

A Theory of Elite-Initiated Democratization, Illustrated With the Case of Myanmar

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Abstract

We analyze a model of elite-driven democratization, illustrating its logic and implications with the case of Myanmar. In the model, continued dictatorship is costly and inefficient due to risk of a violent rebellion and increases in aid, trade, and geopolitical support that may follow democratization. But the autocrats fear that fair elections would lead to their marginalization. We argue, contrary to a common suggestion, that paper constitutions that provide veto points for the elite are not by themselves sufficient protection. Top-down “democratic transitions” are rather cases of power-sharing in which the elite retains direct control of rent streams that the opposition cannot unilaterally seize just by changing laws. As the military’s coup threat declines over time, democracy may endogenously consolidate, though clear signals of consolidation can prompt attempts at autocratic reversion. The prospect of increased international benefits makes top-down transitions more likely, though only when post-transition rent-sharing is feasible.

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1 Introduction

The core of Acemoglu and Robinson’s (2000, 2001, 2006) influential account of democratization goes as follows. An autocratic elite faces periodic threats of “bottom up” revolution in the form of mass protests or other major collective action. In these moments when the danger is high, the elite would like to promise to redistribute more in the future to avert a rebellion. But all know that after the moment of collective action passes, the elite would renege and backslide. So to avert a costly revolution, they may offer to democratize, instituting an electoral system or extending the franchise so as to credibly assure the poorer classes of future redistribution. In this account, whether the elite want to democratize depends on the extent of economic inequality (which affects how much they would be “soaked” after transition) and random factors affecting the occurrence and frequency of mass protests.¹

We develop an alternative account that instead sees the *opposition’s* commitment problem – how to credibly guarantee the elites enough future rents to make transition worthwhile – as the critical obstacle. To illustrate, allow the opposition in Acemoglu and Robinson’s model (the “median voter” in their game) to set a different tax rate on the old elite after democratization, or otherwise use state power to expropriate or prosecute the old elite once the opposition controls the government. Then after democratization the new government will push the old elite down to their reservation value for a coup attempt. If this value is expected to be worse than their value for continued autocracy – when the elite still controls the state’s coercive powers – they would not want to allow a transition in the first place. They would rather try to repress the rebellion.²

A common way that autocratic elites try to solve this dilemma is by writing and implementing an “autocratic constitution” intended to structure post-transition politics so as to protect and favor the elite’s interests (Albertus and Menaldo, 2018). By itself a paper constitution is not enough, however, even if it formally gives veto powers to the old elite. After transition, the opposition could simply declare the piece of paper illegitimate (imposed by the autocrats) and proceed to price the old elite or

¹Boix (2003) also argues that income inequality impedes democratization due to resistance of the rich, stressing in addition the mobility of the elites’ economic assets (which affects how much they can be productively taxed).

²Acemoglu and Robinson restrict attention to linear tax rates, which has the effect of protecting the elite from full expropriation after democratization. Acemoglu and Robinson (2001) contains a different kind of opposition commitment problem than what we highlight here, one related to the inability of a democratic government to commit to low enough taxes to forestall coups when the elite’s coup motivation or capability is assumed to vary randomly over time. Our argument, by contrast, centers on the commitment problem generated by expected permanent declines in elite capability to coup following their departure from the state house.

military down to their coup value.

We argue that to solve the core commitment problem, the transition needs to leave the old elite in direct control of a sufficient stream of rents, so that the onus of violent escalation to change the terms *ex post* would be on the opposition. We develop a dynamic model that fleshes out the strategic problem and identifies conditions under which this form of “top-down,” elite-led democratization – which is really *power-sharing* and at best partial democratization – would be more or less likely to occur. We show that its end point is either full democratic consolidation or a reversion to autocracy. The contrast is to “bottom-up,” revolution-driven democratization, which can also occur in our model for parameters such that the autocratic group finds power-sharing too risky.

In an extension, we show that the international community can – and, we argue, sometimes does – promote top-down democratization by conditioning aid, investment, or military and other geopolitical support on democratic openings. Such inducements would have no effect on the autocratic elite if after transition an opposition in control of government could push them down to their coup value. In that case, the opposition would extract all the benefits offered by the international community. But if *de facto* power-sharing leaves sufficient rent streams in the direct control of the old elite, then the increased “pie” that comes with internationally supported democratization makes transition via autocratic constitution more attractive.

After reviewing related literature in the second section, Sections 3-6 present a sequence of models, beginning with the result of no top-down transitions without rent-sharing via an autocratic constitution; then the core rent-sharing model; then extensions that consider autocratic reversion and the role for the international community. In Section 7 we argue that the strategic logic of the model is both well illustrated by and helps to make sense of puzzling features of the failed democratic transition in 2010s Myanmar.

2 Related literature

Acemoglu and Robinson (2001) similarly analyzed political transitions as a pie-division problem, where the “pie” refers to economic and policy rent streams obtainable by control of government (such as taxes). They start with an impediment to peaceful divisions that our framework shares: Neither the incumbent autocratic leader nor any democratic leader who would replace them can commit to a future

division of the pie with their political opponents. In their framework, when no allocation of today's pie would dissuade violent revolt, the autocrat may find it better to grant the opposition pie-allocation power instead, in an all-or-nothing manner. This is what they call a democratic political transition. Such transitions occur only in response to irresistible (but temporary) force from the street.

In our framework, by contrast, the threat from the street is small, stationary, and would never precipitate transition were it not for the fact that democratization allows the pie to expand. Autocrats thus want to democratize only if they can guarantee themselves protection and a share of that expanded pie in the future. They do this by *democratizing as rent sharing*, retaining for themselves direct control of some rent streams while offering others to the opposition. We will often call this "power sharing" because the former autocrat retains de facto power over significant parts of the economy, even if formal, de jure powers have been conferred on a newly elected legislature. The new opposition government could choose to use force to challenge the old elite's de facto control of rents. But doing so is costly and risky, since the old elite retains some capability for organized violence, especially in a military regime.

The lack of any real threat from the street and the voluntary renouncing of power by the autocrat due to the pie-expanding aspect of democratization that we emphasize better represents "top down" political transitions like those of Myanmar in the 2010s. A central aspect of these is the capacity to threaten for power that remains with the ex-autocratic group even when formally removed from office. As we will see, this threat is key to supporting the rent-sharing agreed upon in the political transition. This is another contrast with Acemoglu and Robinson (2001) where, in an extension of their model, they allow for exogenously imposed constitutional restrictions on the actions taken against former autocrats. In our framework, any such commitments made by the opposition must be self-enforcing, through what amounts to a balance of coercive capabilities. Constitutions by themselves have no constraining power, although they may be important for publicly defining terms of the deal.

We are certainly *not* the first to note the importance of what we call here the opposition's commitment problem for democratization. In her influential analysis "What Have We Learned about Democratization after Twenty Years?", Barbara Geddes commented that "The basic problem facing exiting dictatorships is that the agreements they make during transitions are usually unenforceable once the transition is complete. Much of their bargaining power disappears the minute they leave office" (Geddes, 1999, 137). Her focus, however, was not on how the commitment problem is resolved.

Instead, she proposed a typology of authoritarian regimes – military, personalist, and single-party – and developed arguments about how they characteristically transition. She noted that the constitutional guarantees that military and single party autocracies have negotiated “seemed very important at the time and may well have hastened the transitions” (p. 137), but they have sometimes gradually lapsed or broken down.

This same empirical pattern emerges endogenously in the equilibrium of our model, where such breakdowns in transition terms are anticipated by both parties and correspond to democracy gradually consolidating. This happens when the military’s coup threat has declined so much that the rent-sharing division is no longer incentive compatible for the elected government. If far enough in the future and sufficiently gradual, it will not put the autocrat off transition. On the other hand, dramatic declines in the former autocrat’s coercive capability, especially if signaled beforehand by public events, may trigger a coup on the transition path. Even when this possibility is well understood by both autocrats and opposition leaders, it can still be worthwhile to attempt democratization.

We are also indebted to work by Albertus and Menaldo (2013, 2014, 2018), who have systematically coded democratic transitions employing “autocratic constitutions.” We will take a top-down or elite-led transition to be a transition to democracy that is governed by an *autocratic constitution* in their sense – that is, by a constitution written under the old regime by agents of the autocratic elite, that governs the transition and the terms of the new democracy for some time. By Albertus and Menaldo’s (2014) codings, 39 of 80 democratic transitions since 1945 were elite-led in this sense (49%). Some examples are given in Table 1, along with Geddes, Wright and Frantz’s (2014) coding of autocratic regime type.

Albertus and Menaldo find that transitions via autocratic constitution are associated with significantly better post-transition outcomes for the outgoing dictator (2014);³ more restricted suffrage and more inegalitarian and discriminatory policies (2018, chapter 4); and greater economic inequality and less redistribution through social spending (2011 and 2018). They also observe that these top-down transitions are much less likely to occur following a popular revolution (2018, chapter 4; see also Geddes 1999).

Albertus and Menaldo see autocratic constitutions precisely as means of lessening the opposition commitment problem. But they do not directly address how these pieces of paper manage to solve the problem if, as Geddes put it, the old autocrats’ bargaining power will disappear “the minute they leave

³Debs (2016, 75) shows that this also holds true for military leaders who democratize (relative other types of autocracy).

Table 1: Examples of transitions with and without autocratic constitutions

country	year	leader	Geddes regime type
Transition with autocratic constitutions			
Turkey	1983	Evren	military
Sudan	1986	Nimeiry	military
Chile	1990	Pinochet	military
Burundi	1993	Buyoya	military
Indonesia	1999	Habibie	single party
Mexico	2000	Zedillo	single party
Yugoslavia	2000	Milosevic	single party
No autocratic constitution			
Costa Rica	1949	Calderón/Picado	personalist
Philippines	1986	Marcos	personalist
Panama	1988	Noriega	military
Poland	1988	Jaruzelski	single party
Ghana	1992	Rawlings	personalist
Malawi	1994	Banda	personalist
Peru	2000	Fujimori	personalist

office.”⁴

As far as we know Sutter (1995) is the only formal analysis of the opposition commitment problem. In his model, like ours, the problem may be solvable for a military regime, but for a different reason than our de facto power-sharing mechanism. He assumes that reneging by the new leaders is either all or nothing, so the military can credibly threaten to intervene if the new government reneges. But as the case of Myanmar will illustrate, reneging does not have to be all or nothing. A post-transition government can in effect price the military down towards its coup value by subtle adjustments to the original deal. In Sutter’s model, this would imply that the opposition’s lack of commitment scuppers any hope of democratization. In our model a power-sharing transition in which the military retains direct control of rent streams is a way to forestall this and make democratization feasible.

Often using provisions of Pinochet’s 1980 constitution in Chile as an example, many analysts of elite-led democratization have observed that the old elite try to configure electoral and other rules to protect themselves following a transition.⁵ Our argument develops an answer to the question of how

⁴In places, Albertus and Menaldo suggest that constitutional provisions render opposition coordination on changing the “rules of the game” difficult, perhaps in the line with the idea that formal institutions are “sticky” because re-coordination is hard (e.g., 2018, 71).

⁵On the constraining effects of the autocratic constitution in Chile, see the careful study by Londregan (2000).

such countermajoritarian formal institutions can be enforced ex post.

A complementary explanation is developed by Slater and Wong (2013), Ziblatt (2017), and Self (2023), who argue and show evidence that autocratic groups are more willing to risk transition when they are closely associated with strong political parties that expect electoral success under democracy. Our model focuses on cases like Myanmar, where elections imply that the old elite will not, or is very unlikely to, win a majority in the new legislature or win the presidency. Indeed, any autocrat-aligned political party that expects to gain some seats but not majorities must wonder whether the opposition would use executive control to change the rules of the game; we are addressing this concern. It may be, however, that expectations of post-transition electoral strength are correlated with control of economic assets or political organization that make the rent-sharing solution suggested here more feasible.⁶

Going back at least to Linz and Stepan (1978) and O'Donnell and Schmitter (1986), a number of important contributions have observed that many democratic transitions are not so much “bottom up,” motivated by fear or events of rebellion, as “top down,” emerging from elite pacts, elite conflicts, or elite-led reforms in the absence of notable revolutionary pressure (Huntington, 1991; Haggard and Kaufman, 2012; Ansell and Samuels, 2014; Albertus and Menaldo, 2018; Self, 2023). Our model contains both as possible equilibrium paths – bottom-up revolution and top-down, autocratic constitutions – and generates hypotheses for which is more likely in different circumstances.⁷

3 The opposition’s commitment problem: A baseline

This section presents a baseline model that starkly lays out the opposition commitment problem, and in which the autocratic elite never chooses democratic transition despite a continual risk of violent overthrow. We begin by defining terms we use to refer to different possible equilibrium outcomes in the models that follow.

In an *Autocracy*, the military or other autocratic group has full control over choice of policies and the disposition of rents. A *Full Democratic Transition* has occurred if a democratically elected government has full control over government policies and rents. There may remain, however, a credible

⁶For example, Ziblatt (2017) argues that the British conservative party’s organizational and local social strength made the British elite willing to risk transition in the second half of the 19th century. These assets favored not only vote share, but also ‘off-path’ ability to mobilize active resistance. See also Acemoglu and Robinson (2006, 179).

⁷For a discussion of “bottom up” theories that focused on European experience, see Huber, Rueschemeyer and Stephens (1993).

threat that the military will be able to reassert power by force, in the sense that the military prefers trying a coup to complete exclusion from rents or policy influence.

In a *Partial Democratic Transition*, which we also refer to as a power-sharing agreement, a democratically elected government has partial but not insubstantial direct control of policy areas or rent sources, as does the military (the former autocrats). The military has a credible threat to reassert power by force. A *Consolidated Democracy* is a democracy in which there is no threat of the military reasserting power by force, in the sense that the elected governments control of policy and rents is not constrained by fear of a coup.

3.1 Model

There are two parties, an opposition group O and an autocratic elite whom we will refer to as the military, M . Action occurs in successive periods $t = 0, 1, \dots$. Period 0 will be for institutional choice by the autocratic regime. Both players discount future payoffs by $\delta \in [0, 1)$ per period, beginning in period 1. The state generates tax revenues or policy benefits each period – the “pie” – that we normalize to 1. In this baseline case, the player who controls the executive will determine the allocation of the entire pie between M and O in each period.

In $t = 0$ the military is in power, and the state is in Autocracy. M has a binary choice, whether to allow a Full Democratic Transition or to remain in Autocracy. If there is no transition, S denotes the probability that the military survives in power to the next period. That is, there is an exogenous probability $1 - S \in [0, 1)$ that a successful popular revolution will finish the military as a political actor thereafter. Revolutions are costly, reducing the size of the pie to $\beta < 1$ in each subsequent period. Because our focus is on the democratization problem rather than the politics of dictatorship, we let the only choice in Autocracy be the military’s allocation of the pie, which, since it can’t influence the risk of revolution (by assumption), it always keeps entirely for itself. So payoffs for the no-transition path are:

$$V^M = S(1 + \delta V^M) + (1 - S)0 = \frac{S}{1 - \delta S}, \text{ and}$$

$$V^O = S(0 + \delta V^O) + \frac{(1 - S)\beta}{1 - \delta} = \frac{(1 - S)\beta}{(1 - \delta)(1 - \delta S)}.$$

That a successful revolution may occur ($S < 1$) and would be costly ($\beta < 1$) means that Autocracy is inefficient: $V^M + V^O < \Pi \equiv 1/(1 - \delta)$. So if a Full Democratic Transition eliminates the risk of revolution, both sides could be better off provided they could arrange things so that the opposition faction is credibly committed to transfer at least $(1 - \delta)V^M$ to the military in every period, while keeping the remainder.⁸

In section 6 we introduce another source of inefficiency under Autocracy, in the form of foregone aid, trade, or military and diplomatic support from other states, referred to as “the international community.” Many have also argued that prospects for sustained economic development tend to be better under democracy (e.g., Acemoglu et al., 2019). Revolution has often led to the execution or imprisonment of autocratic leaders, which is another cost that would contribute to their incentives for a democratic transition. Finally, resources devoted to repression of the opposition and the population are losses relative to a system where costly repression is not necessary (Rudbeck, Mukherjee and Nelson, 2016; Sun, 2024). These are all reasons why dictatorship may make for a smaller aggregate “pie” than democracy could generate. For now this formulation, in which the costs of dictatorship come solely from damage incurred in a revolution, is conveniently simple.

If the military chooses in $t = 0$ to allow a Full Democratic Transition, then starting in $t = 1$, the opposition takes power and the two play the following stage game in this and subsequent periods.

1. The opposition offers transfers $x_t \in [0, 1]$ to the military.
2. The military observes x_t and decides whether to accept the offer or to try to re-take power via a coup. No coup means that payoffs in t are x_t for the military and $1 - x_t$ for the opposition, and play continues to the next period.
3. If a coup occurs, it succeeds and restores the military to power with probability $p_t S$. Thus, the military’s coup attempt reintroduces the threat of rebellion, and when $p_t < 1$ the military’s odds of successfully retaking power are lower than their odds of maintaining power when they controlled the executive. With complementary probability $1 - p_t S$ the coup fails, ushering in consolidated democracy.

⁸These inefficient autocracy payoffs can be derived from an Acemoglu-and-Robinson-type set up where democratization may occur as a result of “bottom up” rebellion. Suppose that under autocracy, in each period the autocrat divides the pie keeping x_t for himself and giving $1 - x_t$ to the opposition. After this, Nature randomly causes mass popular mobilization with probability $1 - S$, which, if it occurs, gives the opposition the choice of whether to depose the ruler and monopolize future rents. Violent overthrow is costly, so the pie shrinks to $\beta < 1$. It is easy to show that if $\beta > \delta(1 - S)/(1 - \delta S)$, then in the unique subgame perfect equilibrium the ruler always chooses $x_t = 1$ and the opposition rebels when they get the chance, which implies the payoffs we are using for the non-transition path.

If the military succeeds and returns to autocratic power it gets its dictatorship payoff of V^M henceforth; that is, once safely ensconced back in power, the military returns to facing the original per-period survival probability S . If the coup fails, the military is put under effective civilian control thereafter, so the opposition gets $\beta\Pi$, and zero for the military (recall $\Pi = 1/(1 - \delta)$).

It remains to specify the sequence p_t that, with S , gives the probability that the military can successfully seize power by force after a democratic transition. Although we will consider a simpler, specific path in what follows, we have established results for a fairly general formulation in which p_t can be any weakly declining sequence that converges to a limit smaller than 1.⁹ Such paths are empirically plausible for at least two reasons. First, after exiting the highest government offices, the outgoing elite is no longer in direct control of the state apparatus and thus will be less able to organize. And the longer they are out of these offices, the greater the ability of new incumbents to organize resistance or counterattack. Given enough time in office, civilian governments can undertake reforms of the military's organization, and influence appointment of leadership less tied to the old regime. Second, more time after transition may tend to increase popular sentiment that a return to dictatorship is illegitimate and unacceptable, so facilitating mass coordination and possibly foreign support to oppose it.¹⁰

However, in what follows we employ a simpler formulation for p_t because it makes our core arguments and results transparent and avoids cluttering the exposition with multiple cases that arise when we consider more general p_t paths. We consider the simple stochastic sequence in which there is a $1 - \rho$ chance that democracy consolidates in each period after transition, after which $p_t = 0$ from then on and strategic interaction ends. But until it does, p_t stays constant at $p \in (0, 1)$. Formally,

$$p_t = \begin{cases} p \in (0, 1) & \text{for } t = 1 \\ \in \{p_{t-1}, 0\} & \text{with } \Pr(p_t = p_{t-1}) = \rho \text{ for } t > 1. \end{cases} \quad (1)$$

⁹These are available upon request. Note that the path of p_t specified here under Full Democratic Transition will be maintained identically under Partial Democratic Transition (power-sharing) in the next section too. These paths, however, need not be identical and much will be unchanged.

¹⁰The remarkable, sustained popular opposition to the 2021 coup in Myanmar appears as a dramatic case in point (Pedersen, 2023, 45). For theoretical arguments and some evidence on the claim, see Persson and Tabellini (2009); Besley and Persson (2019); Acemoglu et al. (2024), as well as a long tradition in the Political Science literature that sees "democratic consolidation" as a process of gradually changing societal values (Lipset, 1959; Almond and Verba, 1963). That said, we recognize that democratic regimes sometimes become unpopular due to poor performance. Indeed this may be particularly true for democracies produced by top-down elite-led transitions (Albertus and Menaldo, 2018). Temporary upward shocks to p_t could be interesting consider such shocks in subsequent work.

Thus $1 - p$ and $1 - \rho$ are measures of the *extent* and *rate*, respectively, at which the military's ability to retake power by force declines after a transition.

Simply to ease notation, we will assume that a coup attempt after a transition is bloodless, not affecting the size of the economy (pie). Costs attach only to revolutions that occur under autocracy. Since a successful coup when $p_t = p > 0$ introduces a return to Autocracy, post-transition coup attempts still re-introduce inefficiency.

3.2 Analysis

There are deals on division of the government “pie” that both military and opposition would prefer, attainable in principle by a Full Democratic Transition. But the opposition's commitment problem leads the autocrats to reject any such attempt.

Proposition 1. *The game as described has a unique subgame perfect equilibrium in which the military never allows a Full Democratic Transition, and thus only bottom-up, revolutionary transitions ever occur.*¹¹

The intuition is straightforward. Once in power the opposition government will push the military down to its value for trying a coup. So if a Full Democratic Transition causes even the slightest reduction in ability to retake power by force, the military does better by remaining an Autocracy. Formally, if the military tries a democratic transition it expects that, prior to consolidation, the opposition will choose x_t so that $x_t/(1 - \rho\delta)$ is just as large as the military's coup value, which is

$$F_t^M = pS(1 + \delta V^M) = pV^M.$$

This is strictly less than the military's value for sticking with Autocracy, V^M .

Both sides could in principle gain from a Full Democratic Transition – here, by eliminating the risk of a violent and destructive revolution – but the opposition's control of the executive means that its post-transition incentive is to appropriate all of those gains. The opposition's inability to commit not to exploit the military's growing weakness means that the military would not want to head down the full democratization path, even though Autocracy is inefficient and could be quite costly for everyone,

¹¹Proofs are in Appendix 1.

including the military leaders. Notice that this result holds even if the decline in the military's coup ability is arbitrarily small ($p \approx 1$) and never declines any further ($\rho = 1$, meaning that full consolidation would never occur).

4 A partially democratic solution: Rent sharing and autocratic constitutions

The commitment problem just described is well understood by autocrats. Many deal with it as above, by accepting the inefficiencies and risks of dictatorship and repressing opposition. Some, however, attempt to address it by putting in place constitutions designed to assure them, and their elite friends, enough power in the post-transition system to protect their interests. Besides Myanmar and South Africa, a number of examples from Latin America are discussed by Albertus and Menaldo (2013). Some feature elite over-representation directly, as with Argentina's 1957 constitution. Some have employed direct or indirect restrictions on the franchise, such as property- or literacy-based requirements as in Brazil, Peru and Ecuador, which held until the 1980s. In Chile, Pinochet stacked senatorial appointments to limit the strength of the newly empowered political parties. Some reserve special constitutional powers for the military. In Honduras, the 1957 "constitution stipulated that the military would select the chief of the armed forces, retain control over military command and selectively deny executive budgetary oversight" (p. 582).

It is puzzling, however, that autocrats would rely on constitutions for their future security. What stops a newly elected opposition leader from declaring the autocrat's constitution invalid because it was imposed by the previous, illegitimate regime, and initiating a new constitutional process to produce a more democratic one? Or less radically, in line with Proposition 1 above, what stops the new government from using its control of the legislature to subvert the autocratic constitution in a piecemeal fashion?

As an example, immediately after the 2015 election in Myanmar that gave a large majority to the opposition NLD, the party's leadership subverted the military's constitution by inventing a new paramount office, State Councillor, for Aung San Suu Kyi. The military leadership strongly opposed this move – they had included provisions in their constitution expressly to bar her from leadership. But

they still chose not to coup. The paper constitution did not prevent this change. Nonetheless, with a few minor exceptions the NLD subsequently chose to live with document's other terms.

We argue that by keeping direct control of important rent streams, the old elite can effectively put the onus of costly escalation on the new government, which can have the effect of stabilizing a rent-sharing deal, at least temporarily. The analysis clarifies whether and under what circumstances such an arrangement – power-sharing in what we call a Partial Democratic Transition – would be chosen by the autocrats, given that we will continue to assume that the military's coup prospects decline following a Partial Transition.

4.1 The power-sharing model

At time $t = 0$, if the military chooses to try rent-sharing (aka Partial Democratic Transition) it makes an offer $\alpha \in [0, 1]$ to the opposition. The opposition then decides whether to accept or reject the offer. α is the share of the economic and policy rents the military will keep direct control of after transition – for example, military-owned businesses or resource-rich territory that is effectively controlled by the military under the rubric of national security. This may be codified in the autocrat's paper constitution, but what is important is that the military will maintain staffing of offices and control of economic positions or resources that generate an α share of total rents and policy benefits. It is easy for the military to engineer this because it effectively controls all of the state pie prior to any agreement being implemented, and it continues to control the state's use of force after an agreement.

In the model, the opposition has to agree to participate – in particular, not to boycott elections organized by the regime – for the autocrat's proposal α to be “blessed” as even a Partial Democratic Transition. In Myanmar, neither the opposition nor observers from democratic countries considered the 2010 elections held by the military government to have constituted even a Partial Democratic Transition, primarily because the NLD boycotted. The NLD did so because the regime kept their leader, Aung Sang Suu Kyi, under house arrest and thus unable to participate until just after the election. When “the Lady” was permitted to run for a parliamentary seat in by-elections held in 2012, both the NLD and international observers began to consider that a Partial Democratic Transition was occurring (Bünthe, 2016, 379).

Formally, if the opposition in the model rejects the military's offer α , Autocracy remains, along

with the $1 - S$ per period chance of violent overthrow.

Recall that in the Full Democratic Transition case, when the opposition gained power in a transition it could make take-it-or-leave-it offers of transfers to the military on the division of state rents and policies. Now, with the military and opposition separately controlling resource streams of α and $1 - \alpha$ in each period, each separately decides how to allocate the rents or policies that it controls. Formally, the stage game in every period t is identical to the previous section in terms of the p_t sequence, and it remains the case that if $p_t = 0$ strategic interaction is over. However, while strategic interaction occurs player decisions are altered in light of the α division as follows.

1. If $p_t = p > 0$, M and O simultaneously choose how much of the rents that they control to offer as a transfer to the other. M offers transfer $m_t \in [0, \alpha]$ and O offers transfer $o_t \in [0, 1 - \alpha]$. Assume making such transfers costs the transferee a positive, but arbitrarily small, amount: $\epsilon \rightarrow 0$.¹²
2. M and O decide in sequence whether to accept each other's offered transfer without knowing whether democracy will consolidate in the next period or not. M decides whether to accept $x_t = \alpha + o_t - m_t$, or to coup. O decides whether to accept $1 - x_t = 1 - \alpha + m_t - o_t$, or to "walk out". "Walk out" means that the opposition quits the power-sharing arrangement, declaring it illegitimate. This is the same thing as precipitating a coup or military takeover, and we assume that the odds of the military successfully returning to Autocracy is likewise $p_t S$ in this scenario.¹³
3. Nature chooses whether democracy consolidates in the next period, $p_{t+1} = 0$ with probability $1 - \rho$; with probability ρ , p_{t+1} remains at $p > 0$. If democracy consolidates, the strategic interaction is over, with continuation payoffs of zero for the military and Π for the opposition, starting in the next period.

If there is a coup (or walk out), then continuation payoffs are, as before,

$$F_t^M = p_t S(1 + \delta V^M) = p_t V^M \quad (2)$$

$$F_t^O = p_t S(0 + \delta V^O) + (1 - p_t S)\Pi = p_t S\delta V^O + (1 - p_t S)\Pi. \quad (3)$$

While each side can of course offer to transfer nothing to the other, the only way either can grab rents or policies from the other's domain unilaterally (that is, over the offered amount) is by trying the

¹²This is not necessary, but rules out equilibria that nominally differ in their level of α but are payoff equivalent, as we discuss after the results.

¹³We have the coup decisions made in sequence to get rid of inefficient equilibria in which each coups/walks out only because they expect the other to be doing this. We could allow a different p_t for coups versus opposition "walk outs" if they evolve in a similar manner; we make them the same for simplicity, though it is worth noting that breaking this symmetry may allow other equilibria to emerge in addition to the one we characterize.

gamble of a coup (walk out) and violent breakdown. We don't rule out that, say, the opposition could make a verbal or legislative demand on some part of the military-controlled share – indeed, it could even declare the current constitution invalid or unfair/immoral, as it did in Myanmar (see below). Or it could go as far as to proclaim a new one. But this would just be talk unless the military chooses to acquiesce, and of no consequence for rents if the opposition does not walk out of government (cease participation), precipitating conflict.

4.2 Analysis

What is the effect of this division of rent streams, as codified by the autocrat's constitution (α)? Whereas in the baseline case the new opposition government could price the military down to its expected value for trying a coup, now the military can get a surplus over its coup value provided that the opposition prefers living with $1 - \alpha$ in a period versus walking out of the rent-sharing agreement. As the next result indicates, the prospect of this surplus can make embarking on a Partial Democratic Transition worthwhile for the military, even though they anticipate that this eventually can lead to a Consolidated Democracy.

Proposition 2. *In the unique, stationary, subgame perfect equilibrium of the game with power-sharing and post-transition elite coup capability described by (1), a Partial Democratic Transition occurs if and only if $p \geq p^* \equiv [(1 - \delta S)(\Pi - \delta V^O)]^{-1}$ and $\rho \geq \rho^* \equiv \max \{0, (S - (1 - \delta S))/\delta S\}$. Both p^* and ρ^* are strictly less than 1.*

When these conditions hold, the military chooses α^ as the smaller of 1 and $(1 - \rho\delta)(\Pi - F_1^O)$ and the opposition accepts a top-down transition. On the path M and O consume their shares α^* and $1 - \alpha^*$ until democracy consolidates.*

The autocrats and the opposition face a bargaining problem: How to divide up $\Pi = 1/(1 - \delta)$, the “surplus” from controlling the government? Under autocracy the disagreement point is the inefficient status quo, with payoffs (V^M, V^O) . After transition, the disagreement point would be a violent fight to seize or retain power, which has expected payoffs (F^M, F^O) and which amounts to a shift in relative capabilities, since $F^M < V^M$ and $F^O > V^O$. In the baseline case of the last section, Full Democratic Transition meant that the opposition could get away with giving only F^M to the military. Anticipating

this, the military prefers not to transition in the first place, sticking with costly and risky autocracy ($V^M > F^M$).

With power sharing, the military can assure itself $\alpha/(1 - \delta\rho)$ provided that the opposition's post-transition payoff, Π minus this, is better than F^O , its "walk out" value. Thus a necessary condition for a transition to be possible is that the best the military can possibly do in Partial Democracy, $\Pi - F^O$, is greater than V^M , its autocracy payoff. This condition yields the constraint on p^* in the Proposition.¹⁴ The condition on ρ comes from the fact that the military's post-transition payoff is at most $1/(1 - \delta\rho)$, so transition also requires that V^M be no larger than this.

The key to the power-sharing solution is that the old elite retains direct control of important sources of political and economic rents. The opposition cannot seize these simply by passing a law in the legislature. They would have to trigger the use of force, which they don't want to do because (under the parameter conditions of the proposition) it is too risky and costly relative to continuing with partial democracy. In the Myanmar example, the NLD government could pass a law on, say, natural resource governance in areas controlled by the military, but these needn't have any actual impact without the military's acquiescence.

When is a top-down transition more or less likely? The constraints on p and ρ say that the autocratic elite cannot expect their military capability to decline *too quickly* or *too much*. If consolidation is expected to occur fairly soon (low ρ), M will not enjoy the α^* rents long enough. If p is too low – that is, if transition causes a big negative hit to the military's coup capability and likewise a positive shock to the opposition's prospects for forcefully consolidating democracy – then the amount of rents M has to give O to keep them in Partial Democracy (power sharing) makes transition unattractive. In so far as more institutionalized autocracies, such as military and single-party regimes, are better able to preserve their coercive capabilities following loss of the state house than are personalized autocracies, they should be more inclined to Partial Democratic Transition. This is the pattern observed empirically (Geddes, 1999; Geddes, Wright and Frantz, 2014; Geddes, Wright and Frantz, 2018, 208ff.; Albertus and Menaldo, 2013).

Partial Democratic Transition is more likely the more destructive a revolution would be, or equivalently, the smaller the extent of policy conflict of interest or disagreement between old elite and opposition (smaller β implies lower p^*). This is not because the elite fear revolution more (in this

¹⁴ $F^O + V^M \leq \Pi$ is the "Powell condition" for this dynamic commitment problem (Powell, 2004).

model) but because more destruction or lower policy disagreement makes the opposition less inclined to renege on a rent-sharing deal, in turn making more favorable deals for the autocrats feasible. Top-down transition by an autocratic constitution is also more likely the greater the likelihood of popular coordination on rebellion under autocracy (smaller S implies smaller p^* and smaller ρ^*). Popular mobilization capability may be related to the strength of civil society and correlates of this, like income level, urbanization, and education (e.g., Lipset, 1959; Glaeser, Ponzetto and Shleifer, 2007).¹⁵

5 Autocratic reversion

In the model of the last section, Partial Democratic Transition leads inevitably to consolidated democracy when $\rho < 1$ or to permanent power sharing if $\rho = 1$. This section considers an empirically natural modification that yields the possibility of either consolidation or autocratic reversion occurring on the equilibrium path.

The sequencing of the within period stage game of the last section is identical, but now allow that, in stage 3 as Nature chooses whether democracy consolidates or not, the military and the opposition receive a noisy signal of whether democracy will consolidate in the next period, $t + 1$. Examples could include election results – as we will argue occurred in Myanmar – turmoil within the autocratic faction, or signs of popular mobilization pressing for reform. Formally, in stage 3 of each period t , if neither coup nor walk out occur, Nature chooses whether democracy consolidates, $p_{t+1} = 0$, with probability $1 - \rho$; with probability ρ , p_{t+1} remains at $p > 0$. If democracy will consolidate, Nature signals this to M and O with probability $\sigma \in (0, 1)$. Otherwise it sends no signal.

Thus with probability $(1 - \rho)\sigma$ both get a signal that consolidation is impending, and “no signal” with the complementary probability. If they see a signal, they expect that consolidation will occur in $t + 1$ for sure. If they see no signal, their updated belief that consolidation will not occur is, using Bayes’ rule, $\hat{\rho} = \rho / (\rho + (1 - \rho)(1 - \sigma)) > \rho$.

In words, the military may “see the writing on the wall” and has a chance to preempt by trying a coup. It will certainly do so if it gets the signal, since $pV^M > 0$.¹⁶ But democracy can still consolidate

¹⁵Stronger civil society (smaller S) has two effects: it makes Autocracy worse for the autocrats but also increases the minimum deal $1 - \alpha$ that O needs for it to comply with power-sharing. The former effect always dominates.

¹⁶As in the baseline model, the opposition can’t commit to give them more than zero each period after their coup capability evaporates. If we changed the sequence so that the opposition can make a transfer after the signal is observed, there could be cases where they could forestall a coup by a one-time supplement to the military’s payoff (“buying them

without sufficient warning, which occurs each period with probability $(1 - \rho)(1 - \sigma)$. Proposition 3 shows how the constraints change.

Proposition 3. *In the unique stationary subgame perfect equilibrium of the game with power-sharing, post-transition elite coup capability described by (1), and a noisy signal $\sigma \in (0, 1)$ of impending democratic consolidation in each period, a Partial Democratic Transition occurs if and only if $p \geq p_\sigma^*$ and $\rho \geq \rho_\sigma^*$, where these thresholds are defined as follows.*

$$p_\sigma^* \equiv \left[(1 - \delta S) \left(\Pi - \delta V^O - \frac{\sigma}{1 - \sigma(1 - \rho)} Z \right) \right]^{-1}, \text{ with } Z = \frac{\delta^2 \rho(1 - \rho)(1 - S)(1 - \beta)}{(1 - \delta \rho)(1 - \delta S)(1 - \delta)}.$$

$$\rho_\sigma^* \in (0, 1) \text{ is the unique solution in } \rho \text{ to } \rho \left(1 + p \frac{\sigma(1 - \rho)}{1 - \sigma(1 - \rho)} \right) = \rho^*.$$

Both p_σ^* and ρ_σ^* are strictly less than 1. $p_\sigma^* > p^*$ but $\rho_\sigma^* < \rho^*$.

When these conditions hold, the military proposes

$$\alpha_\sigma^* = \min[\Pi(1 - \hat{\rho}\delta) - F^O(1 - \delta\rho - \delta\sigma\hat{\rho}(1 - \rho)), 1]$$

and the opposition accepts a top-down transition. On the path M and O consume their shares α_σ^* and $1 - \alpha_\sigma^*$ until either a coup or Consolidated Democracy occurs. α_σ^* , the degree to which the autocratic constitution favors the military, can be larger or smaller than when there are no signals and no chance of autocratic reversion. If $\alpha^* = 1$ without signals, then adding signals makes the military's equilibrium path payoff after transition higher than with no signals. However, if $\alpha^* < 1$ without signals, then adding signals makes the military's equilibrium path payoff after transition lower than with no signals.

One might think that signals would make transition more attractive for the military, since they are getting some insurance against consolidation. But this is not always the case. This is because the possibility of coups and autocratic reversion in Partial Democracy effectively reduces the size of the “pie” after transition by reintroducing the possibility of costly conflict, which now occurs with probability $(1 - \rho)\sigma$ each period. The opposition still has to get at least F^O to not want to walk out on Partial Democracy. So if the opposition's walkout constraint would have been binding in the absence

out”). If the opposition has access to external funding and a contracting environment rich enough to ensure compliance, it may also be feasible. Immediately preceding the coup in Myanmar, there were some talks that might have been negotiations on such a deal, but which were unsuccessful if this was the purpose (McPherson, 2021).

of signals – $\alpha^* < 1$ case – the opposition has to receive a larger share of the pie when signals make for a chance of autocratic reversion, thus leaving less for the military. If, however, the opposition’s walkout constraint would not bind without signals – $\alpha^* = 1$ case – the military does not have to increase O ’s share to dissuade walkout. In that case, the military benefits from a signal of impending consolidation by being able to coup and perhaps stave off a democratic consolidation, making their post-transition payoffs higher.

6 The international community

With the NLD’s participation and victories in the by-elections of 2012, the international community saw a democratic transition in the making in Myanmar. Economic sanctions began to be relaxed, aid began to flow, and foreign direct investment accelerated rapidly. The military clearly expected and sought the opening. They wanted to catch up economically with other countries in the region, and they wanted better bargaining leverage for dealing with growing economic and geopolitical pressure from China. Further, they knew that the taps would turn on only if Aung San Suu Kyi were to bless their transition program by participating.¹⁷

In this and some other cases (such as South Africa), sanctions and related policies of isolation were an important source of autocratic inefficiency. Opening up the political system could greatly increase the size of the “pie” available to the military, the NLD, and the country as a whole.

How do international incentives for democratization interact with the opposition commitment problem? In brief, if the old elite expect that the opposition would capture all the international benefits following a transition, then the larger “pie” coming from opening up does not affect their incentives *at all*. With power-sharing via a Partial Democratic Transition, however, the old elite can capture some of the gains, increasing their motivation to risk it.

Suppose that if a transition occurs, the per-period flow of benefits increases to $\gamma > 1$ for as long as democracy (or partial democracy) remains in place. $\gamma - 1$ are the additional benefits that come with greater aid, trade, investment, or military support. Assume the international community (IC) provides these whenever democracy obtains and irrespective of how it arises, whether via bottom-up rebellion, top-down transition (Partial or Full), or Democratic Consolidation after a failed coup. Reversion to

¹⁷See the next section for references.

Autocracy restores sanctions (as indeed occurred following the 2021 coup in Myanmar).

Proposition 4. *In the baseline model where only Full Democratic Transition is available, adding international benefits $\gamma - 1$ has no effect on the military's incentive to democratize; it remains the case that in the unique subgame perfect equilibrium, the military chooses to stick with Autocracy.*

By contrast, with the possibility of Partial Democratic Transition (power-sharing, case of no signals), the conditions under which transition occurs become $p \geq p_{IC}^ \equiv [\gamma(1 - \delta S)(\Pi - \delta V^O)]^{-1}$ and $\rho \geq \rho_{IC}^* \equiv (S - \gamma(1 - \delta S))/\delta S$. These conditions are more permissive: $p_{IC}^* < p^*$ and $\rho_{IC}^* < \rho^*$.*

For an autocracy unable to engineer a rent-sharing deal, the aid, trade, or investment following democratization offer little attraction as they will be completely captured by the newly elected government. Without an enforceable deal, the opposition pushes the military down to its coup-based reservation value, which is not affected by γ since the benefits will be withdrawn if they retake power. Anticipating this, the military would have no incentive to undertake a transition in the first place.

But if a Partial Democratic Transition in which the autocratic group maintains direct control of sufficient rent streams and whose military capability will not decline too much or too fast, then the IC can make stable democratization possible when it would not otherwise happen. This is for two linked reasons. First, some autocracies would democratize for a payoff of $\gamma\alpha/(1 - \delta\rho)$, but not at $\alpha/(1 - \delta\rho)$. Second, a bigger pie after transition also means that it is easier to meet the opposition's constraint under shares that would have prompted their walk out without the IC's subsidy.

Note that with sufficient extra resources from the IC, an autocratic regime may seek top-down transition even if they face *zero* threat of bottom-up revolution if they continue the dictatorship. That is, with $\gamma > 1$ per-period total benefits following a transition, autocrats may favor this even when $S = 1$ under autocracy. As noted above, the risk of successful revolution in Myanmar in the late 2000s and early 2010s is usually seen as very low, even if not quite zero.

This international mechanism favoring top-down democratization will of course be weakened to the extent that autocratic elites can get valuable aid, trade, and military support from large autocracies like China or Russia, that is not conditioned on how they come to power.

7 Myanmar’s short-lived top-down transition

Up to the 2010s, Myanmar had one of if not *the* most stable and long-lived military governments in post-1945 world. Beginning in the 2000s, its leadership embarked on a path of top-down democratization despite facing no significant bottom-up threat and certainly not in the context of a popular uprising. They promulgated an autocratic constitution in Albertus and Menaldo’s (2018) sense, which set the terms for competitive by-elections held in 2012 and a general election in 2015. These brought to power a dominant opposition party – the National League of Democracy (NLD) – that by 2015 the military had no good reason to expect that its surrogate party could do well against at the polls. Yet the military allowed the transition to occur and, further, acquiesced when the NLD immediately violated the terms of their constitution by inventing a paramount office (State Counsellor) for party leader Aung Sang Suu Kyi (ASSK). The NLD’s majority in the legislature then proceeded largely to *abide by* the rest of the autocratic constitution. They certainly did not try throwing it out by declaring it illegitimate, which they could have done. Nonetheless, the military chose to end the democratic transition with a coup following the second national election in 2020, which the NLD again won handily.

In this section we argue that the models and results presented above help to make sense of puzzling features of Myanmar’s abortive transition. In particular, we argue that the military leadership saw top-down democratization as a way to expand the pie, and saw their direct control of a set of resource streams and administrative offices as means to limit the legislature’s ability to confront them with take-it-or-leave-it offers on the division of the increased rents – thus protecting them against ex post appropriation sufficient to make them worse off than under the status quo.

We begin with a brief review of transition and its failure, and next discuss a series of puzzles or questions addressed by the model.¹⁸

7.1 From autocracy to partial democracy to autocratic reversal

After a shaky, formally democratic start in 1948, General Ne Win seized power in 1962 and ruled Burma till 1988, when mass protests and violence in Yangon led to his replacement by a military junta known as the SLORC until 1997 and then the SPDC after that. It announced a “Seven-Point Road

¹⁸We stress that this is not intended as a comprehensive treatment of the case. There are important dimensions of Myanmar’s politics in this period that get relatively little attention, such as the problem of federalism.

Map to Discipline Flourishing Democracy” in 2003.

The Road Map involved producing a new constitution that was approved in a stage-managed national referendum held in 2008. The constitution included provisions that specifically disallowed opposition leader Aung San Suu Kyi from being President.¹⁹ It also reserved 25% of parliament (two chambers known as “Hluttaw”) for military-appointed representatives, and required assent of 75% of the Hluttaw to make any changes to the constitution. Further, the military retained full control of three key ministries – Border Affairs, Defense, and Home Affairs. The Home Ministry included the General Administration Department, which staffs and runs the actual, day-to-day administration of the country at the township level.

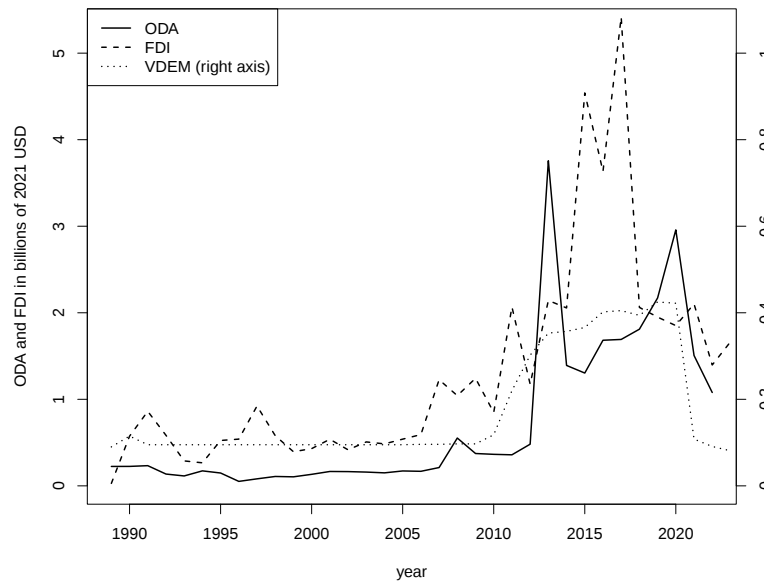
Moving to the fifth step in the seven-step plan, the regime held multiparty elections in 2010. These were boycotted by the National League for Democracy (NLD) because ASSK, their leader, was not allowed to run. The regime kept her under house arrest until shortly after the election. As a result, the political party created by the military, the USDP, won 80% of a low-turnout vote, and reformist ex-general Thein Sein became President. Due to the NLD boycott and ASSK’s imprisonment, the US, the EU, the UN Secretary General, and many other states – the “international community” in the model – were highly critical and did not recognize a democratic transition.

Thein Sein’s government and the newly created Union Electoral Commission allowed NLD candidates to run in by-elections held in 2012 for 45 seats, of which NLD candidates won 43, by overwhelming margins. ASSK won one of these seats, and she was allowed to sit in the Hluttaw. This development – the free by-elections and willingness to tolerate ASSK’s participation – turned the heads of the international community, who decided that maybe there really was a democratic transition happening (Egretreau, 2016, ch. 2). Economic sanctions began to be eased and, as shown in Figure 1, economic support increased massively in the form of both aid and foreign direct investment.²⁰ The expatriate sector of Yangon boomed, along with house rents in the old colonial-officer areas of the city. Investments flowed in from China, Korea, and Japan, with significant participation by European countries as well. As the owners and managers of business conglomerates set up by the military beginning in the 1990s, family members and friends of top generals were well positioned to be the

¹⁹The Constitution requires that the President not have non-citizen close relatives; ASSK’s husband was British and her children have UK citizenship.

²⁰The series for official development aid (ODA) and foreign direct investment (FDI) are from the World Bank. VDEM is the 0-1 index for electoral democracy produced by the Varieties of Democracy project.

Figure 1: Development aid and foreign direct investment



principal mediators and beneficiaries of these investments. (“The cronies” is the term used locally in English.)

The second national election was held in November 2015 according to schedule, and was judged to be plausibly fair. This was easy to do, as the Union Electoral Commission announced that the NLD won overwhelmingly, taking three-quarters of the non-reserved seats. Thein Sein and the military allowed the NLD, their mortal enemy since 1988, to form a government, expecting that ASSK would be the party leader and an MP but not the President and head of state, since she was barred by their constitution. However an advisor to ASSK, constitutional lawyer Ko Ni, immediately proposed a simple work-around: The NLD in the legislature would invent and approve a new position “above” the President to be called “State Counsellor.” He argued that this was not expressly prohibited by the constitution.

The military leaders were shocked and strongly opposed this gambit, arguing plausibly that it was unconstitutional. In January 2016 they let it be known that a coup was possible (Bünthe, 2022, 157-58). Nonetheless, Than Shwe, probably still the final arbiter in the military even though he formally retired in 2011, decided against a coup. He may have expected, correctly, that ASSK and NLD would not be able to meet popular expectations, and he surely expected that a coup would bring a strong negative

reaction from the international community and possibly an explosion of popular discontent. He met privately with ASSK and is said to have told her something like “now it is your turn.”²¹ ASSK became “State Counsellor” and was clearly de facto head of state.

About one year later, on January 29, 2017, Ko Ni was assassinated at the Yangon airport (while holding his infant grandson). Four men were later arrested, the alleged “mastermind” a former lieutenant colonel.²² Ko Ni had been talking about having the NLD majority in Parliament authorize a referendum to endorse writing an entirely new constitution, and was reported to have been working on a draft new constitution right up to the time of his murder. Many believe that his assassination was a message saying “back off.”²³

After Ko Ni’s murder, NLD representatives continued to advocate for changing the constitution, while the military pushed back. There had been considerable debate among Myanmar intellectuals and politicians about how fast and how hard to press for fear of triggering a military response. For example, a former NLD MP from Kachin was quoted as follows:

While acknowledging that the NLD has the numbers to pass a referendum bill, [Daw Dwe Bu] said she was concerned about the potential consequences. “We need to understand that not all civilians support the NLD; some still support another group. Anyone can create violent incidents intentionally. If that happens, the Tatmadaw [Myanmar military] can take state power under the current constitution.”²⁴

By a number of indicators ASSK and the NLD did not govern particularly well after 2016. As State Counselor she delegated little authority and was criticized for a personalist, authoritarian style by many within her own movement. The government struggled to define and execute a clear economic agenda. ASSK made “the peace process” a priority but essentially backed the army’s long-standing

²¹“Former Myanmar dictator backs Aung San Suu Kyi ‘with all of my efforts’ – report,” *The Guardian* December 5, 2015.

²²One rumor holds the Home Minister at the time, a lieutenant general, was behind the colonel. Wai Moe, Mike Ives and Saw Nang, “[Brazen Killing of Myanmar Lawyer Came After He Sparred With Military](#),” *New York Times* 2 February 2017. About one year before the February 1, 2021, coup, the police questioned a USDP member of parliament who retired from the military in 2015 in connection with the plot, and who is said to have worked at one time as driver for the current head of the army. Kyaw Zwa Moe, “[Where are the Assassins?](#),” *The Irrawaddy* 29 January 2020.

²³See for examples Ron Corben, “[Murdered Lawyer Was Working on Plan to Undercut Myanmar Military](#),” *Voice of America*, 14 March 2017; Wai Moe, Mike Ives and Saw Nang, “[Brazen Killing of Myanmar Lawyer Came After He Sparred With Military](#),” *New York Times* 2 February 2017.

²⁴[NLD could draft new constitution](#),” *Consult-Myanmar* 23 April 2016. Another good example is this comment by Min Zin (2016, 118), a political scientist and well-informed analyst of Myanmar’s transition politics: “In other words, the new government should slowly try to shift the orientation of existing institutions away from the military rather than abandoning them altogether. This would ease the military’s anxieties about committing to the rules of game and increase the odds of its honoring that commitment, while lowering the risk of a political reversal over the next few years.”

positions, while the country saw major escalations of armed conflict in multiple areas (Zin, 2020; Pedersen, 2023, 52). The biggest and most immoral policy disaster in her first term – the attacks and violent ethnic cleansing of three-quarters of a million muslim Rohingya in Rahkine region that began in August 2017 – seems to have been mainly an initiative of the top general Min Aung Laing (and later coup leader). This action undermined Western support for Myanmar and ASSK – who actively defended the assault – and had the effect of forcing the regime to turn back to China. Since balancing against China’s influence was one of the military’s several objectives in pursuing the transition, many in the Bamar elite, at least, saw this as a bad outcome.²⁵

Despite this widespread disappointment with the ASSK and the NLD government, the NLD returned a higher vote share in the November 2020 elections than in 2015. The government received overwhelming support in the Bamar homeland, in minority areas, and even in military strongholds. USDP candidates were routed in the election.

In the early hours of February 1, 2021, the day on which the new union parliament was to convene after the November elections, the military, led by Min Aung Hlaing, arrested ASSK, numerous political figures, and senior officials and invoked a Constitutional state of emergency to take over the government. Its grounds were purported fraud in the elections, for which no evidence was ever produced.²⁶ The military proceeded to re-assert blanket control of all arms of government. Ostensibly the State Administration Council (SAC) governed, but it is heavily dominated by the military leadership and its commander in chief. A civil disobedience movement took root throughout the country in protest, which rapidly evolved into armed resistance in the face of the military’s extremely violent response. Full-scale civil war followed and continues today. In a desperate effort to obtain some international and domestic legitimacy, and under pressure from China, the regime held elections in areas it controls (less than half the country) in December 2025 and January 2026. Opposition parties were banned.²⁷

²⁵ASSK’s defense of the genocidal actions in Rahkine could have reflected her actual views, or may reflect that she believed that doing otherwise would be domestic political suicide. The level of antipathy and prejudice against Rohingya in the heartland of the country is extreme (see, e.g., Kyaw, 2016)

²⁶The government did suspend elections in some areas due to security concerns, and some opposition parties raised concerns about these and also the use of COVID payments and censorship of television messages (Pedersen, 2023, 52) While some of these choices could have been strategic, effects would have been marginal.

²⁷Richard C. Paddock, “What to Know about the Vote in Myanmar,” *The New York Times* January 10, 2026.

7.2 Puzzling features of Myanmar's failed political transition

Why did the military choose to transition and to implement their transition with an autocratic constitution? The full story will likely never be known, as the Sit-Tat (Myanmar military) is a famously secretive organization. But from the best available accounts and facts of the case some reasonable inferences can be drawn.²⁸

The transition was clearly “top down” via an autocratic constitution in the sense described above, and it was clearly *not* an immediate short-term reaction to a popular uprising (Bünthe, 2016; Egretreau, 2016). As noted, the military leaders planned and carried out the transition step by step, arguably over two decades. Further, the regime’s repressive capacity and organizational cohesion were widely considered to be very strong, and had been repeatedly demonstrated. The regime did not face growing signs of protest and organized or unorganized opposition in either 2010 or 2015.

Though the impetus for transition was not popular uprising, the top generals may nonetheless have been worried that in the future one could sweep them and their families away violently (Steinberg, 2021, 27). The Saffron rebellion of 2007 was alarming and “8888” could not be forgotten.²⁹ So while this case does not fit the Acemoglu and Robinson’s model of a shock to mass mobilization causing democratization as a credible commitment to redistribution, it is plausible that an ongoing, low-level hazard of revolution contributed to making continued dictatorship inefficient for the military elite.

Several other factors contributed to making continued military rule inefficient, in the sense of keeping the total economic and geopolitical “pie” smaller than it could be. Most obviously, the regime wanted economic sanctions lifted and investment and economic development to redress the embarrassing (to the military leaders) backwardness of Myanmar compared to the rest of the region (except Laos). Relatedly, Zin and Joseph (2012), Zin (2016), and others stress how the leadership became increasingly concerned about their dependence on China for geopolitical and economic support. China’s economic rise, and efforts to create an economic corridor from Yunnan to the Indian Ocean through Myanmar, created a desire to develop better “outside options” in the West and with Western-allied

²⁸These include Egretreau (2016); Zin and Joseph (2012); Zin (2016). On the origins and institutional development of the Sit-Tat, see Callahan (2005). Croissant and Kamerling (2013) discuss what is known or speculated about intra-Sit-Tat politics after the 1988 self-coup. (We agree with the preference for “Sit-Tat” rather than “Tatmadaw,” due to the association of the later with “royal” or “glorious.”)

²⁹One story holds that (rich) family members of Than Shwe petitioned him to pursue democratic transition as early as 2004, three years before the Saffron rebellion, out of fear of a jacquerie.

Asia countries.³⁰

What role, if any, did the autocrat's constitution play in constraining the NLD from changing the terms ex post? The piece of paper gave the military a formal veto on legislative initiatives to change the constitution and so prevent reduction of the military's control and influence. But it is also clear that the paper constitution was not by itself a constraint on NLD behavior, given their electoral success.

The first thing the NLD did after winning the 2015 election was to change the terms of the paper constitution. In effect they made the military a take-it-or-leave-it offer: Accept that ASSK will be de facto head of state as "State Counsellor," or coup. Though very unhappy about it, the military acquiesced.

Further, as Ko Ni and some other NLD leaders suggested, once in control of the formal government ASSK and her party could have simply declared the 2008 constitution invalid and called for a national referendum on a new constitution. They never chose to do so. But they did attempt to change it by formal means.³¹ Clearly, neither the piece of paper nor any deep normative commitment to its terms stopped them. Instead, there was continuous debate in the press, within the NLD, and between the NLD and military representatives over the question of constitutional reform, and some small steps in that direction were taken.³² As represented in the model by the tradeoff facing the opposition in their choice of how to divide the pie, a central issue in these debates was the question of how far the NLD could push without provoking a coup.

The larger point is that theories of democratization should not assume that autocratic constitutions solve the opposition's commitment problem simply by paper fiat. Nor, as shown in the logic of the baseline model above, is it sufficient to say that the old elite is protected and the commitment problem solved by an implicit coup threat. Once in control of government the opposition can make offers that

³⁰Bünte (2016, 390) says that the military's liberalization of Myanmar's politics was "a two-pronged strategy for economic renewal and a recalibration of foreign relations." According to Sean Turnell (ASSK's advisor on economic policy), "part of the openness that was enjoyed during these [transition] years was because military leaders acknowledged how poor their country was becoming, and feared that it would soon become a kind of vassal state of China unless they changed tactics" (from the summary of a Mizzima podcast, [Sean Turnell on Myanmar's Troubled Economy](#), December 6, 2023).

³¹As Yamahata and Anderson (2018, 8) note, in January 2020, the NLD submitted 114 proposed amendments to the constitution that aimed to reduce the military's role in the government. All were defeated by the Military's 25% (veto sufficient) guaranteed representation in parliament.

³²For example, the military acquiesced to letting the General Administration Department shift towards de jure if not de facto civilian control in December 2018 (post-coup it has been returned to control of the Ministry of Home Affairs). The NLD also approved creation of a constitutional reform commission to solicit reform proposals, which military representatives engaged with by making proposals that would have effectively diluted NLD electoral strength. The commission allowed the NLD to keep the issue of constitutional reform in the public mind without actually pressing it.

price the military down to their value for a coup, which tends to diminish after transition. This is exactly what Ko Ni and ASSK did with the move that invented the State Counselor position and put her above the President.

Was this a democratic transition at all? Many in the NLD, Burmese intellectuals and dissidents, and foreign analysts reject this characterization, noting correctly that the military retained extraordinary, unaccountable power and influence.

But on the other hand there is no doubt that 2015 elections were fair and that they put the NLD in control of a legislature and executive with real power and quite substantial opportunity to govern. The post-transition regime in Myanmar up to 2021 was best understood as a *power- or rent-sharing* arrangement, or partial democratization, rather than full democratization (Egreteau, 2016; Bünthe, 2016, 2022). As Min Zin observed in 2016,

The military will not defer to the NLD; rather it will claim parallel power. [Top general] Min Aung Hlaing has called on the NLD to act for “the betterment of the country with a reciprocal arrangement,” meaning a power-sharing deal rather than a full transfer of power to the winning party (2016, 127).

What gave the military leadership sufficient confidence in the stability of the power-sharing arrangement, given that they handed over the state house and the legislature? We argue that the key to the expected stability of the deal was that the outgoing autocratic elite retained de facto control of three major rent streams. These were, first, staffing of the country’s main administrative apparatus; second, direct military control of large parts of the country where natural resource and drug rents are generated; and third, family networks in control of two giant economic conglomerates that had become the locus for foreign investment. Direct control of these rent streams effectively put the onus of costly escalation on the NLD if they were to try to claw back rents, a move that stabilized the arrangement despite anticipated post-transition weakening of the military’s coup threat.

First, as noted, the military began the transition with de jure and de facto control of three critical ministries including the General Administration Department, which is the structure that administers and implements policy in the country on a day-to-day basis.³³ This effectively gave the military a de facto veto on implementation of policy initiatives coming out of the legislature, which assured them a

³³“Moreover, the military could cripple the new government through the General Administrative Department, which is the backbone of public administration and does everything from tax collection to land management and rural development, as well as issuing registrations and certifications” (Zin, 2016).

stream of policy rents (relative to what they would have if the NLD fully governed).

Their second major de facto rent stream derived, ironically, from the armed conflict with ethnic armed organizations (EAOs) mainly in the northeast – especially jade in the Kachin area. A Global Witness report issued in October 2015 estimated that jade production in 2014 was worth \$31 billion, which would equal about half of Myanmar’s official GDP. Very little is officially taxed, with most being smuggled across the border to China. This is all controlled by military-connected entities and the NLD transition by itself did nothing to put the NLD in direct control of the distribution of jade rents.³⁴

The fact that the military continued to oversee contested areas and was able to manage progress on any peace agreements, assured the military leaders’ that they would be likely to continue to profit from jade mining and other resource rents post-transition due to the continuing conflict. This was confirmed under the power-sharing government with so little progress made on the overarching peace deals proposed by ASSK and the NLD. In effect, the continuing wars in Myanmar acted as a part of a guarantee for the continued centrality of the military to the state headquartered in Nay Pyi Taw.

Third and possibly most important, the generals’ prior accumulation of large amounts of capital from these and other sources put their families and friends in control of the “commanding heights” of the more western-oriented economy that rapidly developed in Yangon after the transition began in earnest around 2008. As discussed by Mangan and Egreteau (2018, 17), the 1988 coup that ended Ne Win’s chairmanship and his “Burmese Way to Socialism” was followed by a “state-led clientelist capitalism” managed by and for the top brass of the military and their families. While engaging in some liberalization and marketization of the economy, the regime authorized and protected large state-owned enterprises, including two sprawling conglomerates, with diverse holdings and foreign participation, but always with significant natural resource investments. From the early 1990s, “all major foreign investments were required to enter a joint venture with military firms as a precondition to entering the Myanmar market.” As Mangan and Egreteau summarize:

Initially amassing fortunes primarily from extracting natural resources in ceasefire areas and government construction contracts, the military-owned and other connected firms

³⁴Global Witness (2015). Even if the Global Witness estimates are too high, there is no doubt but that there is massive theft of what should be nationally controlled resources by private entities in this area, which are overwhelmingly military men and to a lesser degree EAO bosses. Before the coup, there was some movement in the parliament to try to change the licensing system and bring this sector under greater control of the state (or the state separate from the cronies) (Turnell, 2024).

diversified over time, especially with the help of a second round of SOE privatisations immediately prior to the 2011 elections (Aung Min and Kudo 2014). At the advent of the transition they had secured dominant incumbency positions in sectors more amenable to foreign investment such as banking and transport, and consolidated control over former state assets, natural resources and agricultural land. This re-orientation set the stage for the transition by strategically placing them to sustain their dominance in a post-sanctions, liberalised economy with shifting centres of political power. They possess the connections, domestic capital base and local knowledge required to navigate the burdensome regulatory environment on behalf of investors where joint ventures with local partners are still required in many capital-intensive sectors.³⁵

Concerning our argument about power-sharing, the top military families became so economically entrenched and necessary for industrial development, natural resource development, and foreign investment that it would have been extremely costly for the NLD or any political movement to expropriate or heavily redistribute away from them even if they could gain the legislative and administrative power to try. Even the limited attempts and starts made by the NLD government met with strong opposition from the military.³⁶

In these ways, the Sit-Tat carved out de facto control of offices and revenue sources that the majority party in the legislature could not claw back without their acquiescence even if the NLD had succeeded in passing laws that attempted to do so. They would have had to risk violent conflict to gain large-scale, direct control of these rent streams, and for such moves the Sit-Tat's threat to use force remained credible through the duration of NLD rule. On this dimension the partitioning of the state worked. The Sit-Tat was able to exercise control, and appropriate resources, largely as envisioned by the architects of the autocratic constitution. The elected NLD government was acutely aware that the military had a credible threat to violently resist attempts to seize rent streams under its purview. Apart from the creation of the State Counsellor position and a few other more minor moves, when attempting change, it did so within the confines proscribed by the constitution (Mathieson, 2021).

³⁵From the Mizzima interview with NLD economic advisor Sean Turnell: "Given the lack of transparency and data, Turnell can only guess, but he estimates that before the coup, *perhaps 20% of the economy was under their control* [through the conglomerates]" (emphasis added).

³⁶ASSK's former economic policy advisor Sean Turnell (2024) describes how, after 2015, the NLD's Myanmar State Development Plan "sought [to disperse] economic power, [so that] there would be a dividend politically so that you will actually begin to dilute some of those really powerful instruments that controlled the Myanmar economy for such a long time, that included the military and a lot of the powerful groups connected to them as well." This podcast summary continues, "As Turnell notes, this was the military's worst nightmare." Turnell "notes that he was targeted [jailed] after the coup, likely due to the leading role he played in drafting policies to improve the flailing economy. 'There was an anger from the military that they were starting to come under pressure from the sort of reforms that we were doing, and I was a little bit of a bogeyman.'"

What explains autocratic reversal in 2021 despite largely successful power-sharing? Heading into the November 2020 elections, public enthusiasm for the NLD government appeared to be diminished.³⁷ The Sit-Tat and its USDP candidates may have expected to fare better than in 2015.

Yet the NLD was returned with an even larger vote share. The margin of victory was uniformly broad across the country. Over 70 percent of eligible voters turned out, the NLD won more than 80 percent of the vote. The NLD receiving large vote shares even in military strongholds, where the military experienced electoral desertions of rank and file soldiers and officers. To the surprise of many analysts, ethnic minority parties voted strongly for the NLD despite a justified perception that ASSK had been scarcely different from the Sit-Tat on the subject of negotiations concerning federalism and the ethnic armed organizations; see Mathieson (2021). The USDP (the Sit-Tat's party) remained highly unpopular amongst the Bamar majority.

Although the full story of the military's thinking is not known, there is little doubt that the surprisingly strong results for the NLD were an important factor. The election signaled that their hopes of regaining or maintaining substantial control through elections were groundless, and that ASSK would now have another five years to work – relatively unimpeded in the legislature and increasingly less so in the bureaucracy – at unwinding their (and their families) economic dominance. Pedersen (2023, 52, 56) observes that “There is little doubt that the military leaders were genuinely shocked by the November 2020 election results”; that “It is possible that the 2020 election results effectively sealed the fate of Myanmar's embryonic democracy”; and that the generals “probably also feared that a second NLD government, emboldened by another landslide, was going to try to do an end run around the constitution or in other ways challenge more fundamental military interests.”³⁸

Electoral desertions within the military strongholds may have been particular concerning as a signal of possible future declines in coup capability (as discussed in section 5). As an example, the NLD won the Eastern township Kengtung, a traditional area of strong Sit-Tat support, where many of

³⁷NLD leaders, including ASSK, expressed concerns about voter turnout, for example. A “fringe” Facebook group called “No-Vote Community Myanmar 2020” attracted high-level criticism and legal threats (Aung, 2020).

³⁸Pedersen also mentions Min Aung Laing's personal ambition to be head of state (which he like others sees as being clearly foreclosed by the election results). But he argues that the coup must have had broad support at the highest levels, which he attributes to growing discontent with NLD infringements on military interests and prerogatives. The election escalated alarm about what might follow. See also Croissant (2021); Thawnghmung (2021). Croissant (2021, 18) writes “Adding to the breakdown of communication between the two leaders were possibly real grievances among the top military officers about the perceived lack of attention and respect for their concerns and views, as well as real concern that the NLD government might consider the party's landslide victory in the November election as a chance to step up their efforts to overcome some of the legacies of the military-controlled transition.”

the registered voters are active military. Given all this – together with active and known planning by ASSK’s economic team to pursue reforms that would reduce the military’s economic control during a second term – it is plausible that Sit-Tat leader Min Aung Hlaing saw a closing window of opportunity on which they had to act. As David Mathieson argued, the coup was a “preemptive strike . . . to protect their interests. They thought she has a mandate now to dilute our economic power and our constitutional power, and our immunity from prosecution. There is no way that we’re going to allow ourselves to be that vulnerable.”³⁹

8 Conclusion

Even from an autocratic group’s perspective there may be considerable gains to be had from a transition to democracy, but only if they can be assured a sufficient share. A mere promise by the opposition or the international community is hardly credible. As we have argued and as illustrated in the case of Myanmar, the former rulers’ threat to revert back to power via a coup will not solve this credibility problem by itself, if the potency of the coup threat degrades over time after the autocratic group has lost control of the government, and the new government can engage in “salami tactics” to carve away the former incumbents’ rents.

We have argued that when autocratic constitutions work to facilitate a democratic transition, they may do so by codifying a de facto division that leaves the autocratic group in direct control of rent streams, despite opposition control of the statehouse. The elite maintains control of sufficient revenue sources and policy implementation levers to make the gamble of transition attractive. Deterrence secures them against (at least short-term) piecemeal expropriation by the new government, as the onus of costly escalation to redistribute rents is put on the opposition. That is, the new government’s legislative majority does not confer the ability to seize rent streams that are physically in the old elites’ control, such as contraband jade mining or complex foreign business deals in the case of Myanmar.

This top-down transition path is more feasible for relatively institutionalized autocracies, such as military and single party regimes as opposed to personalist authoritarian regimes. Comparative statics from our main model imply that top-down transition is less attractive for a regime that expects

³⁹Mathieson (2021) and quoted in Helen Regan, “Why the generals really took back power in Myanmar,” [CNN](#) February 8, 2021.

transition to have a higher probability of leading to a sudden, large fall in coup capability. Personalist authoritarians are more likely find this constraint binding, as their strategy of rule entails undermining state institutions like the military or an institutionalized party apparatus – which they fear as alternative power bases (Geddes, Wright and Frantz, 2018). It is well-established that they are more likely to transition via violent rebellion or coup than by negotiated and top-down transitions, which are most common among more institutionalized military regimes and, to a somewhat lesser extent, single party regimes (Geddes, 1999; Quinlivan, 1999; Talmadge, 2015; Geddes, Wright and Frantz, 2014; Geddes, Wright and Frantz, 2018).

We certainly do not claim that all top-down transitions via autocratic constitution are “just like” Myanmar’s – every case of course has distinctive features. For example, Myanmar’s opposition was unusually unified (in support for the NLD) and the autocratic group perhaps unusually reviled. In other cases, more divided oppositions, or greater support for the autocratic group from a segment of the country, may have facilitated top-down transitions. In terms of the model, these features could favor top-down transition by reducing the speed or extent of fall in coup capability of the old elite (because of popular support), or by reducing the amount of rent streams the autocrats need to offer gain the participation of a sufficient share of the opposition (because the opposition is divided).

Nonetheless, the core dynamic commitment problem modeled here for the first time and seen in stark relief in the case of Myanmar is plausibly present as a critical barrier to democratization in a wide range of cases. Autocrats usually govern badly, but unlike in democracies stepping down will not be temporary and probably comes with major losses. As the world experiences a “third wave of autocratization” Lührmann and Lindberg (2019), this core problem for democratization efforts is very likely to persist.

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