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THE EMERGENCE OF PORK-BARREL
POLITICS IN PARLIAMENTARY MYANMAR

RENAUD EGRETEAU

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Trends in Southeast Asia

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FOREWORD

The economic, political, strategic and cultural dynamism in Southeast Asia has gained added relevance in recent years with the spectacular rise of giant economies in East and South Asia. This has drawn greater attention to the region and to the enhanced role it now plays in international relations and global economics.

The sustained effort made by Southeast Asian nations since 1967 towards a peaceful and gradual integration of their economies has had indubitable success, and perhaps as a consequence of this, most of these countries are undergoing deep political and social changes domestically and are constructing innovative solutions to meet new international challenges. Big Power tensions continue to be played out in the neighbourhood despite the tradition of neutrality exercised by the Association of Southeast Asian Nations (ASEAN).

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The Emergence of Pork-Barrel Politics in Parliamentary Myanmar

By Renaud Egreteau

EXECUTIVE SUMMARY

- Myanmar introduced in 2014 a constituency development fund (CDF) to sponsor small public works and development projects in each of the country's 330 electoral constituencies.
- As a form of “pork-barrel” spending, CDF programmes have long remained controversial among international donors, anti-corruption agencies and civil society watchdogs for their potential for corruption, embezzlement, waste of public money, vote-buying and other clientelistic behaviours.
- The CDF has however emerged in as an extremely popular instrument for lawmakers, in offering new opportunities for meeting the basic infrastructure and development needs of local communities. The scheme has also fostered more frequent interactions among parliamentarians, local bureaucrats, and citizens. Mechanisms for vetting and monitoring the CDF projects seem also to have grown stronger each year.
- Rumours about petty corruption and misappropriation cases have gradually surfaced, particularly since the National League for Democracy (NLD) took control of the legislature in 2016. Yet in the first three fiscal years of its implementation, the scheme did not lead to any known major punitive action.
- There is also not yet enough of a record to identify credible linkages between the use of CDFs and the building of an electoral clientele by politicians — another common criticism of “pork-barrel” funding.

The Emergence of Pork-Barrel Politics in Parliamentary Myanmar

By Renaud Egreteau¹

INTRODUCTION

In representative parliamentary systems, voters normally anticipate that the candidate they pick will not only address their concerns once in office, but also provide them with services and goods that only an official position in a major state institution would help secure. A large body of research has explained why freshly elected officials are therefore first and foremost expected to work for the constituents who elected them, secure new benefits for them, while preventing extant resources from being taken away from them (Fenno 1978; Cain et al. 1987; Mezey 2008, pp. 38–39). Expectations from constituents can thus run very high. More often than not, legislators are held accountable for the tangible benefits they bring to their constituencies rather than their overall legislative effectiveness or role in the scrutiny of other branches of government.

Among the legislative tools that can help an elected representative provide regular benefits to his/her constituents are district-level development funds and other “pork-barrel” spending programmes. The politics of “pork barrel” describes, in a pejorative way, the process that national-level officials use to obtain special government funds (or “pork”)

¹ Dr Renaud Egreteau is a Visiting Fellow at the ISEAS – Yusof Ishak Institute, Singapore (email: regreteau@gmail.com). He recently authored *Caretaking Democratization: The Military and Political Change in Myanmar* (New York: Oxford University Press & London: Hurst, 2016). He is grateful to Michael Montesano, Moe Thuzar, Robert H. Taylor, David I. Steinberg, Tin Maung Maung Than, Ye Htut, Mael Raynaud and the editorial team at ISEAS for their comments and suggestions for improvement of earlier drafts of this paper. He also thanks the Embassy of France in Myanmar for its regular assistance.

to finance projects benefiting their own local constituencies. They “pass on pork” by redistributing governmental tax revenues to their home districts and, in the process, hope to build a clientele of loyal voters and win re-election to office. Criticism against distributive politics and pork barrelling programmes abounds worldwide. Pork-barrel spending indeed routinely open avenues for corruption, reinforces electoral clientelism and political patronage, encourages a considerable waste of public money, while keeping politicians away from national policymaking focus.

Yet, Myanmar has recently rediscovered the practicality and value of such programmes. In 2014, new legislation introducing a Constituency Development Fund (hereafter CDF) was passed by the Union parliament, then dominated by the Union Solidarity and Development Party (USDP). Once Aung San Suu Kyi’s National League for Democracy (NLD) took control of the bicameral legislature after the elections held in November 2015, the new ruling party chose to continue the CDF scheme.² Drawing on recent field research and interviews with elected parliamentarians, this paper will investigate initial patterns of “pork-barrel” politics in Myanmar under both the former USDP government (2014–16) and the early NLD administration (2016–17).

The paper starts with a brief review of the literature on “pork-barrel politics” and the international debates on constituency-level development funds. It then analyses how the CDF scheme was introduced in post-junta Myanmar, outlines its characteristics, and provides initial evidence on how CDFs have materialized throughout the country. Finally, it interrogates whether the CDF scheme is bound to follow a trajectory similar to that observed elsewhere in the world, particularly regarding its potential for increased corruption, inefficiency, public money wastage and a broader clientelization of Myanmar’s post-junta parliamentary politics.

² MPs from the NLD sitting in the USDP-led legislature did not oppose the proposed CDF legislation when it was discussed in 2013 and 2014: Radio Free Asia, “Suu Kyi says president should not have rejected Parliament’s funding plan”, 18 December 2013.

WHAT IS PORK-BARREL POLITICS?

“Pork-barrel” legislation allows a legislative body and its members to appropriate government funds and channel them to geographically defined constituencies, instead of the entirety of the country’s citizenry. The term “pork barrel” developed in the United States after Congress passed in 1824 the Rivers and Harbors Act to fund the expansion of the country’s waterways and ports (Ferejohn 1974). In the 1800s America, salt pork and bacon stored in huge barrels were considered a feast meal for poor families and slave communities. “Delivering pork” or “bringing home the bacon” soon became metaphors for the goods and benefits one could receive “from above”, whether from a plantation owner or a benefactor — a politician for instance.

Pork-barrel spending has long epitomized — in a pejorative sense — America’s federal largesse and the distribution of government-funded services or goods to local districts by elected representatives, usually in exchange for political support (Stein and Bickers 1995). Members of Congress have routinely used their influence on Capitol Hill to amend bills or promote new legislation expanding pork-barrel spending in favour of their constituents, often in hope of a re-election (Fenno 1978; Shepsle and Weingast 1981; Stein and Bickers 1994). Pork-barrel programmes and other comparable distributive schemes normally involve localized public works and small development projects, such as harbour modernization, the construction of roads and bridges, water sanitation improvement, the renovation of hospitals and schools or the maintenance of a military base. This type of legislation, and the legislative and party politics they have generated wherever adopted, have long been criticized for three pernicious effects.

First, there is a widespread assumption that pork-barrelling practices are intimately linked to electoral cycles. Distributing “pork” and channelling government funds to one’s constituents are widely assumed to produce dividends at the ballot box, and representatives who can shrewdly claim credit for the tangible benefits they bring to their local districts can expect to be returned to office in the next electoral round (Cain et al. 1987; Stein and Bickers 1995, p. 118). Pork-barrel programmes do not cost much for either the representative who secures them or the

people who benefit from them, since these are paid from national coffers (Shepsle and Weingast 1981). However, empirical research beyond the United States has demonstrated that the linkages between the allocation of “pork” and a successful re-election can be tenuous, especially in parliamentary systems with multi-member electoral constituencies.

Second, especially in developing countries with weak state capacity, the politics of distribution and pork allocation has often opened huge avenues for corruption, embezzlement, fiscal fraud, and bribery (Coronel 1998; van Zyl 2010). Transparency, accountability, and fair competition in the selection, implementation and monitoring of pork-funded projects are routinely absent (Baskin and Mezey 2014, p. 4). Yet pork-barrel programmes are often construed as necessary evils by a legislator and considered a key asset for his/her representational activities. Although citizens and voters may have broader ideological and political concerns, but above all they have concrete demands regarding roads, hospitals, schools, or factories that can provide them with jobs. Politics is local, as the saying goes.

Third, pork-barrel funding programmes often lead to massive waste of public money and increased national debt, in developing and wealthy modern economies alike. Unnecessary or inefficient projects are often selected by elected representatives to ensure the continuity, or renewal, of the distributive schemes. Since the latter’s budget commonly originates from the state’s coffers, instead of local taxpayers, there is little incentive for pork providers to cut down costs and eliminate wasteful initiatives (Finnigan 2007).

In Westminster-inspired parliamentary systems, the politics of “pork” distribution has frequently taken the form of public spending programmes known as “constituency development funds” (hereafter CDF). These funds allocate budgetary resources to members of the national legislature that they can spend annually on specific state-funded projects in their own electoral constituencies (Baskin and Mezey 2014, pp. 5–6). CDF schemes, pork-barrel legislation and other forms of distributive politics vary significantly across countries (Stokes et al. 2013; Golden and Min 2013).

In India, MPs have promoted distributive schemes as essential tools for the delivery of public services in their constituencies, particularly remote

ones, or in areas where political tensions with the central government are rife (Keefer and Khemani 2009; Wyatt 2013; Blair 2014; Chandra 2014). The allocation of “government pork” has also been used for decades by politicians in Japan and South Korea (Fukui and Fukai 1996; Sheiner 2005; Kang 2015). It has proven a key tool allowing government parties to build and consolidate large clienteles of dedicated supporters willing to loyally vote for them, in poll after poll, in exchange for government largesse. Pork-barrel practices and constituency development funds have been met with stronger criticism in the Philippines (a former U.S. colony) and the Solomon Islands, where political clientelism, corruption and the waste of public money have proven endemic (Coronel 1998; Cox 2009).

INTRODUCING CDFs IN POST-JUNTA MYANMAR

Development funds are no stranger to postcolonial Myanmar. Under the *Pyidawtha Plan*³ adopted by U Nu’s first post-independence government in 1952, Pyidawtha Discretionary Funds were introduced to finance local development projects, such as irrigation works, well digging, and the construction of bridges and schools. Public grants were allotted annually to each township to a total sum of 50,000 kyats (Furnivall 1960, p. 106; Myat Thein 2004, p. 47). Several other development funds were subsequently outlined, or redefined, by law. They included the Regional Economic Development Fund (1960, repealed in 2014), the Poverty Reduction Fund, the Area Development Fund, and the Rural Development Fund — the latter introduced by General Ne Win’s Revolutionary Council in 1962 (Robertson, Joeline and Dunn 2015, p. 8). None, however, directly involved elected parliamentarians. Instead, these funds were managed by government officials at various administrative levels.

The constituency-level development funding programme currently in place in Myanmar started to be discussed in 2013. The new Union

³ Or “Happy Land”, an eight-year national welfare plan highly publicized in the 1950s.

parliament formed after the disbanding of the military junta two years earlier, initiated the debate. Thura U Shwe Mann, the inaugural speaker of the first post-junta lower house (or Pyithu Hluttaw), is rumoured to have gotten the idea from a parliamentary study tour of the Indian parliament he carried out in late 2011 (Fink 2015, p. 348). The lower house approved a first draft bill introducing a CDF scheme in April 2013. It sent it to the upper house (or Amyotha Hluttaw), which in turn adopted a similar text later that year.⁴

However, the proposed legislation started to encounter unexpected opposition. Military-appointed MPs in both houses voted against the initial bill, which also garnered staunch resistance from the Union government. President Thein Sein indeed contested its constitutionality and refused to sign it into law.⁵ Not opposed to the concept itself, the executive branch and the military representatives were specifically concerned that individual legislators — and thus the legislative branch — would be enabled by the new law to carry out administrative duties usually attributed to the executive organs, without the possibility of oversight. As the initial text of the bill stipulated, elected representatives would be permitted to use public services and the local administration to open bank accounts and implement public works projects in their own constituencies. This was considered by the presidential office a breach of the principle of separation of powers. Personal rivalries internal to the ruling USDP, particularly between Thura U Shwe Mann, whose ambitions were to empower the new legislature he had been presiding over since 2011, and the president of the Union, U Thein Sein, also explained the extensive debates over this new CDF scheme.

A new bill was introduced during the USDP parliament's ninth session and passed by the Amyotha Hluttaw in February 2014.⁶ The

⁴ Interview with a member of Amyotha Hluttaw's Bill Committee, Naypyitaw, January 2014.

⁵ *Myanmar Times*, "Vote-buying fears over MP funds plan", 15 December 2013.

⁶ *Myanmar Times*, "Upper house passes constituency funding bill", 12 February 2014.

revised version was eventually signed into law by the president a month later.⁷ It had added stricter financial guidelines and enabled the General Administration Department (GAD) to be more clearly involved in the process of disbursing the CDFs.⁸ A public servant — not an elected parliamentarian — would be assigned to withdraw the money for disbursement at the local level. The funds were to be placed under the supervision of the Finance Department of the Pyidaungsu Hluttaw Office in Naypyitaw. National and subnational MPs, and each township’s administrative and municipal structures, were mandated to report annually to the Office of the Auditor General and the Union legislature on the distribution and use of these funds.⁹

The management of CDFs was to be supervised by an appointed Township Development Implementation Committee — thus responding to the initial concerns of President Thein Sein’s office. The township-level committee gathers the four parliamentary representatives that each of the 330 constituencies elects (one legislator in the Pyithu Hluttaw, one in the Amyotha Hluttaw, and two from the subnational parliaments) as well as representatives from the local administration (GAD, Department of Rural Development, municipal officers in Yangon or Mandalay). Trustees can also be selected by each committee. The committees are chaired by the elected representative of the constituency at the Pyithu Hluttaw. MPs are supposedly free to select projects of their choice every year. Sub-committees down to the village level can be formed to discuss development projects, although this has not been stipulated in the law.¹⁰ Needless to say, this joint management at the township level requires intense bargaining and compromise, in particular when the

⁷ Development Fund Law for the Pyidaungsu Hluttaw No. 9/2014 (12 March 2014).

⁸ *Myanmar Times*, “MPs agree to amend constituency funding program”, 8 February 2014.

⁹ *Myanmar Times*, “Townships fail to report on funding program”, 13 June 2014.

¹⁰ In practice they are formed, and MPs frequently gather these sub-committees to get their views: interview with a NLD regional MP from Yangon legislative assembly, Yangon, March 2017.

four representatives of the same township belong to different political parties.¹¹

The law carved from the Union budget an annual fund of 33 billion kyats (around S\$33 million) and allowed the CDFs to be disbursed equally in each of the country's 330 townships. Each electoral constituency would thus receive an annual sum of 100 million kyats (S\$100,000) to be spent on public works (Robertson, Joelene and Dunn 2015, p. 11). The CDFs were designed to promote community-based projects chiefly focused on electricity access, water sanitation and the construction of basic infrastructure such as roads, bridges, and schools. Individual projects — to be carried out by local community actors rather than state contractors or the Ministry of Construction — were capped at 5 million kyats (S\$5,000) a year.¹² Out of the annual 100 million kyats budgetary allocation, MPs could therefore develop a minimum of twenty programmes every fiscal year in their constituencies.

Military MPs once again voted against the amendments put forward in parliament in 2014, arguing that proper legislative mechanisms were not followed by both the executive and legislative branches. Startlingly, the funding plans were introduced and implemented in 2013, well before the final draft of the CDF bill was passed and signed into law in March 2014.¹³ A new series of amendments adopted in October 2014 clarified the mechanisms for auditing the programmes, tasking the regional branches of the Office of the Auditor General to report to the Union legislature and the president's office simultaneously whenever requested to supervise or audit reports of development activities.¹⁴

¹¹ Interview with a legislator from the National Democratic Force (NDF) elected in the Yangon regional parliament, Yangon, March 2015.

¹² A project which is not achievable in one year cannot be funded over two consecutive fiscal years.

¹³ A separate budget had already been provisioned for the 2013–14 fiscal year, according to U Ye Htut, former presidential spokesman (2013–16). In conversation with author, Singapore, 27 April 2017.

¹⁴ Law Amending the Pyidaungsu Hluttaw Development Fund Law No. 48/2014 (23 November 2014). See also *Global New Light of Myanmar*, 12 November 2014, p. 2.

THE DISTRIBUTION OF BENEFITS TO CONSTITUENTS: SOME EMPIRICAL EVIDENCE SINCE 2014

With pork-barrel types of legislation, elected representatives in developing countries are able to rapidly render tangible, visible benefits to their own constituencies. The substantial majority of Myanmar’s Union-level and state or regional lawmakers interviewed since the inception of the CDFs in early 2014 have expressed positive feedback and proved eager to make the most of these barrelling opportunities. Many have proudly defended the constituency work they have conducted through the newly introduced plan. After the 2015 polls it resoundingly won, the new NLD leadership decided to continue the scheme.¹⁵ Despite international criticism, CDFs are said to have directly empowered elected representatives and permitted them to delivery valuable public goods and services, even if selectively, to their home districts through the country.

If well advertised, a small, promptly executed and efficient local project can show that a freshly elected official holds the power to act and bring about change in a society long perceived to be under the full control of distant, unapproachable “powers that be”. “I work hard for my constituency”, said U Shu Maung, a USDP delegate elected in 2010 from Pindaya constituency, Shan State.¹⁶ There, he proudly claimed, he has ordered the construction of paved roads to promote greater connectivity with the touristic areas of Taunggyi, Kalaw and Inle Lake, further south. Another USDP legislator in the first post-junta upper house (2011–16) from Kamaryut constituency (Yangon) also celebrated the several, even if modest, projects he had set up there. Consisting mostly of street (re)pavement, the construction of sewer pipes and free public toilets,

¹⁵ Already when the idea of a constituency development fund was first discussed in parliament in 2013, the NLD representatives in the assembly did not object: Radio Free Asia, “Suu Kyi says president should not have rejected parliament’s funding plan”, 18 December 2013.

¹⁶ Interview, Yangon, February 2015. He ran for a re-election in the same constituency in November 2015 but was defeated by a NLD candidate.

these developmental activities have won him better acknowledgement from the local population, he had argued: “I talk to the people as an MP, not as a USDP member.”¹⁷

Daw Dwe (Doi) Bu, an ethnic Kachin elected in the USDP-dominated legislature, was also extremely proud of what she had secured for her constituents. With her development funds, she brought solar panels to Injyangyang, a remote Kachin State township near the Chinese border. She also built three primary schools there.¹⁸ N’Hpung San, an ethnic Rawang politician from Machanbaw, Kachin State, used CDFs to house elementary school teachers who were assigned to his far-off township in the Himalayan foothills.¹⁹ Daw Phyu Phyu Thin, a veteran NLD politician elected in a constituency of northern Yangon in the 2012 by-election, has expanded basic health care services there (Fink 2015, p. 347). The trend has continued with the new batch of parliamentarians elected in 2015. Daw Kyi Pyar, a young tech-savvy woman elected from the NLD in Yangon’s regional parliament, has endorsed the installation of CCTVs in back alleys and dirty streets in her downtown constituency.²⁰ The choice of CCTVs was made with the intent of reducing crime and littering as well as providing an enhanced sense of safety for women, she reasoned.

The mechanisms of the CDFs seem to have grown stronger each year, interviews have revealed. Discussions about project selection within township-level committees and quarter- or ward-level sub-committees have in many areas become increasingly methodical, and more frequent.²¹

¹⁷ Interview, Naypyitaw, April 2015. He however retired in 2015 and did not run for re-election.

¹⁸ But this effort would be too little, she lamented, unless the state could bring in well-trained teachers to look after the pupils of these newly built schools. Interview, Naypyitaw, February 2015.

¹⁹ Interview, Naypyitaw, July 2014.

²⁰ Interview, Yangon, March 2017.

²¹ Interview with an NLD representative from Sagaing Region in the Amyotha Hluttaw, chair of the Implementation Committee in his constituency given the absence of the lower house MP, Naypyitaw, November 2016.

Elected legislators now commonly consult with engineers, architects, and the private sector as well as village headmen and representatives all year round before selecting which development works to fund.²² This has not prevented criticism from emerging, though, about the efficiency of the CDF-funded projects, and the way they are annually chosen and managed by MPs and township officials.²³

Indeed, dialogue tends to remain limited, or even bluntly top-down, in certain remote constituencies, where the local bureaucracy remains either lethargic or under the full control of the GAD and the military institution.²⁴ Moreover, CDFs are by law equally distributed to each township every year. Elected representatives from poor, usually rural, constituencies comprised of hundreds of villages have started to complain that their home districts deserve more developmental support than, say, the wealthy quarters of the Golden Valley in Yangon (Bahan constituency). Regional disparities have indeed often been stressed by MPs.²⁵ Legislators, especially freshly elected ones, have also realized how cumbersome and time consuming the whole annual process of selecting, vetting, reporting, and maintaining financial records of the CDFs can be. However, the two main issues of concern commonly raised against CDFs by international experts and the good governance community — i.e., corruption and the entrenchment of political clientelism through pork-barrel practices — do not appear to have much alarmed Myanmar’s current legislative and political elites.

²² Interview with one of the MPs representing the constituency of Hmawbi, north of Yangon, where he chairs the Township Development Implementation Committee, Naypyitaw, November 2016.

²³ See, for instance, a series of controversies in Chaungzon constituency, Mon State: Mon News Agency, “MPs in dispute over development fund”, 8 July 2016.

²⁴ Interview with an ethnic Zomi legislator from a Chin State constituency, Naypyitaw, June 2016.

²⁵ This seems quite a duplicitous argument (though commonly heard) as there are other types of funds only available to rural areas such as the Rural Development Fund and the Area Development Fund, the latter being distributed by the military-controlled Ministry of Border Affairs.

CDFs AND CORRUPTION

International studies of parliaments using CDFs and other pork-barrel programmes have long recognized several flaws, including the potential for corruption. International organizations and civil society groups have in recent years been actively engaged in research and advocacy around CDFs devised in developing countries (Gikonyo 2008; IPB 2010). Wherever CDFs have been implemented in the world, the embezzlement of resources, fraudulent financial reports, bribery, and kickbacks from contractors working on selected projects, and all sorts of corrupt practices have been detected. Experts have thus pointed out the necessity of devising strong guidelines for ethical and transparent use of such public funds. When Myanmar’s lawmakers started to discuss this novel CDF scheme in 2013, they received early warnings from international donors and the NGO sector.²⁶

In the first three fiscal years of its implementation though, Myanmar’s CDF scheme did not lead to any known major punitive action. Nevertheless, rumours about a myriad of local corruption cases have gradually surfaced, particularly since the NLD took control of the legislature in 2016. In February 2017, the ruling party announced it had launched an internal investigation against about 150 of its elected representatives. Letters of complaint and public objections against NLD members have increasingly been linked to the management of the CDFs, a party leader has admitted.²⁷ However, no case has yet been taken to court and no punitive measures have been publicly announced (as of May 2017). In a society where rumours are rife, complaints are routinely filed without much solid evidence — including in letters sent directly to the Union parliament by citizens.²⁸

²⁶ *Myanmar Times*, “Vote-buying fears over MP funds plan”, 15 December 2013.

²⁷ Htun Htun, “Complaints filed against nearly 150 NLD lawmakers in Parliament’s first year”, *The Irrawaddy*, 23 February 2017.

²⁸ Interview, MP from the upper house’s Public Complaints Committee, Naypyitaw, November 2016.

Recent interviews have nonetheless revealed a vast array of anecdotal evidence of abuses and misappropriation, especially in Myanmar’s rural areas. Every year, once CDF projects are selected by MPs and approved by township-level development committees, a tender system is used to choose contractors. This is precisely at this moment that opportunities for corruption habitually emerge. Tendering for construction projects and public works is often an opaque business involving the fraudulent inflation of costs, the bribery of public officials, and nepotism. One NLD member elected in 2015 laughed during an interview that in “previous times”, a kickback of 4 lakhs kyats for a construction project worth 50 lakhs kyats was common practice.²⁹ Given Myanmar’s low level of economic development, its deep-rooted and multi-dimensional corruption, as well as its appalling record concerning the rule of law, malpractices seem inevitable.

Yet initial positive dynamics should not be overlooked, especially given Myanmar’s legacy of top-down authoritarianism. The fact that individual citizens and local community-based associations can (and do) lodge complaints or seek clarification on the management of funds, is a promising sign of progress towards more local participatory governance.³⁰ If the ruling party’s leadership or individual MPs can also pinpoint to, and prevent, any financial mismanagement of the CDFs at the local level, this would also prove a welcome step forward. Already MPs, especially at the Union level, have coped with a steep learning curve. Annual financial reports on the use of, and expenditures linked to, the CDFs have been more and more meticulously prepared by townships officials and better understood by lawmakers.³¹ There appears to be a better grasp of what

²⁹ 1 lakh is 100,000. Interview, NLD representative from Ayeyarwady delta constituency, Naypyitaw, March 2017.

³⁰ *The Irrawaddy*, “In township development, civil society seeks a voice”, 26 December 2013.

³¹ Interview with an NLD representative in the lower house from downtown Yangon, Naypyitaw, March 2017.

best practices and good local governance imperatives must be, at least among informed MPs.³²

Furthermore, Myanmar's Office of the Auditor General is, by law, involved in the auditing and scrutiny of the CDFs. It reports annually to the Union parliament on CDF management. The fourteen regional branches of the Office have similarly been empowered to carry out decentralized oversight of all projects funded. Finally, Myanmar's NGO and civil society sector, along with the international donor community, has proven increasingly willing to provide assistance, and advice for the monitoring of a scheme that has long been denounced internationally as a recipe for corruption, but also recognized as a popular transformative instrument in most developing countries.

CDFs AND THE CLIENTELIZATION OF POLITICS

A second major element that international critics of CDFs and other pork-barrel spending programmes have long underscored is the contribution of the latter to the development of electoral clientelism and political patronage. As claimed in the U.S. political context by Stein and Bickers (1994, p. 377), “distributive benefits count”. It is indeed widely assumed that a politician who can shrewdly claim credit for the tangible benefits s/he can bring to her/his own district — to the detriment of national taxpayers or other constituencies — can be rewarded at the ballot box and returned to office. This is even more manifest under electoral authoritarianism or in fragile democracies, where vote buying can be the main tool for the political mobilization of the electorate (Blaydes 2011).

More generally, authors have stressed how, under different parliamentary systems, CDFs could enhance the clientelistic dimensions of the relationship an elected representative builds with his/her

³² Interview with a civil society leader elected in the lower house from a northern Yangon constituency, Naypyitaw, March 2017.

constituents.³³ Far from being altruistic, the distribution of benefits and the allocation of resources can also be construed as a self-serving, if not venal, instrument for politicians. There is ample evidence around the world of the use of annual discretionary funds granted to parliamentarians as “personal slush funds”, meant to subtly build an electoral base and enlist political support (Miners 1971; Fukui and Fukai 1996; Coronel 1998; Cox 2009). However, it has been established that pork-barrel programmes and CDFs do not necessarily *create* patronage politics and clientelistic behaviours (van Zyl 2010). Rather, they tend to *reinforce* already existing patron/client relationships in societies traditionally based on various forms of social and political clientelism.

In developing and modern countries alike, the scope for political patronage is often linked to a lack of public services or resources, and the absence of enforced rules for the allocation of public goods and benefits. However, as in the case of contemporary Myanmar, many other elements contribute to the shaping of clientelism and the politics of patronage, such as the charisma of an individual, the power of coercion or various markers of ethnic and religious belonging (Chandra 2014). While evidence of clientelistic behaviours may be detected during elections, it is nevertheless difficult to measure the impact and electoral value of political patronage. A longitudinal analysis is often required to understand the influence the distribution of benefits can have over the electorate and the presence, and extent of vote buying practices. Several rounds of elections must often be thoroughly studied.

In post-junta Myanmar, there is not yet enough of an electoral record to enable measurement of the influence of various forms of clientelism over the country’s re-emerging electoral processes. A handful of recent studies have pointed to the (re)emergence of clientelistic behaviours in the country’s new legislative politics, but without thoroughly investigating how the politics of patronage has influenced politicians

³³ Particularly in systems where electoral constituencies have a single representative in a legislative assembly (single-member district), instead of two or more (multi-member district).

and their electorates since 2010 (Fink 2015; Egreteau 2014 and 2017). Definitive conclusions on the linkages among distributive politics, the recent use of CDFs and subsequent re-election are impossible to draw from the sole reasonably free and fair election held soon after the new CDF legislation was introduced in 2014. Indeed, the polls organized in November 2015 were first and foremost a vote against the old military-backed elites and a massive plebiscite in favour of Aung San Suu Kyi (Barany 2016). Securing tangible benefits for the voters seldom proved a valid electoral strategy for Myanmar's incumbent MPs. In fact, less than 13 per cent of the civilian lawmakers elected in 2010 were returned in the Union parliament five years later.

Most incumbent legislators, particularly those from the then ruling USDP spent lavishly in their constituencies during their five-year tenure, either through their own personal patronage networks, the party coffers or through the CDF scheme after 2014.³⁴ But the military-backed party was almost wiped out from the Union legislature after the 2015 polls, garnering only 41 seats in the two chambers. Very few incumbent lawmakers — including those from ethnic-based political parties — could secure re-election, even in providing original benefits and sponsoring local development projects thanks to CDFs, while openly claiming credit for having brought for the first time to their constituency these much-needed public services. Other elements had to be taken into account.

U Shu Maung, the USDP representative for Pindaya constituency mentioned earlier, failed to retain his seat in the upper house; and this despite the impressive number of development projects he had secured for his township. Neither did his extensive patronage networks (he was a retired army officer) or his ethnic-based political activism (he belonged to the Danu ethnic group, like the majority of his constituents) enable him to resist a vote in favour of his NLD opponent in 2015. Likewise, Daw Doi (Dwe) Bu, from the Unity and Development Party-Kachin State (UDP-KS) proved extremely proud of the public works — including

³⁴ Interview with a USDP representative in the upper house, Yangon, August 2015.

solar panels — she brought to her war-torn constituency, Injanyang, Kachin State.³⁵ Yet she subsequently lost her lower house seat in 2015. Much other anecdotal evidence has shown that the suggestion that the CDFs directly generated dividends at the ballot box for incumbent MPs in November 2015 appears very weak.³⁶

Subsequent elections may provide more solid empirical indications about the linkages among the effective work and constituency services (including the delivery of goods through CDFs) that Myanmar's backbenchers have carried out, their personal clientelistic networks and party affiliation, and the country's electoral cycles and voting patterns. After five decades of military rule, the country still appears to bear a high potential for entrenched patronage politics in ways observed elsewhere in Southeast Asia (Coronel 1998; Tomsa and Ufen 2013). Myanmar's ongoing transition from direct military rule to "something else" is indeed taking place in a societal environment that has long favoured the personification of power and traditional clientelistic ties of social and political dependence; and at all levels of society (Nash 1965). But the significance, forms, and functions of political clientelism in present-day Myanmar remain mostly unexamined. Its influence on the current post-junta political process is unknown, a matter of speculation at best.

Moreover, the presence of a towering figure in Myanmar's contemporary politics — that of Daw Aung San Suu Kyi — will most probably continue to shuffle the cards in upcoming elections. As long as she remains a key player on her country's political stage, the result of national elections may well remain more dependent on her stature than on the power of localized clientelism and the individual performance of MPs. Also, subnational and national elections are currently held at the same time in Myanmar, and scheduled every five years, which is a

³⁵ Interview, Nay Pyi Taw, February 2015.

³⁶ In the run-up to the 2015 general elections, U Chit Win argued otherwise, speculating that the CDFs scheme would instead work in favour of incumbent candidates from the ruling USDP: see Chit Win, "Myanmar's ruling party gambles on incumbent lawmakers", *Nikkei Asian Review*, 20 October 2015.

rather long electoral cycle. Shorter electoral cycles, and the dissociation between local and national polls, tend to increase the influence and visibility of pork-barrel politics.

Odds are therefore that clientelism and electoral patronage will not become the dominant factor shaping the distribution of public goods and services through the CDFs programmes in Myanmar. This does not mean CDFs will not have any impact on Myanmar's future electoral processes and the choice of political leaders. Popular candidates may still be returned to office because they are credited with the capture of tangible resources for the local community, particularly in ethnic areas. And similarly, incumbents can also be ousted for lack of adequate responses to local needs, or because they have been indicted for corruption directly associated with the misuse of CDFs. Too much "pork", the delivery of "bad pork", or the misappropriation of pork-barrel funds can commonly cost a party or candidate an election. For example, despite decades of successful pork allocation to constituencies, the electoral supremacy of Japan's dominant party since the end of the Second World War, the Liberal Democratic Party (LDP), has dramatically shrunk over the years (Pempel 2010). Furthermore, as an emerging body of research has highlighted, a dose of political clientelism in young democracies can foster participatory processes through a broader civic engagement of informed voters, who are not necessarily coerced into the politics of patronage, but can also make the conscious choice of supporting a politician in exchange for specific benefits (Kitschelt and Wilkinson 2007; Hilgers 2012).

CONCLUSION: WHERE DO WE GO FROM HERE?

As in other developing societies where constituency-level development funding programmes have been introduced, the CDF scheme adopted by Myanmar's Union parliament in 2014 has emerged as an extremely popular instrument for elected lawmakers. This present study is only a preliminary report on Myanmar's emerging pork-barrel practices, but it can however be already noted that the new CDF scheme has provided important mechanisms for Myanmar's new breed of parliamentarians to connect with their constituents on a regular basis. It has offered new

opportunities to discuss the basic infrastructure and development needs of each township throughout the country. This has also encouraged more dialogue among regional and national legislators representing the same constituency, but in different assemblies, which can prove a challenge when all belong to rival political parties. Not all areas in the country have witnessed such positive developments, though. Many townships remain affected by conflict and excessive militarization, or simply do not benefit from the activism of their elected representatives.

Furthermore, criticism of these types of pork-barrel funding programmes abounds, and the learning curve of MPs, township-level administrators, and various Union-level bodies such as the Office of the Auditor General and the bicameral parliament, has proved steep. This has been particularly manifest with regard to the annual vetting and financial reporting of CDFs and the broader awareness among all political and administrative actors involved of the common flaws such pork-barrelling programmes have generated around the world. International NGOs and the good governance community have provided increased inputs to encourage better monitoring of CDF projects in Myanmar and urge the development of stronger safeguards against potential malpractices.

Allocating “pork” is what members of young, emerging legislatures like to do. They bring targeted, tangible — even if small — benefits to their constituents, without increasing their taxes. The distribution of public services or developmental goods by elected MPs is usually visible and comprehensible to constituents — more than the abstruse vetting of annual budget documents inside the walls of a parliament, or the closed-door committee discussions of draft bills dealing with issues unrelated to the daily life of one’s constituency. Despite criticism, odds are that the CDF scheme will thus be continued in NLD-led Myanmar, and beyond.

Therefore, to address familiar deficiencies of such distributive programmes, the legislation can be strengthened through a series of new amendments, while international capacity-building trainings on CDFs’ best practices can be expanded to improve the management of these funds in Myanmar, instead of scrapping the extant law. Finding the right forms of accountability in the selection process and the vetting of potential or completed projects will be key to the continuation of this popular programme.

Transparency, accountability, and the powers of institutions tasked with the auditing and oversight of the CDFs must, and can, be strengthened. Also, where the electorate is ill-informed and institutions (including political parties) are weak, vote buying and clientelism tend to be rife and corruption is more likely to occur. Public information, participation, and monitoring, especially at the township level down to the village or tract level, must therefore be expanded in Myanmar. After all, CDFs may provide its citizens with a rare opportunity to be involved in their own local community development, foster a novel form of “bottom-up” participatory governance after years of top-down authoritarianism in the country, whilst proving a valuable instrument holding its policymakers more accountable than they have ever been.

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