

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August 2016

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Thesis submitted for the degree of Master of Arts in International Studies

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"Myanmar is at a turning point. The newly elected government has expressed its willingness to bring peace and development to its people, through a democratic path. As the European Union, we have constantly accompanied this path, and we are committed to cooperate even more with Myanmar to support the reform efforts of the government: to strengthen democracy, good governance, the rule of law, peace, national reconciliation and human rights, to tackle poverty and to boost trade and investment." (European Commission, June 2016)

1. Introduction

The hesitant democratization in Myanmar since 2011, which stands in contradiction to the long-standing repressive rule of the military dictatorship, has attracted attention on a global level. Since mid-2000 the military regime in Myanmar has been transformed from one of the most repressive regimes of the world to a country in a process of democratization. Over the past fifteen years the European Union has attempted to influence the political situation in the country- by isolating the military regime from any form of relationship, or by promoting the process of democratization after the handover of power to the elected government in 2011. (Larkin, 2012: 14) A lot of experts still doubt on the chances that Myanmar will consolidate, and they emphasize the fragility of the new democracy (Pulipaka, 2011; 46). The challenges that the young democracy has to face during its consolidation have been created by the military rule that lasted 20 years. In order to achieve a consolidated democracy, the country has to restructure the former regime - a political system controlled by hegemonic military elites (Bünte, 2010:1).

In the recent years there has been an academic discussion on the mechanisms of democratization and the European Union's contribution to this process. Furthermore it has been studied how authoritarian regimes, in this case a military regime, have had an impact on the stability of a new young democracy. However, literature has not explained, to what extent an external agent, such as the European Union can contribute to prevent an authoritarian reversal and tackle the challenges that young democracies with a military legacy have to face. This thesis seeks to analyze, how the policies of the European Union have contributed to prevent an authoritarian reversal in post-military regimes.

Therefore the paper aims to answer following research question:

Does the European Union prevent the risk of an authoritarian reversal in post-military regimes?

In order to answer the research question this thesis will analyze EU-policies towards the Myanmar from 2011-2015.

This project aims to bridge theories on democratization of military regimes with theories on how organizations such as the European Union, contribute to the prevention of an authoritarian reversal.

The structure of the thesis is as follows: Chapter 2 and 3 will give a theoretical understanding of the concept of democratization and the impact of a military ruled-legacy on this process. Moreover, in Chapter 4 it will be given a general overview on the EU-policies regarding democracy promotion. Chapter 5 will justify the methodology. Chapter 6 will describe the case study of Myanmar, its development in the years 2011-2015, its political status-quo and its relations with the European Union. The chapter also comprehends the analysis. Finally the thesis will conclude by answering the research question and with recommendations.

2. Definitions

2.1 Democratization

Democratization according to the UN "is a process which leads to a more open, more participatory, less authoritarian society" (Boutros, 1996 : 1). Democratization describes a process of transition from a regime that is not democratic, such as an authoritarian regime, to a democracy. It is a complex phenomenon which includes "different spheres of governance and social relations" (Lall, 2016: 4). According to scholars like Huntington, the process of democratization consists of three steps: the breakdown of the authoritarian regime, the transition to a democracy, and finally the consolidation of the democracy (1991: 114). Given the rapid increase of democratizations since 1960, different implications on democratization-theories have taken place, and many scholars question the key drivers that might influence the process. The debates are mostly upon the main factors that initiate, or promote the process such as economic development, political culture, civic engagement or external pressure (Diamond, 1994; Huntington 1991; et.al). Barbara Geddes claims that the process cannot be generalized through one single theory, given the fact that the phenomenon depends on circumstances which differ from state to state: Both geographical and historical circumstances, as well as the authoritarian legacy influence the process of democratization (2011: 611).

Milan Svolik argues that it is necessary to distinguish between the three stages of the process. (2014:715). In order to deconstruct the mechanisms that are involved in democratization, he explains two approaches which facilitate the analysis: The substantive and the prospective approach.

The substantive approach evaluates to what extent a democracy is consolidated, by observing how much a nation state has approximated a specific set of outcomes that define a democracy (Svolik, 2014: 715). On the other hand, the prospective approach associates consolidation with

the durability of a democracy. As time plays an important role in the consolidation of democracy, the researcher observes the temporal aspect of the democratization (Svolik, 2014: 715).

2.2 Democracy

Democracy in this thesis is understood as following: elections in which representatives and policies can be selected trough political participation, press freedom, the freedom of assembly and expression (Huntington, 1991: 9; Diamond, Linz and Lipset, 1989: xvi). Other key elements of a consolidated democracy are the rule of law, the equality of citizens (including minorities and marginalized populations), and the equal access to political participation (O'Donnell, 1999: 47-48). Svolik claims that the outcomes of a consolidated democracy include civil society, political competition and interaction between the public and the elites (Svolik, 2014:715).

According to Poast and Urpelainen, a democracy can be only considered consolidated if the risk of an authoritarian reversal equals zero (2014: 78). The risk of a democratic breakdown almost disappears if a democracy survives for at least two decades (Svolik, 2014: 719). During the transition phase, only one in three democracies reach an age where autharitatian reversal is no longer a problem (Svolik, 2014: 723). Furthermore, a fully stable democracy mostly needs two or three elections to take root and consolidate (Kabir, 1999:157). The crucial years are the first five years after the breakdown of the authoritarian regime (Converse and Kapstein, 2008: 59). In order to achieve a consolidated democracy a nation state has to overcome various obstacles. The main challenges are the effective promotion of democracy, and to counteract a possible authoritarian reversal.

3. The challenges for young democracies

3.1 Authoritarian reversal

Regimes that are situated in their first years of democracy are defined through their political instability and the high risk of having a democratic breakdown (Poast and Urpelainen, 2014: 78). During the transition to a democracy, a nation-state might be more vulnerable to reverse to an authoritarian regime, in comparison to the stage where democracy has already been consolidated (Svolik, 2008: 719). Young democracies have more political and economic volatility (Converse and Kapstein, 2008: 58).

Throughout the period of 1960 until 2004, 56 nation-states out of 123, did not overcome the challenges that are typical in a transition to a democracy, and witnessed authoritarian reversal (Converse and Kapstein, 2008, 59). Most of the breakdowns occur either through a civil war such as the case of the Republic of the Congo in 1997, through a military coup for example in Argentina in 1976 where the president Isabel Peron got overthrown, or after a democratically elected actor subverts the democracy. One example could be the suspension of the Peruvian congress and constitution by Alberto Fujimori in 1992. 91 percent of democratic breakdowns occur through the subversion of a democracy or through a military coup. (Svolik, 2014: 717-718).

Most scholars dealing with democratization claim that in order to avoid a democratic breakdown, favorable circumstances have to be created. They claim that both economic performance and the institutional landscape play a big role in tackling authoritarian reversal (Svolik, 2008).

Researchers "have traditionally cited three factors as being especially detrimental to a young democracy's chances for consolidation: first, unfavorable 'initial conditions' in terms of civil society, natural resources, levels of inequality, and degrees of ethnic fragmentation; second, poor economic performance and 'shock therapy' economic reforms such as price liberalization and privatization that generate lots of losers and high levels of unemployment; and third, strong presidential regimes that draw leaders toward authoritarian rule" (Converse and Kapstein, 2008:127).

After analyzing various case studies, it has been proved that a democracy does not reverse if the income per capita tops $4,000. Moreover the chances of a reversal are twice as high in countries with a higher-than average economic inequality, than in states with a low inequality (Converse and Kapstein, 2008: 131).

According to the studies of Converse and Kapstein, countries with a big ethnic fragmentation are reversed 49 percent of the time, compared to 36 percent of the time when ethnic fragmentation was below average (2008: 132). However, in some countries such as Malawi, Mozambique and Ecuador where the initial conditions were not in favor of a consolidation, democracies have survived for a long term. Thus, the initial conditions are not deterministic for a democratic survival (Converse and Kapstein, 2008: 133)

Other factors play also an important role in the democratization of a country. Scholars such as Lipset, Diamond or Epstein supported the Modernization Theory which claims that economic growth is closely related to democracies and it is the main and necessary factor to counteract a democratic breakdown (Diamond, Linz and Lipset, 1999; Epstein, Bates and Goldstone, 2006 et.al.).

Milan Svolik studied 193 democratization processes and observed effects of economic and institutional covariates on the process. The empirical study demonstrated a positive correlation between the economic growth of a country and a democratic survival, as wealth lowers the hazard of a reversal (Svolik, 2008: 153). However, the military coup in Thailand proved that a robust economic growth is not a necessary condition for the consolidation of a democracy (Svolik, 2014:728). Another example that demonstrates that low capita per income is not necessarily the only factor for an authoritarian reversal is the democratization of Eastern European countries; during their democratization they experienced an economic collapse and a Great depression.

Other factors that are important in counteracting an authoritarian reversal are the institutional arrangements in the nation-state. (Svolik, 2014: 723). During the democratization, countries have to transform state institutions into effective and democratic entities (Carothers, 2009:81). Boix and Adsera as well as many other scholars[1] argue that in comparison to a parliamentary regime, a presidential regime is more likely to jeopardize a democracy (2004: 9). A presidential regime, particularly in young democracies, is more prone to reverse authoritarian due to following reasons: Given the fact that through this institutional arrangement, only one single person is able to take over the executive power, all the other political parties, oppositions and minorities are not involved in the decision-making processes and policymaking. Thus, popular unrest and ethnic fragmentation are more likely to happen, which could cause a democratic breakdown, for example through a civil war. In addition, a presidential regime promotes ideological polarization that subsequently might lead to political

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[1] See Linz (1994), Cheibub (2002) et al. for a further analysis on institutional arrangements and democratic stabilty.

tension and unrest. Finally the most important argument that shows the instability of presidential democratic regimes is the fact that the single incumbent in power has better chances to subvert a democracy. (Boix and Adsera, 2004: 9-10)

In their studies of 123 democratizations from 1960 until 2004, Converse and Kapstein observed that only 40 percent of the democracies which did not have a presidential regime, or had strong constraints on the executive, broke down. Compared to that, 70 percent of the consolidating young democracies with weak constraints on the executive experienced an authoritarian reversal (Converse and Kapstein, 2008: 64). "We therefore stress the importance of assessing the actual balance of power in new democracies, whether the regime type is parliamentary or presidential." (Converse and Kapstein, 2008: 64). The case of the Venezuelan president Hugo Chavez who secured to stay in power by seeking to revoke presidential term limits, shows the risks of a democratic backsliding through a lack of executive constraints (Converse and Kapstein, 2008a: 81).

In sum, there are various mechanisms that could prevent and authoritarian reversal and promote democracy. However, it is not clear which one of the factors is necessary for a successful democratization: all factors such as economic growth, the institutional framework, or initial conditions, such as ethnic unification, play a certain role in the prevention of an authoritarian reversal and therefore a successful consolidation (Converse and Kapstein, 2014; Svolik, 2014).

3.2 Military legacy and democratization

Scholars such as Barbara Geddes claim that an important factor that has to be considered in the process of democratization is the authoritarian legacy. Military regime is an autocratic form of governance ruled by a military institution, in which multiple military officers influence the decision making in a state (Geddes, Frantz and Wright, 2014: 152). Military rule is defined through the governance of men who are specialized in armed force, the maintenance of order and discipline rather than political affairs (Geddes, Frantz and Wright, 2014: 148).

Most of the military leaders prioritize the survival of the military itself, which can be achieved through the maintenance of a hierarchy, the cohesiveness within the military, and the autonomy from civilian intervention. In addition, military regimes put a high value on the territorial integrity and the internal order of the state (Geddes, 1999: 126). Geddes explains

that these forms of authoritarian rule are surprisingly fragile and last less long than other types of regimes. (Geddes, Frantz and Wright, 2014: 156)

Nearly all the military regimes resulted in democratization. The autocratic regime is prone to breakdown if there are internal splits that threaten the unity of the military; In case of internal factionalism, most of the officers prefer a return to the barracks. Other factors that lead to a breakdown are economic crises, popular protests and external pressure (Geddes, 1999: 131). "Military governments are more vulnerable to economic downturns than other authoritarianisms because poor economic performance is likely to precipitate or worsen splits in the officer corps. On average, military governments can survive only moderate amounts of economic bad news." (Geddes, 1999: 135).

In case of a coup that is initiated to return power to civilians, military officers often negotiate their extrication rather than being violently forced out. (Geddes, Frantz and Wright, 2014: 158). During the process of democratization, a young democracy has not only to take into account the challenges mentioned in the previous chapter, but also the consequences that the military regime has created through its authoritarian rule. Although military regimes are more likely to democratize than personalist - , or single-party regimes, young democracies with a military past are more likely to experience an authoritarian reversal than democracies with other authoritarian legacies: Only one in eight democracies with a past military regime was able to fully consolidate.

In comparison, studies demonstrate that nine of ten young democracies with any other type of authoritarian past were able to consolidate (Svolik, 2008: 162). One of the reasons why an authoritarian reversal is more possible in post-military regimes is because of the fact that the military is more trained and equipped to do a military coup, and subvert the democracy (Poast and Urpelainen,2014: 86). Thus, it is important to create incentives that convince and encourage the military not to interrupt the democratization (Ikenberry and Pevehouse, 2005: 145). Officers, for example, that returned to the barracks after the breakdown of the authoritarian regime, get often increased salaries and budgets by the transitional government that feels threatened of losing its first democratic achievements (Geddes, 1999: 131). As military rulers often negotiate their extrication, the transition to a democracy is also negotiated according to the military's interests; therefore it often does not fulfill the criteria of a consolidated democracy (Bünte, 2010: 1).

As Kabir argues "an important condition for democratic stability is parting away with the authoritarian legacy and establishment of new democratic socio-cultural, economic and political institutions, norms and practice." (1999: 169). By studying the democratization of Bangladesh, Kabir explained that military rules have a control over the national economy (1999:161). The authoritarian regime defends the economic status quo, destroys traditional elites and nationalizes parts of the economy (Geddes, Frantz and Wright, 2014: 150). Under the military rule of the Chilean General Augusto Pinochet, for example, who initiated capitalist policies, a lot of Chilean business owners failed, and the economy shifted in order to please Pinochet's interests (Geddes, Frantz and Wright, 2014: 150).

As Geddes, Frantz and Wright claim, military governments often do not have the ability to govern countries with modern economies because of the prioritization of other issues such as the unity and force of the military (2014: 151). Thus, democratization is not only under the risk of a possible military coup, but it is also very often necessary to establish a modern economy in order to create favorable conditions for the democratization. Moreover, military regimes are organized around the mission to protect the state from external security threats. Therefore there are mostly no externally-oriented organizations that would help to interact with the international community in order to boost trade openness, or to ask for support from international organizations – factors which are also favorable for democratization (Kabir, 1999: 16; Poast and Urpelainen, 2014. 80). Protectionist barriers from advanced industrial countries are detrimental for the economic growth of a country in particular for the agricultural sector (Converse and Kapstein, 2008: 166).

Another favorable condition for a successful democratization is the institutional arrangement in a young democracy. Hadenius and Toerell argue that military regimes most frequently end up in limited multiparty regime, before transitioning to a consolidated democracy (2007: 157). Limited multiparty regimes hold presidential or parliamentary elections in which opposition candidates are also able to participate. The elections take place and there is a certain degree of competition between candidates who act as individuals or represent different parties. However, the elections are not free and fair as some groups are excluded from the process. One example of a limited multiparty system is Mexico's regime till 2000 (Hadenius nd Toerell, 2007: 147).

Like in most types of authoritarian regime, civil society is excluded by the military regime. Thus, one of the challenges in the consolidation of the democracy is to educate and promote civil society, in order to ensure a political participation, as well as to reduce the chances that the military regime returns back to power (Geddes, Frantz and Wright, 2014: 151).

4. External methods to influence democratization

Since the first democratization waves, researchers like Almond (1949) or Dahl (1961) have studied the transition to a democracy and have attempted to explain, how domestic factors have affected this process (Morlino and Magen, 2009: 26). Most of the studies on democratization focus on the internal factors of a nation-state. After the Cold War, and the increasing multipolarity and globalization in the world, the debate has been raised, how an external third actor may influence the democratization of a state. According to Morlino and Magen, analysis has to remain on a domestic level as the process itself develops only within the national system (2009: 29). The authors identify the democratization as a "domestic drama" where international factors are truly independent variables. Given this assumption, the only way of understanding the impact of external forces on democratization, is through the analysis of an internal-external-agency interaction (Whitehead, 2002: 40-41; Morlino and Magen, 2009: 29).

Several authors suggest that democratization is a likely outcome if linkage and leverage are high. Linkage explains the intensity of interactions between international actors and the democratizing state. The interactions take mostly place on a social and economic level such as trade agreements, transnational media or students' exchange programs (Burnell and Schlumberger, 2010: 6; Levitsky and Way, 2005: 19). Leverage is defined as vulnerability of an authoritarian state to external democratizing pressure. Leverage can be exerted by international actors in various ways, including military intervention, diplomatic-, or economic sanctions. (Levitsky and Way, 2005: 20-21)

There are four methods in which agency and the internal agency interact with each other in order to influence a democratization process. Third actors are able to influence the way to a democracy through control, conditionality, socialization and by being a democratic example [2] (Morlino and Magen, 2009: 30). Abel Escriba-Folch and Joseph Wright categorize the

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[2] See also Kubicek (2003), Schimmelfenning and Sedelmeier (2005) et. Al.for methods of external influence.

methods of influence into conditionality, economic sanctions, shaming campaigns, and military interventions (2015: 17).

In the case of democratization trough control and coercion,an external military force intervenes in a state and ovethrows the autharitatian regime. The military forces use coercive power to reinstall democratic institutions and values. (Morlino and Magen, 2009: 30).

Another method of influence is captured in the notion of democratic example, or demonstration. Democratic states serve as an example to inspire democratizing states to consolidate their democracy. By observing and emulating democratic institutions, norms and policies of democratic states, policy-maker try to improve the political system within their own nation-state (Morlino and Magen, 2009: 38; Burnell and Schlumberger, 2010: 5).[3]

4.1 Socialization

"International democratic socialization – is defined as a process of inducting individuals and states into the democratic norms and rules of a given regional, international or transnational community- involves variably intrusive linkages, with the socialization potential and practices of different international actors ranging on a continuum of intensity" (Morlino and Magen, 2009: 34).

Through the establishment of relations between states and international organizations, democratization can be facilitated as states adopt certain norms and rules that are conditional for a successful consolidation. (Morlino and Magen, 2009: 34; Burnell and Schlumberger, 2010: 6-7). Compared to the other forms of external influence, socialization can be defined as normative pressure: Third actors are norm entrepreneurs which influence the targeted decision-makers to follow the logic of appropriateness, and to act according to democratic practices (Magen, Risse-Kappen and McFaul, 2009: 36; Finnemore and Sikkink; 1998; 895).

Various authors have further examined that one of the best ways of socialization is through membership in networks, such as international institutions, or organizations (Slaughter, 2004:144). Examples are the World Bank, the International Labour Organization, or different UN organizations (Magen and Morlino, 2009: 36). Poast and Urpeleinen claim that a membership in international organizations influence democratizing states to consolidate, as a membership augments the legitimacy of political institutions on an international level. Thus

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[3] These two methods will be not analyzed more in depth as they are not contributing to answer the research question.

the governments are less able to jeopardize democratic practices which might lead to an authoritarian reversal (2014: 84).

4.2 Conditionality

One of the most common methods of facilitating the democratization process from outside is by establishing conditions that promote democracy, or that prevent an authoritarian reversal. Scholars distinguish between negative and positive conditions (Morlino and Magen, 2009: 31; Magen, Risse-Kappen and McFaul: 2009: 13; Escriba-Folch and Wright, 2015: 18)

Negative conditions are non-coercive, non-military, political, diplomatic or economic sanctions which are used to induce policy changes (Morlino and Magen, 2009: 31). External agents such as the European Union use sanctions to motivate a democratic transition within the respective state. Economic sanctions, for example, diminish resources that could be useful for an authoritarian regime to stay in power, or to regain the autocracy after a democratic transition (Escriba-Folch and Wright, 2015: 24; Morlino and Magen, 2009: 31). Alternatively, positive conditions intend to stimulate democratic practice. Positive conditionality comes in form of "trade-and aid benefits with acceptance of democracy and human rights clauses in contractual agreements, and sanctioning existing member states for conduct deviating from collective norms" (Morlino and Magen, 2009: 32). States that adapt to democratic international standards receive various international entitlements. Through positive conditionality, international actors make initial conditions for a democratic consolidation more favorable, such as the empowerment of civil society- and minorities, or by bolstering the opposition (Morlino and Magen, 2009: 32; Escriba-Folch and Wright, 2015: 24, Burnell, 2005: 371). Examples for forms conditionality are the human rights-, and democracy clauses that the European Union imposes in free trade agreements with third countries. The European Union predisposes conditions that are favorable for a democratic consolidation (Burnell, 2005: 371).

4.3 The European Union as an external agent in the process of democratization

The European Union is one of the main western institutions which attempts to influence democratization processes on an international field (Kotthaus, 2015: 46). The EU is described as a normative soft power in the international system that avoids using coercive methods to implement its values and principles (Lavenex and Schimmelfenning, 2011: 888). Its main principles are democracy, rule of law and human rights. (Burnell, 2005: 366).

According to Article 21 of the Lisbon Treaty "The Union's action on the international scene shall be guided by the principles which have inspired its own creation, development and enlargement, and which it seeks to advance in the wider world: democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law" (Article 21, TEU). In addition, being surrounded by democracies can ensure more stability and peace, as the states are less prone to attack each other. (Kotzian, Knodt and Urdze, 2011: 996).

4.3.1 Instruments of the EU-democracy promotion

The instruments that are used by the European Union can be categorized in acts that create opportunities for a democratic development, or that constrain actors who endanger the democratization process. There are two main forms of EU-instruments: hierarchical-, and networks- governance. The hierarchical governance is a relationship based on subordination and domination. In this case, the European Union imposes rules on a non-member state through conditionality (Lavenex and Schimmelfenning, 2009: 796).

Another instrument is the network constellation, in which the involved agents interact on an equal level, and no party can bind the other one without mutual consent. This instrument is based on interaction, political dialogue and cooperation. Consequently a democratizing state enters in the process of socialization. One of the examples is the Joint Parliamentary Assembly of African, Caribbean and Pacific states (ACP), with the Members of the European parliament whose aim is to promote the interdependence between North and South, and to integrate key values of a democracy (Lavenex and Schimmelfenning, 2009: 791-798, Börzel and Risse, 2004).

4.4 External influence on the democratization of post-military regimes

Burnell and Schlumberger who examined the promotion of democracy, have emphasized the importance of the context, in which the democratization process takes place. According to the scholars, the conditions and the process of how a post-communist regime democratizes, is very different to the manner a military regime democratizes (Burnell and Schlumberger, 2010: 8). Thus, the external agents have to take into consideration the different circumstances, and implement their policies accordingly. (Burnell and Schlumberger, 2010: 7).

As mentioned above, the democratization of a post-military regime is difficult as the military is equipped well enough to regain power through a coup. Therefore, external assistance

should tackle the elements which might lead to an authoritarian reversal (Poast and Urpelainen, 2014: 109).

In order to avoid a democratic breakdown in a state with a military legacy, external agents have to encourage and create incentives for the "loosers" and "winners" of the process. In this case actors such as the European Union should ensure that the military which has negotiated its extrication, or has returned voluntarily to the barracks, has enough incentives and stimulations to stay in the background. Whereas, civil society and the democratic regime have to be motivated to contribute to the democratic development of the country (Pevehouse and Ikenberry, 2005: 145; 176).

5. Methodology

As there is still no theory which explains the instruments that third actors use to prevent an authoritarian reversal in post-military regimes, this thesis aims to build a theory that seeks to fill this literature gap.

In order to establish a new theoretical framework, the author will analyze the case of the democratization in Myanmar and the way the EU has contributed to the prevention of its authoritarian reversal.

Besides the main research question[4], the case analysis seeks to understand following question:

What are the main risks for an authoritarian reversal in Myanmar and how does the EU contribute to prevent its democratic breakdown?

5.1 Methods used

The paper will be using Process Tracing. Process Tracing "is an analytical tool for drawing descriptive and causal inferences from diagnostic pieces of evidence- often understood as part of a temporal sequence of events or phenomena" (Collier, 2011: 824). This qualitative method explains causal and temporal mechanisms, which means it helps to understand why one variable, or more, have led to a certain outcome. This method will facilitate to identify the key actors, and factors that interfered in the democratization process (Bennett and Checkel, 2014: 6).

According to Moses and Kutsen, case studies are one of the most frequently used research designs. By applying this approach, this research will elaborate the theoretical concepts, which will be later used on the case of Myanmar (2007: 113).

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[4] see introduction (page 3)

5.2 A framework for analysis

The analysis will be structured as follows: In order to answer the research questions, the EU-policies towards Myanmar will be analyzed. It will be researched whether the external agent has tackled the risks that lead to an authoritarian reversal in a post-military regime. Based on the theoretical framework, which explains how various conditions influence a successful consolidation of democracy, the analysis will particularly focus on:

1) The effectiveness of EU policies to create favorable initial conditions in Myanmar.
2) The effectiveness of EU policies in fostering Myanmar's economic development.
3) The effectiveness of EU policies to establish a favorable institutional arrangement in Myanmar.

6. Analysis

For a better understanding of the political and economic situation of the case, there will be a short introduction of the history of Myanmar from 1948 until 2010. Subsequently, it will be explained how the situation has changed after the first democratic elections in 2010.

6.1 Historical Background of Myanmar

Myanmar's geopolitical and strategic position between China and India, and its richness of natural resources, has been interesting for various countries around the world: From 1885 until 1942, Myanmar was a British colony. The colonial rule created first divisions among the Burmese society: By employing ethnic minorities in specific sectors of the economy, the British created resentment between various communities and deepened racial differences. The division of the population had an impact on today's Burmese society as there is still a lot repression of minorities in the country (Steinberg, 2010:15-29).

With the help of Japanese forces, the "Anti-fascist people's freedom party" led by Aung San, was able to liberate the country from the British rule in 1942. After 5 years of Japanese occupation, Burma finally gained independence in 1948, and became a democracy (Taylor, 1982: 176). During the democratic years, the ethnic fragmentation increased, as well as intercommunal violence. Furthermore the price of rice fell – the main income source of the country's population- which created economic instability in Myanmar (Mahadevan, 2013: 59).

The instability created the perfect opportunity for the military to take over the power. Thus in 1962, the Burmese army "Tatmadaw" initiated a coup d'état under the pretest that the country would not function under a parliamentary system (Williams, 2011: 1200).

Under the military rule of General Ne Win, a new form of socialism has been created, called the "Burmese Way of Socialism". All aspects of society were nationalized and centralized (Mahadevan, 2013: 599). The regime established protectionist barriers from the rest of the world, and the economy became nationalized. The military had the full control over the country's economy. Foreign investors and businessmen had to leave the country, and by 1987, Burma was classified as "Least developed Country" by the UN (Turnell, 2011: 83).

The military did not only control the economy, as well as the civil society[5] and the opposition: Student-led protests, as well as other political parties were suppressed throughout the years of the regime. Only in 1988, students, religious groups, and civil society organizations started to protest nationwide. During these protests, Aung San Suu Kyi, daughter of Aung San, held her first speech and encouraged the Burmese population to continue fighting peacefully for a democracy. Due to the protests, the military junta arranged free elections in 1990. The National League for Democracy (NLD)- led by Aung San Suu Kyi- won 398 out of 447 seats in the parliament. (Oxord Burma Alliance, 2016)

However, the military whose official name was now the "State Peace and Development Council" (SPDC), or also known as the "State Law and Order Restoration Council" (SLORC), annulled the results and did not hand over the power to the NLD. From 1990 the junta established a new approach to rule the country: by increasing the number of soldiers, the regime aimed to prevent new mass protests. Furthermore, they suppressed any form of protest and condemned Aung San Suu Kyi to house arrest for 15 years.

In regards to the economy, the military rule attempted to open the country to foreign investment and trade. However, the regime was not trained in economic planning, and after an initial economic growth, the state suffered again from declining investment, and high inflation.

From 1992 until 2010, General Than Shwe represented the military rule. Under his hand, the constitution of Myanmar has been changed: The constitution enabled civilians to participate to a certain degree in politics - under the condition that 25 percent of the seats in the parliament would be reserved for the military. In order to prevent Aung San Suu Kyi to gain an important role in politics, citizens married to foreigners, or who had been convicted, would

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[5] Civil society can be defined as a group of actors which is separate from market and state. It includes organized groups, such as protest-camps or campaign supporters, trade unions, students' movements, religious groups, and NGO's. Political parties, armed groups and the business sector are excluded from the definition (Lall, 2016: 6-7)

not have the rights to become President. (Williams, 2011: 1208, Skidmore and Wilson, 2008:16)

The decision of changing the constitution in favor of civil participation has been caused by the so-called "Saffron Revolution" in 2007, in which thousands of monks protested on the streets of the capital Rangoon. Several people, were killed and arrested during that revolution, and as a consequence international actors such as the United States or the EU tightened their sanctions, and called for action (Oxford Burma Alliance, 2016).

Finally after national-, and international pressure, and continuing popular protests, the military regime announced to hold elections by 2010, and promised a democratic transition for the country (Williams, 2011: 1119-1201; Oxfordburmaalliance.org, 2016, Turnell, 2011: 80-82).

Another reason for voluntarily leaving the power to a civilian government was a humanitarian crisis which was caused by a Cyclone. According to International Organizations, the consequences of this natural disaster led to circa 140.000 deaths and to 2.5 million people in need of assistance. The military regime did not have the capacity to reconstruct the country, and had to ask the international community for support (Oxford Burma Alliance, 2016).

6.1.1 Myanmar's first steps towards a democracy.

The general elections on 7 November 2010 were the first step towards the democratization of Myanmar.

However, the military junta had still a lot of control over the preparation of the elections, as well as on the vote tally. The military regime banned international organizations to observe the elections, and foreign media were not allowed to cover the election-process. In about 3000 villages, the Commission cancelled the voting, claiming that the regions were too conflicted to conduct democratic election procedures. Furthermore, the military regime implemented new laws that would not allow anyone who was imprisoned, to join a political party. This constrained Aung San Suu Kyi, the favorite candidate of the population, to race in the elections with the NLD. Consequently, the NLD dissolved and did not take part in the 2010-elections. (Oxford Burma Alliance, 2016)

In the end, the "Union Solidarity and Development Party" won, and U Thein Sein became the president of the new government. During the whole electoral campaign, the military junta supported USDP, particularly with funding. In addition, the constitution which allowed the military to have seats in the Parliament did not change, and the junta continued to be present in Myanmar's politics. Although the USDP was in favor of the military, U Thein Sein

initiated political and economic reforms, which promoted the democratization of the country. His aim was a national reconciliation with the NLD, to empower civil society, and to reform the economy (Lall, 2016: 165).

6.1.2 EU-Myanmar Relations

Until the elections in 2010, the EU had strict sanction-policies towards Myanmar and its regime. After the annulation of the elections in 1990, the European Union decided to implement sanctions that attempted to force the military out of power (Giumelli and Ivan, 2013: 28). The sanctions included an arms-embargo, the stop of non-humanitarian aid, a travel ban which by 2010 enclosed 1854 individuals, and finally a trade embargo with goods that would be beneficial for the regime. (Giumelli and Ivan, 2013:27). The reforms which have been implemented by U Thein Sein, have also had an impact on the relationship between the European Union and Myanmar: From 2012 the European Union gradually lifted and suspended the sanctions towards Myanmar, with the exception of the arms embargo (EEAS, 2016). The European Union committed itself to support the democratization of Myanmar with different tools that will be analyzed in the following chapters.[6]

6.2 Favorable initial conditions to prevent the risk of an authoritarian reversal

In January 2011, President U Thein Sein officially declared to initiate a reform process that would lead to more inclusive and participatory decision-making. The reform processes included the abolition of the censorship of media in order to grant access to information, and propaganda slogans disappeared from all the newspapers (Lall, 2016: 74). From 2011 until 2014, political activists and opponents of the military junta were released from their sentences (Lall, 2016: 74-75). Moreover, "bills on local democracy, labor unions, micro-finance, environmental conservation and the registration of private schools were submitted" (Lall, 2016: 74).

One of the main tools which were used by the authoritarian regime to oppress the civil society was education. Although the SLORC implemented a reform in 2002 which granted everyone an access to education, the curricula were based on propagating the military regime. Furthermore the economic situation did not allow families, particularly in rural areas, to send

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[6] Due to the space limit, the author has chosen to analyze only the most relevant EU-policies towards Myanmar that aim to address the research question. For further information of the EU-Myanmar relations, see: http://eeas.europa.eu/myanmar/index_en.htm

their children to schools. In 2011, Thein Sein set out new guiding lines for education, called "Education for all" which aimed to implement a free, compulsory primary education system, to upgrade the educational standard to an international level, and to promote laws for the participation and contribution of private sector in the education service (Lall, 2016: 166).

Besides the empowerment of civil society, another favorable condition to successfully consolidate a democracy is the integration of ethnic minorities in a society. Various ethnicities are represented in different parts of the state, and intercommunal violence is one of the main concerns in the country. Frequent intercommunal conflicts are situated in the Rakhine State where the Rohingya community lives. The Muslim minority has been marginalized from any form of social or political life since colonization. The government does not recognize their citizenship claiming that the community has origins in Bangladesh. Since the military regime, state-authorities have strategically excluded, killed, or forced the community, to leave the country. Even after the liberalization of the country, authorities have not supported the integration of the minority. In 2012, riots between Muslims and Buddhist led to 200 deaths in particular from the Rohingya community. Most of the police men who were supposed to control the clashes were against the Muslim minority, and it was reported that they did not stop attacks (International Crisis Group, 2015a: 7-8). The segregation of the Rohingya community shows that the Burmese government has not fulfilled one of the conditions for a successful democratic consolidation – ethnic unification. [7]

As mentioned in the theoretical framework, favorable initial conditions are important to prevent an authoritarian reversal. If the civil society is not empowered enough, and the ethnic fragmentation is present in Myanmar's political landscape, the risk of an authoritarian reversal is still high and thus successful consolidation of democracy is endangered. In order to effectively contribute to a successful consolidation of a democracy where the risk of an authoritarian reversal equals zero, an external agent has to address issues such as the empowerment of civil society ("the loosers" of the military regime), and the ethnic fractionalization.

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[7] Due to the space limit, the author will only analyze educational reforms and the empowerment of the Rohingya community as initial favorable conditions.

6.2.1 The contribution of the EU to establish favorable initial conditions

During 2011 until 2013, the European Union invested circa 40 percent out of 33 million euros into educational projects in Myanmar. Funds for the educational sector have been invested into the "Multi-Donor Education Fund" (MDEF) - a fund initiated by the international organization UNICEF which improves access to basic education.

The MDEF was aligned with the government's reform "Education for all". Therefore the negotiations went through the government (EEAS, 2011: 8-9). As the national government was still excluding the Rohingya community, the EU initiated more cooperation with local civil society organizations that would not be aligned with the military-friendly government (EEAS, 2011: 9). One project that has been launched in 2012 is the "Children for Peace" initiative. Through the cooperation with local communities in conflict-affected areas such as the Rakhine state, the EU attempted to facilitate access to education. Therefore education would be also granted in areas that were not supported by the state authorities (EEAS, 2014: 7).

From 2014 on, the EU initiated a new program to support the democratization process, whereas 35 percent of the budget would be invested in the educational sector. The main goals were an increase in the quality of teaching, enhanced management of the school system, and the reduction of cost barriers (EEAS, 2014: 13-15).The reforms would be still aligned with the national government, and with international organizations such as UNICEF (EEAS, 2014: 14).

Besides that, the European Union started to promote civil society organizations without the national government's consent. The objective was to strengthen local communities and to diminish the oppression of the civil society caused by the military legacy. The annual "European Instrument for Democracy and Human Rights (EIDHR) grant is circa 1,8 million dollars, and supports especially organizations that support minorities' rights, such as the Rohingya community (European Commission, 2009). In order to get the grant, the organizations have to apply and fulfill the condition to be a legal person who is not related to the government.

Another initiative for a successful democratization was the Human Rights Dialogue which was initiated in May 2014. In order to enhance cooperation, and deepen mutual understanding between the government of Myanmar and the EU, various issues were discussed that would strengthen international human rights standards. Through a political dialogue, the European Union helped the government, to learn best practices in "ratifying international conventions

and treaties, to identify challenges and to strengthen their links in cooperation in areas of mutual interest." (EEAS, 2014a)

6.2.2 The effectiveness of the EU- policies to create favorable initial conditions

In regards to favorable conditions, the European Union has addressed the main "looser" of the military regime: the civil society. During the authoritarian regime, the military has oppressed the population particularly through education. By channeling the aid through the "MDEF" fund which supported the government's plan "Education for all", the EU has included Myanmar in the international community - by creating a network between UNICEF, the EU and the national government. As mentioned in the theoretical framework, a network constellation would help a country to enter into the process of socialization and adapt to democratic principles.

However, the EU has not effectively helped to overcome the authoritarian legacy, and support the vulnerable members of society, as it has channeled most of its funds through Myanmar's government. In particular during the years of 2011 and 2015, the USPD has been still supported by the military, and Thein Sein was in favor of the reserved parliamentary seats for military officials. By supporting the government, the European Union did not create incentives to negotiate the extrication of the remaining military personnel.

Concerning the ethnic minorities, the European Union has created funds for civil society organizations. However, one of the conditions of getting the EIDHR-grant is to be a legal person. These conditions cannot be fulfilled by members of the Rohingya community as most of them do not have a citizenship status in Myanmar. The cooperation and dialogue with the government about Human Rights can make Myanmar's government better adapt to democratic norms and values. However, by mainly interacting with this agent, the ethnic fragmentation in the country cannot be solved, as the government does not support the public participation of the Muslim minority.

In sum, the EU has not contributed enough to establish favorable conditions that might lower the risk for an authoritarian reversal: the external actor has neglected the fact that the government is still influenced by the military. Instead of considering the presence of the military in Myanmar's political landscape, the EU has strengthened it, by helping to adapt more to the international community.

6.3 Economic development in Myanmar after 2011

The decades of military rule have affected the economic situation in the country. The protectionist barriers and the isolation of Myanmar from the rest of the world have led to an income per capita of 1000 US dollars which increased the high risk of authoritarian reversal[8] (Lall, 2016: 133). The lack of transparency during the military rule has increased corruption. As the military only cooperated with some elected entrepreneurs, a business class had been created which consequently led to an oligarchic unproductive economic structure (Lall, 2016: 134-135).

One of the main priorities for the new government was to reform the economy. The aim was to be more transparent, reduce corruption, reengage with the international community, industrialize, and decentralize the economy. Thein Sein initiated different reforms such as the "Special Economic Zones" (SEZ) which would create better conditions for foreign investors. "The incentives for foreign investors include up to 75 years' land use rights for large-scale industry, low income tax rates, consumption of import duties for raw materials, machineries and equipment, and relaxed foreign shareholding" (Lall, 2016: 141). Within the "Framework for Economic and Social Development", the USDP initiated reforms concerning different topics such as finance and taxation, monetary policy, regulations on trade and investment, agriculture, communication services, and infrastructure (Lall, 2016: 146).

6.3.1 The role of the EU in Myanmar's economic development

After the liberalization in 2011, the European Union started to engage in trade with Myanmar. The main EU imports from Myanmar are clothing and agricultural products. The main EU exports to Myanmar are machinery and transport (European Commission, 2015).

In 2013, the European Union gave Myanmar access to the so-called the "Generalised Scheme of Preferences (GSP)". This agreement allows developing countries to pay less or no duties on exporting to the EU. Thus the access to the EU markets is granted and economic growth can be facilitated. For the least developed countries, such as Myanmar, the EU arranged the agreement "Everything but Arms" which gives all the countries full duty-free and quota-free access to the exports to the EU, except arms and armaments. One of the main goals was to reintegrate the country into the international trade system.

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[8] see page 6

Given the isolation from the global economy, the economic development in Myanmar was very scarce. The reintegration helped to boost trade: In 2011, EU imports from Myanmar were 150 Million Euros. Within 4 years the amount increased rapidly and the imports were in total 750 million Euros. The same was in the EU exports; in 2011, exported goods were in total 180 million, and in 2015 circa 550 million Euros. Besides the GSP, the EU did not commit to any other bilateral trade-agreements with Myanmar (European Commission, 2011; European Commission, 2015)

The EU promoted foreign direct investment: In 2014, Myanmar's government and the EU launched negotiations about investment agreements between the two parties. The agreement shall ensure that foreign investors are threatened equally and under fair procedures in the country (European Commission, 2015). Thus, foreign actors were more attracted to invest in the country's economy.

6.3.2 The contribution of EU-policies in Myanmar's economic development

The main task to promote economic development was to disrupt the "oligarchic" economic structure that the military had created, and furthermore attract foreign investors, as well as engage with the global community. From 2011 until 2015, the GDP per capita increased to 1200 US Dollar, which shows the commitment of the country to foster its economic growth. By establishing the GSP, the European Union gave a full access to interact with the global economy (World Bank, 2015).

Considering the fact that former military regimes are highly more under the risk of breaking down, the EU could have taken the economic situation of the Myanmar as an opportunity to create more incentives for the military to fully retire to the barracks and therefore lower the risk of an authoritarian reversal: As Myanmar's economic development is dependent on trade, and investments with the global community, the EU could have created conditions which would have let the military to extricate, and leave their seats in the parliament. Furthermore, the military has still vast holding companies, such as MEC and UMEH[9] which are monopolizing many markets. Foreign investments had to be through joint ventures with them (Lall, 2016: 151). Thus, the military has not been weakened and the European Union has not effectively tackled the risks that could reverse the young "democracy".

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[9] MEC: Myanmar Economic Corporation
UMEH: Union of Myanmar Economic Holdings

6.4 Myanmar's institutional arrangements after 2011

Myanmar is an "authoritarian parliamentary system". The bicameral parliament is made out of an Upper House and a Lower house. For the election of the president, three committees formed from upper and lower house parliamentarians nominate three candidates for a presidency. Afterwards, the members of the three committees vote for one candidate. However, since 2008 until 2015 the constitution has not changed in favor of a fully civilian democratic system: The constitution obliges that 25 percent of the seats in the parliament, shall be reserved for military officials. In addition, certain top ministry positions, such as the ministry of defense, border affairs, home affairs, as well as the president have to have a former experience in the military (International Crisis Group, 2015a: 11-13). According to Article 436 of the constitution, an amendment has to be ratified by 75 percent of the representatives in the parliament. Thus, the military has a veto power in the parliament. Civilian parties will never be able reach the majority, given the presence of the military in the representatives' houses (International Crisis Group, 2015: 6-8).

All these conditions cannot be identified as key drivers for a successful consolidation of democracy. Nevertheless, the parliament agreed to change a party registration law in 2012: This amendment allowed the NLD to join the parliament and subsequently the party of Aung San Suu Kyi won 43 out of 48 seats in the by-elections of 2012. The constitutional amendment led also to a victory of the NLD in the general elections of November 2015. Aung San Suu Kyi's party won 80 percent of the parliamentary seats. However, the military still has the right to have 25 percent of the seats, and with the five percent of the military- friendly USDP, 30 percent of the parliamentary seats are reserved for the authoritarian powers. Thus, the NLD has only 60 percent of the seats left: This percentage is still not enough to change the constitution in favor of a fully civilian government. (International Crisis Group, 2015a: 5)

6.4.1 The role of the EU in Myanmar's institutional framework

The main challenge of the institutional arrangement in Myanmar is the constitution of 2008, which still gives the military personnel, the opportunity to be in power. Although Myanmar transitioned from a military regime to a parliamentary system, the risk of an authoritarian reversal is still very high. As an external agent, the European Union cannot directly contribute to amendments of the constitution. However, it has initiated various attempts to influence the institutional framework: From 2011 until now, the supranational organization tried to make the public administration more efficient and decentralized. Through workshops, trainings and

dialogues, the EU attempted to teach, how to improve policy-making of the government. The workshops and trainings were more directed towards local authorities. From 2011 until 2015, fourteen percent of the development budget of the EU towards Myanmar went into strengthening good governance and the policy dialogue with respective authorities. (EEAS, 2014: 13-14). Nevertheless the only way to achieve a fully democratic institutional landscape is to change the constitution and negotiate the extrication of the military from the parliament. However, the European Union does not have the capability to have an effective impact on the institutional arrangements of Myanmar's "disciplined democracy".

6.4.2 The contribution of the EU to improve Myanmar's institutional landscape

As mentioned in the theoretical part of this thesis, the external agent can only influence the "domestic drama" to a certain degree, and mainly through interaction. Thus, it was very difficult for the European Union to shape the institutional framework of Myanmar. As previously discussed, the EU has not implemented policies towards the country that would be incentives for the military, to fully extricate, and negotiate the constitutional amendments.

7. Findings and Recommendations

In conclusion, this essay has sought to bring forward the debate upon the democratization of military regimes and the manner external agents contribute to prevent authoritarian reversal. In order to bridge these issues, this thesis aimed to answer the question whether the European Union's policies have contributed to prevent the risks of authoritarian reversal in post-military regimes. The case study of Myanmar has sought to answer the research question.

Building upon the works of Milan Svolik, Barbara Geddes, Kapstein and Converse, the process of democratization was first discussed. The democratization process goes through three different stages: the breakdown of an authoritarian regime, the transition, and the consolidation of a democracy. After the transition to a democracy, countries have to prevent an authoritarian reversal and further consolidate the democracy. The main factors that lead to a successful outcome of the process are economic growth, a solid institutional framework, and favorable initial conditions such as ethnic unification, and empowerment of civil society. Another important factor is the context in which a country is democratizing: Countries such as Myanmar that were ruled by a military regime have to consider the consequences of a military legacy and how this can affect the democratization process. Former military regimes are more prone to break down as the military is well equipped to depose the democratic government. Moreover, the favorable mechanisms for a successful democratization such as the economy of a country have been strongly affected by the way the authoritarian regime has ruled.

All these challenges have to be considered by external agents who have an interest in influencing the democratization of a country. External actors, for example the European Union, who attempt to influence a democratization process, use various instruments to support a country in their transition. The external agent can help to make the democratizing country adapt to democratic norms, or it can impose conditions which promote democratic principles in the respective country. Particularly in post-military regimes, external agents play an important role as they can help to create incentives for the military to leave the power to a civilian government.

In order to understand whether the involved agents take into consideration the authoritarian legacy of a country, the thesis analyzed the democratization process of Myanmar, and the European Union's contribution to it. Therefore the author analyzed the economic developments, the institutional arrangements, the civil society, and the ethnic fragmentation

of Myanmar, after its liberalization in 2010. Subsequently it has been analyzed, whether the EU has effectively tackled the risks of an authoritarian reversal.

As the military regime in Myanmar has contributed to unfavorable initial conditions of a successful democratization- which means the oppression of the civil society and a high ethnic fractionalization, the new democratically elected government initiated reforms in order to tackle these issues. A big focus lied on educational programs and the empowerment of civil society. Also the European Union supported these reforms, by establishing political dialogues, and by cooperating with international organizations such as UNICEF. Therefore it integrated Myanmar better into the international community in order to help the country to adapt to democratic values. However, it has been noted that the EU did not really consider the military legacy in their policies: the organization mainly cooperated with the national government, which was still closely aligned to the military junta, as 25 percent of the seats were still reserved for military officials.

The same issues have been analyzed in the contribution of the EU to Myanmar's economic-, and institutional reforms: Concerning the economy, the EU supported holding companies that were owned by the military. In addition, it did not establish conditions that would put more pressure on the military to fully extricate from the government. A favorable institutional framework for a successful consolidation should be preferably parliamentary. In the case of Myanmar, after the first democratic elections, the regime was still not completely democratic and defined as "authoritarian-parliamentarian": The military junta still had a veto power in the parliament. As an external agent the European Union could not influence the domestic affairs, as the extrication of the military would require a constitutional amendment. However, military is willing to leave to the barracks if it gets offered better conditions than staying in power. Although the European Union would have had the capacities to create better incentives, it did not consider this aspect and preferred instead to cooperate with the military-friendly government in Myanmar. Throughout the analysis it has been shown that all its policies have not specifically tackled the challenges which have been caused by Myanmar's military legacy. Thus, the EU has not prevented to lower the risk of a democratic breakdown. One way to convince the military to voluntarily leave back to the barracks would be to weaken the unity of the military. As mentioned in the theoretical part internal fractionalization of the military can lead to an authoritarian breakdown. Regarding the economic development, the EU should stop cooperating with military-owned companies and support in new businesses, initiate

entrepreneurship programs that would be a chance for Myanmar's economy to grow and simultaneously support civilians to contribute to the countries' welfare. The conditions for grants such as the EIDHR should be changed in order to allow the Rohingya community to get an access to the external agent's help.

Scholars such as Burnell, Geddes, or Poast and Urpelainen, claim, that the context in which a country democratizes is highly relevant for a consolidation of the democracy. Finally, to effectively contribute to a prevention of an authoritarian reversal in a post-military regime, the EU should focus more on the weaknesses of the military itself, and create better incentives to leave a democratizing government fully in civilian hands.

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