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Aung San Suu Kyi and U.S. Policy toward Burma/Myanmar

David I. Steinberg

Abstract: No living foreigner has shaped contemporary U.S. attitudes toward a single country more than Aung San Suu Kyi. As the seemingly vulnerable international avatar of democracy, she has effectively determined the parameters of possible U.S. policy choices. Although her Burma/Myanmar specific goals and those of the U.S. overlap, they are not contiguous. That country is a “boutique” issue in U.S. politics – important but not of the highest priority. The U.S. will face difficult policy decisions toward Burma/Myanmar following the formation of the new Burmese administration after the elections of November 7, 2010.

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Many of us have looked to her for guidance as to what our policy should be.

Former U.S. Official

Aung San Suu Kyi, a remarkably courageous leader and very brave woman, manages to stand steadfast, like a living Statue of Liberty, in her undaunted quest and that of the Burmese people for democracy.

Senator Harkin, May 22, 2001

Introduction

No living foreigner has shaped contemporary United States policy toward a single country more than Aung San Suu Kyi. Even the Dalai Lama, whose support in the United States, as illustrated by the large number of congressional resolutions that are devoted to him, is less influential in U.S. policy terms than Aung San Suu Kyi, simply because U.S. policy interests in China are far more substantial and variegated than those in Burma/Myanmar, and the history of Tibet as historically a separate or autonomous political entity is internationally far more complex.¹ To much of the world, the political problems of Burma/Myanmar have become the most recent, best democratic cause, much as the Spanish civil war was in the 1930s and anti-apartheid movement in South Africa in the post-World War II era.

In that context, Aung San Suu Kyi has emerged as the avatar of democracy both to many in the opposition within Myanmar, and to the external world. Her role, both explicitly when she has been able publicly to articulate her views, and implicitly in the interpretation of her attitudes and positions

1 The author would like to acknowledge with gratitude the assistance of Daniel Kim, a Georgetown University student, for his research support and comments on various drafts of this article.

On names: The name of the country has become a surrogate indicator of political persuasion: the military changed the name from Burma to Myanmar, an old written form, in 1989, and since the opposition did not accept their rule as legitimate and the U.S. agreed, they continue to use Burma, while the UN and most other states refer to Myanmar. In this paper, without political implications, Myanmar will be used since 1989, Burma before, Burma/Myanmar to indicate continuity, and Burmese as an adjective, as the national language, and for citizens of that state. There are no surnames in Burma/Myanmar. Aung San Suu Kyi's name is unusual, as it incorporates her father's name – Aung San – into her own. The word 'Daw' is often affixed to her name, the word in Burmese meaning 'aunt' and is a term of respect for an older female. The military, to avoid referencing her father, Aung San, and his iconic role as the father of modern Burmese independence and thus in some sense helping 'legitimate' her, has most often referred to her as "the lady." Some opposition supporters refer to her as "our lady."

by her acolytes, has been more than simply influential in determining U.S. policy toward Burma/Myanmar. It is far more significant. The nature, extent, and duration of military political domination in that state, and her emergence as a political force in 1989, have created tensions that are not only apparent within Myanmar, but also influence many states' policies toward that country, not only those of the United States.

The Charismatic Role of Aung San Suu Kyi

The nature of the charisma now associated with Aung San Suu Kyi varies by locale. Internally in Burma/Myanmar, it seems to have stemmed initially from the aura attributed to her father and later to a mix of her father's fame and her own capacities. To those abroad, however, who have no emotional attachment to his critical role in Burmese independence and the formation of the Union of Burma in 1948, it has been a product both of her own capacities and activities, her symbolic personification of democracy coupled with both a seeming and real vulnerability, and the bumbling and often oppressive nature of the Burmese military leadership.

Generational political legitimacy among fathers and daughters is not unknown in Asia. Nehru and Indira Gandhi, the Bhuttos, Sheik Hasina Wazid and Sheik Matibur Rahman in Bangladesh, together with Sukarno and Megawati are additional examples where the role of the father facilitated the prominence of the daughter. Aung San has especial significance. Not only was he the architect of Burmese independence, he was also the constructor of national unity – the single Burman who convinced most of the larger minorities before independence that they should form the Union of Burma, rather than become separate entities distinct from the Burman majority. He was broadly trusted in the society. His influence was at its height when he was assassinated in July 1947, about six months before Burmese independence in January 1948. A man of singular determination and strength of will, he died what in Burma is called an “unripe” and violent death – before his time. Such individuals both in myth and history have sometimes become enshrined as “nats,” spirits who influence the existential world. He was widely revered; his words (sometimes out of context) were quoted to provide legitimacy to any policy proposed, his picture was in virtually every shop and in many homes, and his portrait was on the currency. That his daughter was legally named by incorporating his name in hers (as was her brother's), something virtually unprecedented in Burmese custom in which everyone – including children – have their own name and where surnames were unknown, is an indication that Aung San's wife, Daw Khin Kyi, sought to perpetuate his spirit. But if the spirit of Aung San Suu Kyi congers up

democratic images, Aung San was anything but a democrat, having called for a single party state, but one significantly federalist in nature.

Kyaw Yin Hlaing, while singularly discussing the internal issues connected with the National League for Democracy and political and ideological differences among its leadership, sums up the impressions of Daw Aung San Suu Kyi:

Her sympathizers typically describe how Suu Kyi has sacrificed her life in the struggle against the junta, and how the junta relentlessly repressed the lady and other pro-democracy activities. For Suu Kyi's sympathizers, she is the answer to all Myanmar's socio-political problems. Some would even go so far as to say that Myanmar's problems will fester until she assumes the leadership of the country. However, from the point of view of the ruling junta, Suu Kyi has been the source of all the political problems in the country. Since coming to power, the junta has published several hundred articles and more than five books detailing why Suu Kyi is unfit to lead the country. In this age of democracy and human rights, it is not surprising that many would only have a sympathetic view of the lady and a negative view of the regime that represses its own citizens to keep itself in power (Kyaw Yin Hlaing 2007).

Aung San Suu Kyi's popularity, although born from her father's role and her mother's status (she was ambassador to India, and, ironically, the sister of the wife of the head of the Burma Communist Party, Than Tun, who was in revolt for many years until his assassination), rested as well to some indefinable degree on her own virtues. Highly intelligent and well read, easily articulate in both Burmese and English, a writer of some talent, and attractive and seemingly frail in appearance, she stirred the masses by her speeches, her demeanor, and her espousal of democratic ideals. Her campaigning in 1989 before her house arrest in July of that year, and before the election of May 1990 in which her party swept to victory, drew massive crowds, and it is evident that she bravely stood up to military pressure, at one point even in the face of guns.

Her popularity outside Myanmar is of a different metal. Although her name is better known, although usually mispronounced, than the changed name of the country – Myanmar, it is based on the image of a highly vulnerable female, seemingly delicate, with high intelligence, a strongly articulated democratic ideology in the Western political tradition, and a compelling presence, and who had challenged a military regime that in 1988 caused the deaths of some thousands in a failed peoples' revolution and in the subsequent military coup to shore up a previously delegitimated military-dominated government. Her house arrest under dubious charges, and then in

1991 her receipt of the Nobel Peace Prize, now the only such laureate so incarcerated, alone would have solidified her favorable image. But the death by prostate cancer of her husband in England, the refusal of the Burmese authorities to allow him in a terminal state to be with his wife in Myanmar, consolidated her familial martyrdom; she had sacrificed her family for the democratic cause of Burma.² Major political and social figures from around the world have rallied in support of her and through her, her ideals.

The gap between her internal and external support is in some sense bridged by the Burmese expatriate community and some human rights organizations that have taken up her cause and that of democracy in Burma/Myanmar. She has led the executive committee of the National League for Democracy (NLD) as National Secretary, and even when communications between her and the committee were banned and prevented her views, or those purported to be hers, to be publicly articulated, they have determined policy, as members of the committee have indicated.³ In some circles, critiques of her policies abroad have been countered by charges that one cannot criticize her positions because she is not able to defend herself. It is unlikely that she is responsible for this virtual “cult of the personality,” which is probably a product both of her followers and the prevailing political culture in Burmese society that pervades both the military and civilian institutions (see Steinberg 2010a: Chapter 7).

Her stature has become almost mythic in the Western media. She was the subject of a popular film called “Beyond Rangoon,” which idealized her struggle. In what has been called a type of “Orientalism,” Aung San Suu Kyi as she appears in U.S. media is larger than life. She is arguably the world’s most powerful feminine personification of besieged democracy today.

Media representations function to feminize and depoliticize Burma’s democratic movement while simultaneously representing the military regime as a bumbling group of uneducated men. This in turn positions the United States as a more mature, masculine form of democracy run by highly competent yet compassionate leaders working to promote freedom and democracy worldwide.⁴

2 The junta agreed that she could leave the country and be with him at his bedside, and promised that they would allow her to return, but she did not believe them and instead stayed in the county. She has not seen her two sons for many years, and for long periods could not correspond with them.

3 Personal interviews, Yangon.

4 See Brooten 2005. She has analyzed the content of *Time*, *Newsweek*, and the U.S. *News and World Report* references to her.

The virtually stereotypical good but vulnerable and defenseless “native” female is assisted by the strong, virtuous Western male, in this case symbolized by the United States. This inchoate and unconscious response to her plight has been strongly supported in international circles, but has had the reverse effect among the Burmese military leadership. There, the junta has charged that she is the “axe handle” (support) of the foreign imperialists (the United States and the West in general), and that the Burmese citizens should not look over the shoulder of their mother (Myanmar and its military) in favor of their aunt (Aung San Suu Kyi and the United States). Thus, as Aung San Suu Kyi’s international legitimacy as the representative of Burmese democracy has increased, internally the support of foreign elements has been used by the junta to attempt to delegitimize her. She has been denigrated and vilified in the controlled media and by vicious rumors throughout much of the period since 1989.

Aung San Suu Kyi’s support among the international intelligentsia has been extensive. Desmond Tutu, Vaclav Havel, and Kim Dae Jung have all been ardent supporters of her and her role. Kim Dae Jung as President of the Republic of Korea, even as Korean investment and assistance was expanding in Myanmar, commented negatively against the military regime and personally sought to have her freed and believed that her release would bring “democracy to Asia.”⁵

It has been obvious that the SLORC/SPDC (State Law and Order Restoration Council/State Peace and Development Council) has sought to destroy the aura and the national character of the National League for Democracy as well as that of “the lady.” They have arrested many members, incarcerated some of the leadership (in addition to Aung San Suu Kyi), closed branch offices, and in general harassed those known to be supporters. At various times, they have prevented her traveling by car or train from Yangon, and finally in May 2003 destroyed her entourage up-country with many deaths (but still an unknown and disputed number).

Each time she has been freed from house arrest, she seems to have tested the limits of her allotted space, and each time the junta has stepped in to redefine the few freedoms she had been allowed. Yet the question must be asked: how tactically effective have been some of the decisions of the NLD – decisions in which she seems to have played a decisive role? The determination to walk out of the National Convention (1995) because it was too restrictive may have been a reasonable response to a tightly controlled environment, but it further marginalized the NLD. Aung San Suu Kyi’s espousal of sanctions, the prevention of foreign investment, eschewing

5 Personal interviews, Seoul.

tourism, and even for a period humanitarian assistance (as it would only help the military) was questionable in a tactical, in contrast to a moral, sense in that it was used by the junta, charging she was in favor of poverty. The NLD party platform of 1989, a liberal document on which many in the West would agree, called for civilian control of the military – anathema to the *tatmadaw*. She has been quoted as opposing the NLD’s participation in the forthcoming 2010 elections, a position shortly later endorsed by the party. So although her legacy as contributory to democratic principles in Burma/Myanmar is obvious and important, the specific positions taken by her and the NLD may have been counter-productive in internal, shorter-range political terms and to her longer-term political goals. In 2009, she indicated to Senior General Than Shwe that she would be willing to negotiate the sanctions issue, but the regime’s public response has been silence. She has not conceptually been against the military per se, as she has constantly reiterated the importance of the *tatmadaw*, which her father founded.

Burma and Aung San Suu Kyi: How “Boutique” an Issue?

During the American presidential campaign of 2008, a Democratic policy specialist characterized Burma/Myanmar as a “boutique issue,” one that had a certain resonance but was not a major crisis in the realm of U.S. foreign policy considerations (for a discussion of the general policy question, see Steinberg 2010b). Yet the Obama administration since its inauguration has paid considerable attention to it, including extensive reviews of policy by the executive branch including the intelligence community, and trips to Yangon and Naypyidaw by the Chair of the U.S. Senate Foreign Relations Asia Subcommittee (Senator Webb. The first in August 2009, and a second trip planned but aborted in June 2010) and the Assistant Secretary of State for Asia and Pacific Affairs (with another that had been planned for March 2010, but did not take place, and a second, completed trip in early May 2010).

As Assistant Secretary of State Kurt Campbell said in his testimony before the Senate Foreign Relations Subcommittee on East Asian and Pacific Affairs (January 21, 2010):

As you [Senator Webb] are well aware, the Administration’s formal review of U.S. policy towards Burma reaffirmed our fundamental goals: a democratic Burma at peace with its neighbors and that respects the rights of its people. A policy of pragmatic engagement with the Burmese authorities holds the best hope for advancing our goals.

Under this approach, U.S. sanctions will remain in place until Burmese authorities demonstrate that they are prepared to make meaningful progress on U.S. core concerns. The leaders of Burma's democratic opposition have confirmed to us their support for this approach.

The new U.S. policy is a major change, but one within the confines of U.S. political realities – recognition that U.S. support of Aung San Suu Kyi, and by extension the NLD, is both pervasive and highly significant. Under the revised policy, announced in the fall of 2009, sanctions (initiated in four tranches in 1988 (stoppage of military sales and assistance, the anti-narcotics program, and the modest economic assistance), 1997, 2003, and 2008) will continue but high level dialogue, previously eschewed, will be encouraged. This policy has been characterized as “pragmatic engagement.”

The object of U.S. policy is no longer “regime change,” which had been the mantra for most of the period since 1990 (in both the Clinton and Bush administrations) and thus the recognition of the NLD victory in the elections of May 1990 and is no longer mentioned in public policy pronouncements, but rather better governance and human rights and “free and fair and inclusive” elections in 2010 coupled with the release of all political prisoners (including Aung San Suu Kyi), although the junta refuses to admit that any such prisoners are incarcerated for political reasons. The definition of what will constitute such “free and fair and inclusive” elections is subject to varying interpretations by a wide variety of institutions, nations, and members of both the legislative and executive branches of the U.S. government, as well as internationally, and has not yet been more officially and specifically defined.

This ambiguity has both positive and negative aspects: although it allows foreign observers some space in commenting on these elections (and one diplomat in Yangon indicated that his government would not hold the Myanmar administration to a high international electoral standard⁶), it also means that others may vilify the results as they please since it is already evident that any positive actions will not satisfy all such observers.

In contrast to the U.S. attitude toward Burma/Myanmar, U.S. policies toward China, Vietnam, Laos, Brunei, and North Korea – all single party states with varying degrees of authoritarian politics – are a tapestry of multiple strands in various hues representing a variety of U.S. national interests. This is in marked contrast with policy toward Burma/Myanmar, which has in effect been concentrated on human rights and governance

6 Personal Interview, Yangon.

issues; i.e., political rights,⁷ even though it is necessary to separate human rights concerns from democratic ones.

Yet, an analysis of the legislative record of the United States indicates that however limited has been the public articulation of the U.S. national and security interests in Burma, Aung San Suu Kyi has played a remarkably important role in policy considerations toward that country. It is not too strong to characterize U.S. policy toward Burma/Myanmar as a product of Aung San Suu Kyi's past and projected role, and the interpretation of her positions by her supporters within the U.S. government – in both the executive and legislative branches, in the non-profit field, and in the Burmese expatriate community.

The U.S. Congressional and Legislative Record

The United States has consistently supported Aung San Suu Kyi and the democratic elements of the opposition. During the 1988 uprisings, protesters looked to the United States as a sympathetic ally, and protests took place regularly in front of the protective presence of the U.S. embassy in Rangoon (Brooten 2005: 138).

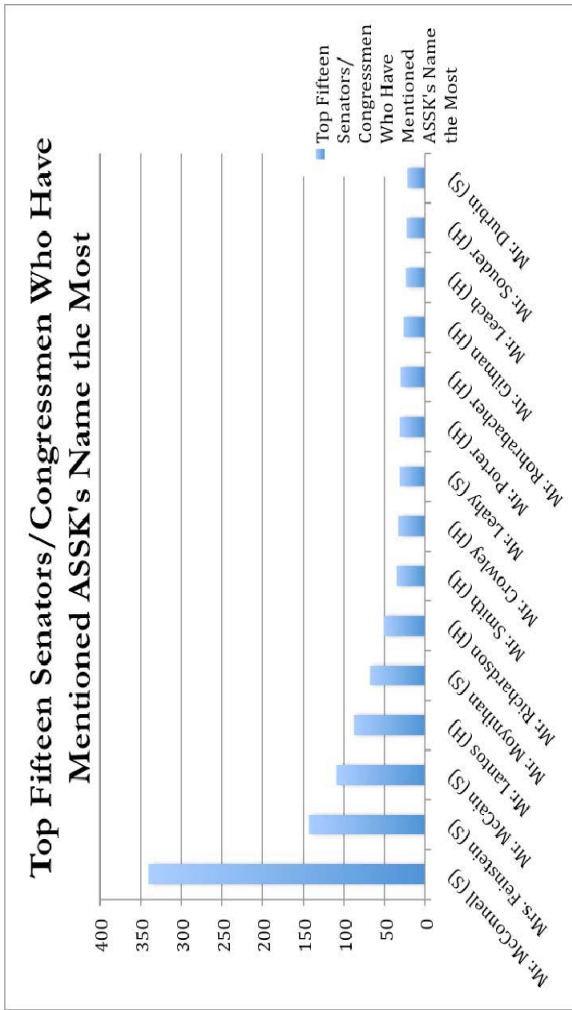
Little seems to have changed. In fact, that feeling has perhaps intensified, with even some of the more radicalized internal and external dissidents, but importantly not the NLD, having called for U.S. military action against the junta. The March 31, 2010 Asia Society report on Burma in fact called for continuing U.S. support for the NLD.⁸

A review of the legislative record indicates a pervasive concern with Burma issues, and even more specifically with the well being of Aung San Suu Kyi. It should be stressed that this concern has been characterized by bipartisan efforts through the Clinton and Bush presidencies, although statistically Republican stalwarts have been the most articulate (see Appendix II).

7 After Cyclone Nargis in May 2008, the U.S. became more concerned with humanitarian issues, and 75 million USD was provided for cyclone relief. More recently, an additional 10 million USD was added for such relief efforts. A small amount of humanitarian assistance has continued to be provided in that country by international NGOs.

8 Asia Society 2010. Although the members of the Task Force that produced the report may have agreed with that position, some on the “advisory committee” warned against such a statement. The report was printed before the NLD determined on March 29, 2010 that it would not participate in the elections, and was thus decertified on May 7, 2010.

Figure 1: Top Fifteen Senators/Congressmen Who Have Mentioned ASSK's Name the Most



Note: Mr. McConnell (S): 340, Mrs. Feinstein (S): 143, Mr. McCain (S): 109, Mr. Lantos (H): 88, Mr. Moynihan (S): 68, Mr. Richardson (H): 51, Mr. Smith (H): 35, Mr. Crowley (H): 33, Mr. Leahy (S): 31, Mr. Porter (H): 31, Mr. Rohrabacher (H): 30, Mr. Gilman (H): 27, Mr. Leach (H): 24, Mr. Souder (H): 23, Mr. Durbin (S): 22.

Source: Author's own compilation.

From the 101st Congress in 1989 through the 111th Congress in January 2010, there has been a constant iteration of concern about Burma and Aung San Suu Kyi, both usually co-mingled. In this period, some 130 documents concerning Burma and/or Aung San Suu Kyi were placed in the *Congressional Record* (the largest number – 28 – during the 108th Congress). During the same period, her name was mentioned in the House of Representatives and the Senate, as noted in the *Congressional Record*, 1,598 times. Forty-four senators and 64 representatives mentioned her name, and statistically the strongest supporter has been Republican Senator Mitch McConnell (Kentucky, sometime Republican whip, and minority leader), who had done so (340 times) more than double the time of his nearest rival, Democratic Senator Feinstein (143 times), and followed by Republican Senator McCain (109 times) and Democratic Congressman Lantos, since deceased (88 times) (see Figure 1).

Since 1992, the Congressional Research Service (including several reports by the Government Accountability Office) has issued 34 reports dealing in whole or in part with Burma (including issues connected with *Voice of America* and *Radio Free Asia*). Through 2005 (the last year in which the following reports were publicly available), there were 31 presidential statements on Aung San Suu Kyi. During the 1989-2010 period, 48 bills, resolutions, and other actions were placed on the floor of the Senate or the House concerning Aung San Suu Kyi and Burma (see Appendix I).

Individual leaders have been adamant supporters of Aung San Suu Kyi and her colleagues. Secretary of State Madeleine Albright was most impressed with her, noting her “ethereal beauty and steely resolve.” President Bush and first lady Laura Bush personally became involved. Both have met in Washington, New York, and Thailand with various dissidents and non-profit groups. Laura Bush held an unprecedented press conference, and later wrote an editorial in the *Washington Post* after her husband left office (see Bush 2010). President Bush is on record as saying:

The policy of the United States, as articulated by the President on April 24, 2003, is to officially recognize the NLD as the legitimate representative of the Burmese people as determined by the 1990 elections.⁹

What is indisputable is the intensity of interest in a state in which, supposedly, the U.S. national interests are not publicly articulated. It is clear that some members of the Congress have wished to inflict on Burma/Myanmar a harsher degree of sanctions than those that were ultimately passed. Proposals had surfaced for virtual Cuba-like sanctions that would ban all but

9 Burma Democracy and Freedom Act, Section (2) 14.2003.

U.S. diplomatic travel to that country, and some wanted to divest all U.S. businesses, including those that were in place prior to the passage of the 1997 sanctions legislation. There was a call for sanctions against China if it did not halt its military support to Myanmar, and similar action against Thailand if it did not treat Burmese refugees better.

This concern about Aung San Suu Kyi and the administration of Burma/Myanmar were exacerbated by events within the country that received widespread foreign publicity. It was not simply the house arrest of Aung San Suu Kyi, but the prevention of her travel outside Rangoon (Yangon), attempts to stop her from traveling within the city, and most seriously the Depayin incident on May 30, 2003 in central Myanmar when a large but unknown number of people was killed when her entourage was attacked and inaccurate rumors persisted that she was injured (prompting a new round of sanctions). Important as well was the so-called “saffron revolution” in 2007, which was neither saffron nor a revolution but in which Buddhist monks demonstrated against the government and were beaten, shot at, and arrested and convicted with long sentences, and in 2009 the trial of Aung San Suu Kyi for violating the terms of her house arrest when an American swam across Inya Lake to her compound and spent the night there.¹⁰

On the Cusp of ... Change?

Myanmar is on the cusp of transition. As the senior general says, it will be toward a “discipline-flourishing democracy.” The 2008 constitution will come into effect following a series of parliamentary elections toward the close of 2010 at the national and local levels. Yet, as we are all aware, Myanmar will remain within the orbit of military control, with some, at least, legal space for opposition voices to be heard, if not loudly. Senior General Than Shwe indicated in March 2009 that democracy in Myanmar was like a newly dug well, in which the waters would be murky for a while, implying that the military would be their filter. How this will play out is still uncertain.

It has been evident for years that Aung San Suu Kyi would not be allowed to run for a significant position, such as head of state, or take a major leadership role, at least in this transition. Her house arrest, conviction for a

10 She was, of course, found guilty, and her five-year sentence was cut in half on orders of Senior General Than Shwe, as if that would placate international outrage. The purpose was to have a “legal” excuse to keep her from being active during the projected elections of 2010, but it is likely that some excuse would have been found to do so in any case. In March 2009, sources in Naypyidaw indicated that their intent was to hold her until the elections. Personal interview. Policy trumps law in Myanmar.

number of “crimes,” financial support from foreign sources (the Nobel Prize), and her marriage to the now deceased English academician, and children with British citizenship have been implied to disqualify and vilify her. Yet her following within Myanmar is more than considerable, and her sense of public purpose and her own potential role is probably also intact, and indeed may have been heightened by her lengthy incarceration. Her overseas following is also substantial; no matter how extensive the junta’s efforts have been to marginalize her, they have only succeeded in a formalistic sense, but not in what has become her entourage.

That entourage includes the U.S. political establishment. This will be made more acute because of the NLD decision not to participate in the planned 2010 elections, a position articulated by Aung San Suu Kyi, and then “unanimously” supported by the NLD Executive Committee on March 29, 2010. It is evident that her negative position was endorsed by some members of the executive committee, although others wanted to participate, but they could not disagree with her. NLD members had wanted revisions to the constitution, as well as the freeing of all political prisoners as the *quid pro quo* for becoming involved. The junta had no intention of acceding to either. She has charged some members of the NLD who will participate in the elections in a group and/or separately as acting inappropriately. A kind of “democratic centralism” seems to have prevailed within the (now former) NLD.

There are many in the U.S., and in the Congress, who have claimed that the elections and any new government emerging from this transition will still be illegal or illegitimate. This attitude will likely continue for the foreseeable future unless or until there were indications of a change in her attitude toward her own environment and toward the sanctions imposed by the U.S. and the EU.

So the cusp of change may be more internal to Myanmar than in the attitude of the U.S. and some members of the EU (the EU reaffirmed its sanctions policies under the “Common Position” in May 2010), although it is likely that ASEAN as an institution (in contrast to some of the individual ASEAN nations), the UN, Japan, and of course China and India, will also accept the results of quiet and peaceful elections, although there will be many, at least in the U.S., who will claim (indeed have already claimed before they were held) that such elections could not be “free, fair, and inclusive,” terms that have not officially been defined. As Assistant Secretary Campbell noted,

[A]s a direct result [of moving ahead unilaterally on the elections], what we have seen to date leads us to believe that these elections will

lack international legitimacy (McCartan 2010; see also Lalik K. Jha 2010).

There is, at this writing, a movement in the Congress to increase the sanctions regimen by targeting specific banking accounts and facilities in a reaction to the strict party registration laws (prohibiting those in prison from running for office or joining political parties) that have been announced. This was articulated in a letter to President Obama on March 26, 2010 from nine senators of both parties calling for additional banking sanctions (“explicitly provided by Congress in Section 5 of the JADE Act” (2008)), and for the appointment, with senatorial approval of a “Special Representative and Policy Coordinator for Burma, by and with the advice and consent of the Senate.” That person, who would coordinate sanctions policy and have dialogue with the Burmese, would be in an anomalous position, for the person whom the Senate would likely confirm would be unlikely to be the person with whom the Burmese would wish to have substantive dialogue. How this develops is unclear, but what is apparent is the media’s and congressional negative response to the Burmese present position on the elections.

On April 14, 2010, Senate Resolution 480 was introduced:

Condemning the continued detention of Burmese democracy leader Daw Aung San Suu Kyi and call on the military regime in Burma to permit a credible and fair election process and the transfer to civilian, democratic rule [...] Resolved, That the Senate (1) condemns the continued detention of democracy leader Daw San Suu Kyi and all prisoners of conscience in Burma, and calls for their immediate and unconditional release; [...] (3) calls on the Secretary of State to assess the effectiveness of the policy of engagement with the military regime in furthering United States interests, and to maintain, and consider strengthening, sanction against Burma.

Congressman Dana Rohrabacher called for the Burmese military to join with the people in an uprising against the regime, stating, “People of Burma, do not let this moment pass by. The world will celebrate with you as you recapture your nation. We are on your side.”¹¹

11 *The Irrawaddy*, April 26, 2010. The danger that those inside Myanmar might believe the U.S. would back such an event with force could be disastrous for those involved, as the likelihood of any such military engagement by the U.S. is farfetched indeed. The analogy of U.S. involvement in fostering the Hungarian revolution in October 1956 and then only helping refugees is an object lesson and prompted the article on its 50th anniversary, see, Steinberg 2006.

If the Congress wishes to impose new sanctions, and there already is a significant groundswell for such activity, the following actions, mentioned in previous congressional debates, include: ban on timber and lumber product imports; prohibiting U.S. persons or corporations from entering into economic-financial transactions, paying taxes, or performing ‘any contract’ with Burmese government or institutions; divestiture of all U.S. businesses of their investments or operations; restricting the provision of transactional services to foreign financial institutions that hold Burmese assets (Congressional Research Service 2010).

Conclusion

Although it would be inappropriate to claim that Aung San Suu Kyi has alone made U.S. policy toward Burma/Myanmar, there can be little doubt that the U.S. has taken her views, and others that are purported to be her views, as the basis for its continuing policy toward that country.¹² In addition, the Obama administration’s review of policy and its partial modification could not go further because of widespread and bipartisan support for her views; thus sanctions could not be lifted because of internal U.S. political considerations and the other, clearly higher, domestic and international priorities of the government, as well as this would seem to “reward” the junta for its anti-rights policies without any quid pro quo. Because of the widespread support for her among those in the U.S. public who have any knowledge of that country, and the effective lobbying of expatriate groups and civil rights advocates, plus the remarkable ability of the junta to either alienate or at best ignore the sentiment within the U.S., significant changes in that policy will in large part be determined how consistent those changes are with her current position.

Thus, a change in her views, publicly articulated, could help determine a shift in U.S. policy. Such a compromise would likely upset many of her international and expatriate supporters, but anecdotal evidence indicates that she might feel that internal considerations justify such a shift. At this writing, such a shift in her views seems unlikely.

There have been rumors of differences between the views of the Obama administration and those of Aung San Suu Kyi (including whether the NLD should participate in the 2010 elections). These differences also

12 At a House Asia Subcommittee hearing, Congressman Leach, Chair, asked a testifying Burmese dissident whether Aung San Suu Kyi approved of sanctions. When she replied in the affirmative, then Congressman Leach said, “then we will approve extending the sanctions.” Personal observation.

seem evident in the reaction of some other foreign governments. This would not be surprising, given the effective abandonment of the continued relevance of the May 1990 elective victory of the NLD when the 2010 elections take place. The *Pyithu Hluttaw* Election Law of March 8, 2010 specifically stated that the 1990 election had become void. Insofar as Aung San Suu Kyi has been considered “principled” in her determination to have a different, democratic regime in Burma/Myanmar, the Obama administration’s policy has been noted as being “pragmatic.” Such different emphases should be expected. The interests of Aung San Suu Kyi and the former NLD naturally focus on country-specific concerns, while those of the U.S. and its national interests are regional and indeed sometimes worldwide in nature. The objectives of both may overlap but are not necessarily contiguous.

As the International Crisis Group noted:

Regardless of the party’s future, however, Aung San Suu Kyi will continue to wield considerable moral and political authority, within the country and internationally. Indeed, the fact that she is no longer associated with the opposition could potentially enhance her role as a national figure, standing above party politics. She had contemplated taking such a step in the past, when the dialogue between her and the regime appeared to have some momentum, but had been reluctant to abandon her party – a concern that is no longer relevant (International Crisis Group 2010: 12).

These differences could, however, create a dilemma both for the United States and her followers. There is no indication that Myanmar will want to make changes before the elections, now scheduled for November 7, 2010. Several dilemmas may face the U.S. If there is a minority of opposition voices elected in the various legislatures at all levels, and if the elections are peaceful even if not “free, fair, and inclusive,” and Aung San Suu Kyi and others are released, what will the U.S. do in terms of relations with that new government? The next chance for Myanmar to chair ASEAN will be in 2013. How would the U.S. react to that event? Supposing a new government advocates extensive and positive economic reforms and begins to improve the abysmal health and education conditions in the country, what would be the U.S. response? In essence, at what point would some positive internal changes prompt a positive U.S. response, and how much political capital would have to be expended to do so?

There are many, of course, who want to see justice done for the many and egregious abuses that have been perpetrated on the Burmese peoples, but that is most unlikely under any scenario at this time. The 2008 constitution specifically provides protection to any member of the previous

administration (1988-2010) for any acts committed in their official capacities. Should the U.S. change its position as well, there would be a similar reaction and probably a significant degree of Congressional dissatisfaction with any such policy. Would, then, any administration be prepared to use up political capital for such a “boutique issue”? But as the elections approach there are significant pressures to impose additional sanctions and to concur in a UN-sponsored Commission of Inquiry into war crimes and human rights violations, as proposed by the U.S. special rapporteur on human rights in Myanmar. This would likely exacerbate problems with a new Burmese administration (see Steinberg 2010c).

At this stage, Aung San Suu Kyi is still a determining factor in U.S. policy toward Burma/Myanmar. Her status in the post-election period may determine U.S. policy toward that country for a considerable period.

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Appendix I: Overview of Bills, Legislations, and Resolutions by Congress (House and Senate)

101st Congress

- ***H. Res. 1487 ENR*** Foreign Relations Authorization Act, Fiscal year 1990. Section 1024. Section 18 on Aung San Suu Kyi, “Expressing the support of the congress for free and fair elections in Burma.” [Introduced March 20, 1989]
- ***S. Con. Res. 61*** Remove the house arrest of Aung San Suu Kyi, hold free and fair elections. [Agreed to October 24, 1989]
- ***H. Con. Res. 367 IH*** (Concerning May 27th, 1990) Concerning refusal to release Aung San Suu Kyi, transfer power to victors of May 27th election. (Introduced in House) [September 10, 1990]

102nd Congress

- ***S. Res. 195 ATS*** Congratulating Aung San Suu Kyi on the Nobel Peace Prize. [October 15th, 1991]
- ***H. Con. Res. 221 IH*** Commending Aung San Suu Kyi on the occasion of her receiving the Nobel Peace Prize and requesting that the Speaker of the House invite her to address a joint meeting of the Congress. [October 15th, 1991]
- ***H. Res. 263 IH*** “Concerning relations between the United States and Burma.” (Introduced in House) [October 29th, 1991]
- ***H. Res. 262 EH*** “Whereas since 1962 the people of Burma have lived under brutal military repression ...” (Engrossed as agreed to or passed by House) [November 19th, 1991]
- ***S. Con. Res. 107 ES*** “Condemning the involvement of the military regime in Burma, also known as the Union of Myanmar, in the ongoing, horrifying abuses ...” (Engrossed as agreed to or passed by Senate) [May 19th, 1992]
- ***H. Res. 473 EH*** “whereas the people of Burma continue to live under a brutal military regime ...” (Engrossed as agreed to or passed by House) [June 2nd, 1992]
- ***H. Res. 2508*** “International Cooperation Act of 1991” (Enrolled as agreed to or passed by both House and Senate)

- **H. Res. 5757** “International Cooperation Act of 1992” (Introduced in House)

103rd Congress

- **H. Res. 112** Urging Sanctions and seeking the release of Aung San Suu Kyi. [May 24, May 27, 1993]
- **H. Res. 471 EH** “Whereas in 1988, the Burmese regime brutally suppressed nationwide pro-democracy demonstrations, resulting in the deaths of several thousand people ...” (Engrossed as agreed to or passed by House) [July 25th, 1994]
- **H. Res. 4426 ES Amendment** “Resolved that the bill from the House of Representatives entitled ‘An Act making appropriations for foreign operations, export financing, and related programs ...’ (Engrossed Amendment as agreed to by Senate)
- **S. Res. 234 ATS** “Expressing the sense of the Senate concerning the fifth year of imprisonment of Daw Aung San Suu Kyi ...” (Agreed to by Senate) [June 28th, 1994]

104th Congress

- **S. Res. 1092 IS** “Free Burma Act of 1995” (Introduced in Senate) [July 28th, 1995]
- **H. Res. 274 EH** “Whereas the military government of Burma, as a member of the United Nations, is obligated to uphold the Universal Declaration of Human Rights...” (Engrossed as agreed to or passed by House) [December 19th, 1995]
- **S. Res. 1511 IS** “Burma Freedom and Democracy Act of 1995” (Introduced in Senate) [December 29th, 1995]
- **H. Res. 4278** “Magnuson-Stevens Fishery Conservation and Management Act ... Subset: Policy toward Burma” (Engrossed as agreed to or passed by House)
- **H. Con. Res. 188 IH** “Expressing the sense of the Congress with respect to increasing political oppression in Burma” (Introduced in House) [June 13th, 1996]

105th Congress

- ***H. Res. 603 IH*** “Expressing the sense of the House of Representatives that the seat in the United Nations that is reserved to Burma should be occupied by a representative of the National League for ... (Introduced in House) [October 15th, 1998]

106th Congress

- ***S. Con. Res. 113 ES*** “Whereas in 1988 thousands of Burmese citizens called for a democratic change in Burma and participated in peaceful demonstrations to achieve this result ...” (Engrossed as agreed to or passed by Senate) [July 19th, 2000]
- ***S. Res. 3246 IS*** “To prohibit the importation of any textile or apparel article that is produced, manufactures, or grown in Burma ...” (Introduced in Senate) [October 26th, 2000]

107th Congress

- ***S. Res. 926 IS*** “To prohibit the important of any article that is produced, manufactured, or grown in Burma ...” (Introduced in Senate) [May 22nd, 2001]
- ***H. Res. 2211 IH*** “Burma Freedom Act – To prohibit the importation of any article ...” (Introduced in House) [June 19th, 2001]
- ***H. Con. Res. 211 RS*** “Commending Daw Aung San Suu Kyi on the 10th anniversary of her receiving the Nobel Peace Prize ...” (Reported in Senate) [November 15th, 2001]

108th Congress

- ***H. Res. 2330 ENR*** “Burmese Freedom and Democracy Act of 2003” (Enrolled as agreed to or passed by both House and Senate) [January 7th, 2003]
- ***H. Res. 84 IH*** “Calling for the immediate intervention in the conflict in Burma, and for other purposes ...” (Introduced in House) [February 13th, 2003]
- ***S. Res. 431 ATS*** “Expressing the sense of the Senate that the United Nations Security Council should immediately consider and take appropriate actions to respond to the growing threats posed by conditions in Burma ...” (Agreed to by Senate) [September 21st, 2004]

- **H. Res. 768 EH** “Whereas the ruling State Peace and Development Council in Burma ...” (Engrossed as agreed to or passed by House) [October 7th, 2004]
- **S. Res. 3016 IS** “Asia Freedom Act of 2004.” Section 14. Sense of Congress on Democracy Funds – It is the sense of Congress that any democracy fund established by the United Nations in response to the September 21, 2004, speech by President George W. Bush to the United Nations General Assembly should be known as the “Daw Aung San Suu Kyi Democracy Fund.” [November 19th, 2004]

109th Congress

- **S. Res. 174 ATS** “Recognizing Burmese democracy activist and Nobel Peace Prize Laureate Aung San Suu Kyi as a symbol of the struggle for freedom in Burma ...” (Agreed to by Senate) [June 16th, 2005]
- **S. Res. 484 ATS** “Expressing the sense of the Senate condemning the military junta in Burma for its recent campaign of terror against ethnic minorities and calling on the United Nations Security Council ...” (Agreed to by Senate) [May 18th, 2006]

110th Congress

- **S. Res. 250 ATS** “Expressing the Sense of the Senate condemning the military junta in Burma for its continued detention of Aung San Suu Kyi and other political prisoners ...” (Agreed to by Senate) [June 22nd, 2007]
- **H. Con. Res. 200 IH** “Expressing the sense of the Congress regarding the immediate and unconditional release of Daw Aung San Suu Kyi ...” (Introduced in House) [August 2nd, 2007]
- **H. Res. 608 IH** “Expressing the sense of the House of Representatives that the United States Government should take immediate steps to boycott the Summer Olympic Games in Beijing in August 2008 unless ...” (Introduced in House) [August 2nd, 2007]
- **H. Res. 610 IH** “Expressing the sense of the House of Representatives that the United States Government should take immediate steps to boycott the Summer Olympic Games in Beijing in August 2008 unless ...” (Introduced in House) [August 3rd, 2007]
- **S. Res. 339 ATS** “Expressing the sense of the Senate on the situation in Burma ...” (Agreed to by Senate) [October 1st, 2007]

- ***H. Con. Res. 200 RFS*** “Condemning the violent suppression of Buddhist monks and other peaceful demonstrators in Burma and calling for the immediate and unconditional release of Daw Aung San Suu Kyi ...” (Referred to Senate Committee after being received from House) [October 3rd, 2007]
- ***S. Res. 2172 IS*** “Saffron Revolution Support Act of 2007” (Introduced in Senate) [October 16th, 2007]
- ***S. Con. Res. 56 ATS*** “Whereas hundreds of thousands of citizens of Burma have risked their lives in demonstrations ... encouraging the Association of Southeast Asian Nations to take action to ensure a peaceful transition to democracy in Burma ...” (Agreed to by Senate) [November 16th, 2007]
- ***H. Res. 3890 EAS*** “Burma Democracy Promotion Act of 2007” (Engrossed Amendment as agreed to by Senate) [December 19th, 2007]
- ***H. Res. 3890 ENR*** “Tom Lantos Block Burmese JADE (Junta’s Anti-Democratic Efforts) Act of 2008” (Enrolled as agreed to or passed by both House and Senate) [January 3rd, 2008]
- ***H. Res. 4286 ENR*** “To award a congressional gold medal to Daw Aung San Suu Kyi in recognition of her courageous and unwavering commitment to peace, nonviolence, human rights, and democracy in Burma” (Enrolled as agreed to or passed by both House and Senate) [January 3rd, 2008]
- ***H. Con. Res. 317 RFS*** “Condemning the Burmese regime’s undemocratic draft constitution and scheduled referendum ...” (Referred to Senate Committee after being received from House) [May 7th, 2008]
- ***H. Res. 1370 EH*** “Whereas the relationship between the United States and the People’s Republic of China is one of the most important and complex in global affairs ...” (Engrossed as agreed to or passed by House) [July 30th, 2008]

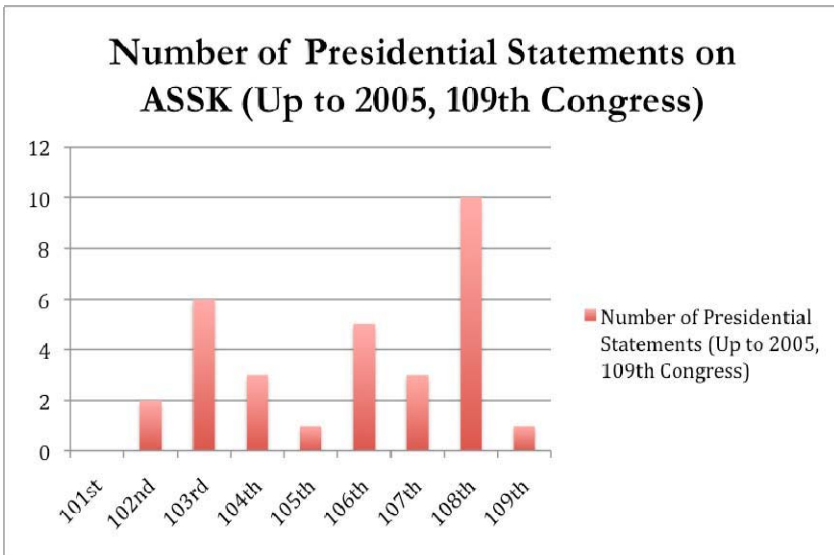
111th Congress

- ***S. Res. 160 ATS*** “Condemning the actions of the Burmese State Peace and Development Council against Daw Aung San Suu Kyi and calling for the immediate and unconditional release of Daw Aung San Suu Kyi ...” (Agreed to by Senate) [May 21st, 2009]

- **S. Res. 898 IH** “Expressing the sense of Congress regarding the immediate and unconditional release of Aung San Suu Kyi, a meaningful tripartite political dialogue toward national reconciliation, and ...” (Introduced in House) [November 6th, 2009]
- **S. Res. 840** Condemns the continued detention of political prisoners, calls for dialogue with opposition and ethnic groups, and calls for the Secretary of State to assess the effectiveness of the Obama engagement policy [April 14, 2010].

Appendix II: Quantitative Analysis of Data

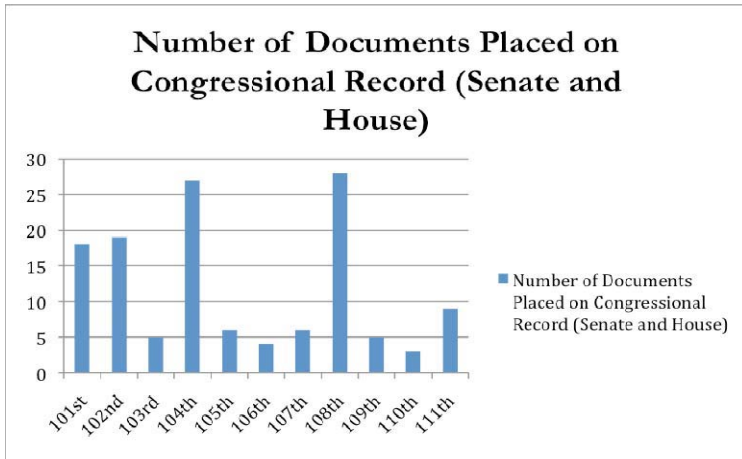
Figure 2: Total Number of Presidential Statements on ASSK (Aung San Suu Kyi): 31



Note: 101st: 0, 102nd: 2, 103rd: 6, 104th: 3, 105th: 1, 106th: 5, 107th: 3, 108th: 10, 109th: 1.

Source: Author’s own compilation.

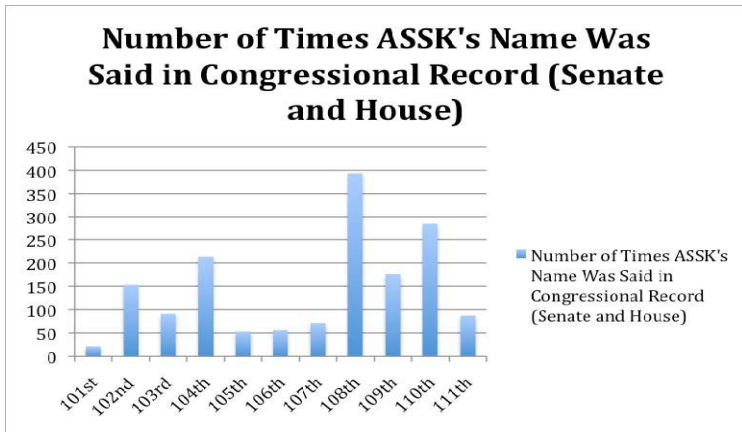
Figure 3: Total Number of Documents Placed on Congressional Record (Senate and House): 130



Note: 101st: 18, 102nd: 19, 103rd: 5, 104th: 27, 105th: 6, 106th: 4, 107th: 6, 108th: 28, 109th: 5, 110th: 3, 111th: 9.

Source: Author's own compilation.

Figure 4: Number of Times ASSK's Name Was Said in Congressional Record (Senate and House): 1,598



Note: 101st: 21, 102nd: 153, 103rd: 91, 104th: 213, 105th: 53, 106th: 56, 107th: 71, 108th: 393, 109th: 176, 110th: 284, 111th: 87.

Source: Author's own compilation.