

**YANGON UNIVERSITY OF ECONOMICS
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(NAY PYI TAW CAMPUS)**

**A STUDY ON ROLE AND FUNCTIONS OF PARLIAMENT
IN SECOND TERM AMYOTHA HLUTTAW**

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EMPA – 26 (18th BATCH)**

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**A STUDY ON ROLE AND FUNCTIONS OF PARLIAMENT
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A thesis submitted in partial fulfillment towards the requirement for the degree of
Master of Public Administration (MPA)

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This is to certify that this thesis entitled “**A Study on the Role and Functions of Parliamentarians in Second Term Amyotha Hluttaw**”, submitted in partial fulfilment towards the requirements for the degree of Executive Master of Public Administration (EMPA) has been accepted by the Board of Examiners.

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ABSTRACT

This study is concerned with role and function of parliament in second term Amyotha Hluttaw from first February 2016 to 2020. The parliament is a legislative institution and Pyidaungsu Hluttaw is the highest in national level of Myanmar legislative pillar. Parliamentarians play a critical role in the process of transition to democratic political system. The objective of this study is to examine the performance of men parliamentarians in second term Amyotha Hluttaw. The research methodology of this paper was used literature from several books and it was based on the descriptive method using both primary data and secondary data. The primary data collection in men parliamentarians' interview in second term Amyotha Hluttaw included functions of representative in Hluttaw's checking and balancing the executive and judiciary and representing the constituents titled; submitting motions or raising questions and discussions to the Hluttaw to refresh the voice of constituents and the needs of constituencies. Finding of this paper gave us a clear understanding not only the internal and external functions of Union Level Hluttaw but also its strengths and weaknesses. The best knowledge we got from this paper was to build up good institution with political parties, citizens, civil society, international organizations and media relationship are essential for elections to be successful.

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LIST OF ABBREVIATIONS

Amyotha Hluttaw	- The House of Nationalities or the Upper House of National Parliament (Pyidaungsu Hluttaw)
ANP	- Arakan National Party
CEDAW	- Convention on the Elimination of All forms of Discrimination against Women
CSO	- Civil Society Organization
Hluttaw	- Parliament
INGO	- International Non-Governmental Organization
IPU	- Inter-Parliamentary Union
KDUP	- Kokant Democracy Party
KSDP	- Kachin State Development Party
LNDP	- Lisu National Development Party
MP	- Member of Parliament
MNP	- Mon National Party
NGO	- Non-Governmental Organization
NLD	- National League for Democracy Party
NUP	- National Unity Party
Pyidaungsu Hluttaw	- The Assembly of Union; the National Bicameral Legislature of Myanmar, Consisting of an Upper House of Parliament (Amyotha Hluttaw) and a Lower House (Pyithu Hluttaw)
SNDP	- Shan Nationalities League for Democracy
SNLD	- Shan National League for Democracy
Starred Questions	- A Term Use in the Pyidaungsu Hluttaw to Refer to Questions asked by MPs Publicly to Government Agency Representatives
TNP	- Tarang (Palaung) National Party
USDP	- Union, Solidity and Development Party
WDP	- Wa Democracy Party
ZCD	- Zoni Cegress for Democracy

CHAPTER I

INTRODUCTION

1.1 Rationale of the Study

The parliament is an institution that has legislative power of a state according to 2008 constitution in Myanmar. The role of the Pyidaungsu Hluttaw is national level of Myanmar legislative pillar. MPs play a critical role of the Parliament. Therefore, this study will be aimed to study the performance of parliamentarian in Second Term Amyotha Huttaw. Legislative power is the authority under the constitution to make laws and to alter or repeal them. All legislative power in the government is vested in Hluttaw (Parliament), meaning that it is the only part of the government that can make new laws or change existing laws. Executive branch agencies issue regulation with the full force of Law, but there are only under the authority or of laws enacted by Parliament.

According to 2008 constitution in Myanmar, the parliament is an institution that has legislative power of a state and members were elected to a new national, bicameral parliament or “Assembly of the Union” (Pyidaungsu Hluttaw) consisting of a Upper House or “House of Nationalities (Amyotha Hluttaw) and a Lower House or “House of Representative” (Pyithu Hluttaw), while the military ensured that it retained an important measure of control by reserving 25 % of all parliamentary seats. The three branches of sovereign power namely, Legislative Power, Executive Power and Judicial Power are separated to exert possible and exert reciprocal control, check and balance among themselves. The legislative power of the Union is shared among the Pyidaungsu Hluttaw, Region Hluttaws and State Hluttaws, the Pyidaungsu Hluttaw consisting of two Hluttaws, one Hluttaw elected on the basis of township as well as population, and the other elected equal number of representatives from regions and states. In Pyidaungsu Hluttaw, there are 435 members from Pyithu Hluttaw and 224 members from Amyotha Hluttaw. Function of the Hluttaws is to elect the Speakers and Deputy Speakers of Hluttaw, President and Vice-Presidents, law

making, checking and balancing the executive and judiciary and organizing Hluttaw Sessions.

According to Myanmar Hluttaw Strategy Plan (2019-2022), vision is the Hluttaw (Parliament) shall strive for and participate in the successful creation of a democratic federal system in the Republic of Myanmar, which is the common aspiration of the people and mission is to carry out Hluttaw's responsibilities, in line with the constitution, for the wishes of the citizens of Myanmar, which are Peace, Prosperity and Unity, and to this end to conduct legislation. Oversight of Executive and Judiciary and Representation to the interests and aspiration of the citizens. The fundamental standards of the Myanmar Hluttaw are independence and dignity; respect for diversity, equality and inclusivity of all citizens; accountability, integrity and responsiveness; impartially and intelligence; effectiveness in the use of public funds. Functions of Representatives in Hluttaw are, submitting, scrutinizing, discussing and approving bill in accordance with the Constitution; putting forward motions and raising questions, coordination with the relevant organs of State and Authorities for the development of State and Constituencies which does not conflict with the Constitution; relevant Hluttaw Committees coordinate with Union Level Institutions and State / Regional Level institutions through Hluttaw Offices for the greatest benefit of citizens; inviting constituents to the Hluttaw to observe its functions

1.2 Objective of the Study

- To examine the role and function of parliament in Second Term Amyotha Hluttaw

1.3 Scope and Limitations of the Study

In Amyotha Hluttaw, there are 168 elected MPs. In this study, totally provided 70 respondents because of most of MPs could not contact and some are arrived in foreign countries. This study mainly focuses on role and function of parliament in second term Amyotha Hluttaw of plenary meetings. It assesses the Hluttaw sessions from 1st February 2016 to 28th August 2020.

1.4 Method of the Study

Descriptive method will be used in this study. The primary data will be used by questionnaire face to face interviews of respondents of elected MPs in the second

term Amyotha Hluttaw. This also collects the secondary data from Amyotha Hluttaw websites, Hluttaw researches, library and related literatures.

1.5 Organization of the Study

The study is organized into five chapters. Chapter (1) includes rationale of the study, objective of the study, scope and limitation of the study, method of the study and organization the study. Chapter (2) deals with the literature reviews. Chapter (3) presents the background information of Pyidaungsu Hluttaw and Chapter (4) deals with the role and function parliament in second term Amyotha Hluttaw. Chapter (5) presents conclusion.

CHAPTER II

LITERATURE REVIEW

2.1 Define of Parliamentarian

Member of Parliamentarian (MPs) consist of elected, non-constituency and nominated Members. The majorities of MPs is elected into Parliament at a General Election on a first-past-the-post basis and represent either Single Member Constituencies (SMCs) or Group Representation Constituencies (GRCs). MPs act as a bridge between the community and the Government by ensuring that the concerns of their constituents are heard in Parliament.

2.2 Role and function of United State Parliament

The Legislature of the United States of America established under the Constitution of 1789 and separated structurally from the executive and judicial branches of government. It consists of two houses; the Senate, in which each state, regardless of its size, is represented by two senators, and the House of Representatives, to which members are elected on the basis of population. Among the express powers of Congress as defined in the Constitution are the powers to lay and collect taxes, borrow money on the credit of the United States, regulate commerce, coin money, declare war, raise and support armies, and make all laws necessary for the execution of its powers.

Congress must also convene in a joint session to count the electoral votes for the president and vice president. Although not required by the Constitution, joint sessions are also held when the president or some visiting dignitary addresses both houses.

Of common interest to both houses of Congress are also such matters as government printing, general budget. Congress has established individual agencies to serve these specific interests. Other agencies, which are held directly responsible to Congress, include the Copyright Royalty Tribunal, the Botanic Garden, and the Library of Congress.

2.2.1 Legislative process of Congress

At the beginning of the session, the president delivers a State of the Union address, which describes in broad terms the legislative program that the president would like Congress

to consider. Later, the president submits an annual budget message and the report on the economy prepared by the president's Council of Economic Advisors. Inasmuch as congressional committees require a period of time for preparing legislation before it is presented for general consideration, the legislative output of Congress may be rather small in the early weeks of a session. Legislation not enacted at the end of a session retains its status in the following session the same two-year Congress.

In term of Legislation, the president may be considered a functioning part of the congressional process. The president is expected to keep Congress informed of the need for new legislation, and government departments and agencies are required to send Congress periodic reports of their activities. The president also submits certain types of treaties and nominations for the approval of the Senate. One of the signing or vetoing proposed legislation. The president's veto may be overridden by a two-thirds vote of each chamber of Congress; nevertheless, the influence of the president's potential power may extend to the procedures of Congress. The possibility that a bill may be vetoed gives the president some influence in determining what legislation Congress will consider initially and what amendments will be acceptable. In addition to these legal and constitutional powers, the president has influence as the leader of a political party; party policy both in Congress and among the electorate may be molded by the president.

2.2.3 Activities of Congress

Many of the activities of Congress are not directly concerned with enacting laws, but the ability of Congress to enact law is often the sanction that makes its other actions effective. The general legal theory under which Congress operates is that legal authority is delegated to the president or executive departments and agencies and that the latter, in turn, are legally responsible for their actions. Congress may review any actions performed by a delegated legislation, such as in proposals for governmental reorganization, congress must indicate approval of specific plans before they go into effect. Congress may also retain the right to terminate legislation by joint Congress exercise general legal control over the employment of government personnel. Political control may also be exercised, particularly through the Senate's power to advise and consent to nominations. Neither the Senate nor the House of Representatives has any direct constitutional power to nominate or otherwise select executive or judicial personnel (although in the unusual event that the electoral college fails to select a president and vice president, the two houses, respectively, are expected to do so). Furthermore, Congress does not customarily remove officials. Congress, however, does have the power of impeachment. In such proceedings the impeachment is made by the House of

Representatives, and the case is tried before the Senate a vote of two-thirds of the senators present is required for conviction.

The power to levy and collect taxes and to appropriate funds allows Congress considerable authority in fiscal matters. Although the president has the initial responsibility for determining the proposed level of appropriations, once estimates for the next fiscal year are submitted to Congress, a single budget bill is not enacted, but rather a number of appropriation bills for various departments and agencies are passed during the first six or seven months of a session.

In its nonlegislative capacity, Congress also has the power to initiate amendments to the Constitution, and it must determine whether the states should vote on a proposed amendment by state legislatures or by special state conventions. Finally, Congress has the right to investigate any subject that affects its powers. Congressional investigating committees may call witnesses and require them to produce information. These committees may also be given the power that persons who deliberately block the legislative process may be charged with contempt of Congress and may be issued warrants for their arrests.

[Nov,12,2022-Nevada Sen. Catherine Cortez Masto (D)]

2.3 Role and Function of UK Parliament

The UK Parliament makes up the legislative branch of the UK government. It is composed of two separate bodies; the House of Commons and the House of Lords, which makes it a bicameral parliament as it has two chambers. The House of Commons comprises representatives who the people elect throughout the UK. In contrast, the House of Lords members are not elected. They both debate and amend news law and bounce off of one another until a decision is made. Each house represents parliament in different committees and councils throughout the legislature.

2.3.1 UK Parliament; House of Commons

The House of Commons is one of the two chambers of parliament. It is also known as the upper house. The members are elected through a public vote in general elections. Their main role is to debate and scrutinize proposed legislation and bring forth their own bills.

There are six hundred and fifty seats within the House of Commons. Most members of Parliament (MPs) have been elected and gained a seat representing a political party, though some may run independently. MPs also represent their constituency alongside their political

party. There are 650 constituencies within the UK parliament, and each MP represents single constituency.

2.3.2 UK Parliament; House of Lords

The House of Lords is the second chamber within parliament, also known as the upper house. Alongside the House of Commons, they vote and debate upon proposed legislation. Scrutinizing it and proposing changes where necessary. There is not a set number of seats, but in 2022, there were seven hundred and sixty-seven members within the House of Lords.

However, unlike the House of Commons, the House of Lords are not publicly elected. Most are nominated by those who have worked within the political and legal system throughout their lives, known as life peers.

Some members of the House of Lords hold their seats as hereditary peers; meaning that they inherit the position through their family. There are around 700 hereditary peers, but only 92 are entitled to a seat. The rest vote for who will sit in the House of Lords. The third type of seat held within the House of Lords is the Lords Spiritual, 26 of which the bishops of the UK hold.

2.3.3 UK Parliament's Functions

The UK's parliament has three primary functions, passing legislation, parliamentary scrutiny, and providing ministers. Arguably the most important of these functions is to pass legislation. To do this, all proposed legislation must be deeply evaluated so that laws are fair. As such, parliament must debate and adjust them before they become legislation. The process in which this is done is known as the billing process.

2.3.4 Billing Process for a UK Act of Parliament

To pass an Act of Parliament in the UK a proposed bill needs to go through the billing process in both the House of Commons and House of Lords. While most bills begin in the House of Commons, they can start in either house. For both Houses the process is the same;

- First Reading; read the bill that has been put forward, no debate
- Second Reading; debate the bill, but no amendments are made
- Committee Stage; amendments are made to the bill
- Report Stage; changes are reported back to the relevant House
- Third Reading; final debates and changes are made

Once approved by the House of Commons, the bill moves to the House of Lords (or vice versa) to undergo the billing process. If changes are made to the bill, it will go through the process again. If the houses don't agree on the changes made, it will move back and forth between the House of Commons and the House of Lords until they agree.

Finally, once the houses have agreed, the bill gets passed to the Crown to receive 'royal assent'. This is the final stage in the billing process, where the monarch signs the bill so that it becomes law.

Parliament is also there to hold the executive branch of the government to account. Making sure that they adhere to the constitution and don't abuse their power. Parliament is, therefore, part of a process known as parliamentary scrutiny. They do this in three primary ways. Firstly, through select committees which relate to governmental departments. Another way do this is by posing questions to individual ministers on the matter, requesting either an oral or written response (e.g. a weekly Q & A in the House of Commons through the prime minister's questions). The final way is through a debate within the House of Lords or the House of Commons.

Another function of parliament is to provide ministers to represent and sit in cabinet as part of the executive branch of the government. To be a minister you must hold a seat in one of the Houses of Parliament. Lastly, the representation of the people is also a function of the UK parliament, though this only happens through the House of Commons, as this is the elected chamber of parliament.

[<https://www.studysmater.us>]

2.4 Role and Function of German Parliament

The German Bundestage is elected by the German people and is the forum where differing opinions about the policies the country should be pursuing are formulated and discussed. The most important tasks performed by the Bundestage are the legislative process and the parliamentary scrutiny of the government and its works. The members of the German Bundestage also decide on the federal budget and deployment of the Bundeswehr (Federal Armed Forces) outside Germany. Another important function performed by the Bundestage is the election of the German Federal Chancellor.

2.4.1 The Legislative Process

In Germany, the legislative process is a task for the country's parliaments. The Bundestag is therefore the most important organ of the legislative branch in the German

Federation. Since, under Germany's federal system, the Lander hold a considerable share of the powers of the state, the Bundesrat, the organ through which the Lander participate in the legislation and administration of the Federation, is also involved in the legislative process.

2.4.2 Principle of the division powers

The division of powers is one of the principles of Germany's democracy and is anchored in the Basic Law. The powers of the state are divided between several branches, the legislative, the executive and the judiciary, which are supposed to monitor one another and limit the power of the state.

In line with the principle of the division of powers, the Bundestage is the highest organ of the legislative in Germany. Alongside it stand the Federal Government, representing
[<https://www.bundestage.de>]

2.5 Duties of Parliamentarian

Parliamentarians are expected to be experts in meeting procedures and such books as Robert's Rules of Order Newly Revised as well as the rules of the body they are working for.

A parliamentarian may be called in to assist in drafting bylaws. Other responsibilities may include teaching classes or holding office hours during conventions.

Generally, the parliamentarian's role is purely advisory. At meetings, the parliamentarian should unobtrusively call the attention of the presiding officer to serious errors in procedure. However, the advice of a parliamentarian is generally not binding on the presiding officer of an assembly.

If the parliamentarian is a member of the assembly, that person has the same rights as other members, but should not exercise those rights to maintain impartiality, similar to the impartiality that is required of the chairman. In other words, the parliamentarian should not be making motions, speaking in debate or voting.

[Robert's Rules of Order Newly Revised]

2.6 Overview on Previous Study

As David Olson (1994: 117) has argued a revived legislature can seldom ignore institutional and political legacies. The new parliament in Myanmar was not established *ex nihilo* after the general elections held by the junta in 2010. Chapter 4 of the 2008 Constitution focuses, legislative power is vested at the Union Level in a bicameral parliament, or Pyidaungsu Hluttaw, comprised of a 440 seat House of Representatives (Pyithu Hluttaw) and 224 seat House of Nationalities (Amyotha Hluttaw).

However, imposed an institutional novelty unknown under Myanmar's previous parliament-based regimes: that only three quarters of all Union Level Parliamentary seats be elected by universal suffrage (330 seats in the Pyithu Hluttaw, and 168 in the Amyotha Hluttaw, as a combined 498 legislators). The country has remained committed to single-member constituencies and the first-past-the-post electoral system, a legacy of British colonial rule. In the Pyithu Hluttaw, the 330 elected constituencies are based on Myanmar's existing 330 townships. In the Amyotha Hluttaw, each of the seven states and seven regions of the country has an equal number of twelve elected seats, for a total of 168 seats. The remaining quarter of Union Level Parliamentary seats is constitutionally reserved for non-elected parliamentarians drawn from the armed forces. There is a maximum (not more than *ma po thaw*) of 110 military legislators in the Pyithu Hluttaw according to Articles 109 (b) and 56 in the Amyotha Hluttaw (Article 141 (b)).

The 2020 elections resulted in a quite predictable "inaugural" post-junta legislature. Heavily flawed, these first national polls in two decades brought in a cohort of transitory lawmakers.

Unluckily, there is no direct study relates studies with Performance of Members of Parliament (MPs) in Myanmar to review but there are some similar previous studies concerned with politics.

Seng Swam, (2017) revealed on the Role of Stakeholders Contribution to the 2015 Myanmar Elections. It was found that how related with Democracy and Elections and how important of elections in the democratic countries in the world. The roles of the Stakeholders are vital important for election process and Union Elections Committee (UEC) and other Stakeholders such as political parties, citizens, civil society, and international organizations and media relationship are essential for elections to be successful.

Khaing Mar Htay, (2019) studied Women Participation in Legislative Pillar of Myanmar Government and it was founded that female members of parliament belonged to only nine political parties at the national level and regional level in 2015 general elections and the vast of majority are from the National League for Democracy. It was also noted that in the State and Regions, 79 (12.5%) of the 29 elected ethnic affairs ministers are women. For the suggestions, women's representation in Myanmar's Hluttaw (2015) is now higher than 2010 general elections but remains low compared with other countries and need more trainings and skills in technical areas for women.

Knin Hnin Thit, (2020) studied the Performance of Women Parliamentarians In Second Term Pyidaungsu Hluttaw and it was founded that the respondents include women MPs of the second term Pyidaungsu Hluttaw (Pyithu Hluttaw and Amyotha Hluttaw) of 2016-2020. Total number of respondents is 67 elected women MPs in which 44 ones are from the Pyithu Hluttaw and 23 from the Amyotha Hluttaw. In Myanmar, growth rate of women MPs' participation in the second term Pyidaungsu Hluttaw becomes double more than the first term from 6% to 13.7%. So, Myanmar ranks 161 out of 191 countries in terms of the representation of women in national assembly and ranks second lowers in South East Asia (SEA) according to the International Parliamentary Unions (IPU) index.

CHAPTER III

BACKGROUND INFORMATION OF PARLIAMENT

3.1 Background History of Parliament in Myanmar (Amyotha Hluttaw)

In precolonial area, the Hluttaw refers to the council of ministers in the king's court in precolonial Burma (Myanmar). Hluttaw's origin traces back to the Pagan era when King Htilominlo (r.121-1235) created a privy council of senior ministers to manage the day-to-day affairs of the government. During the Konbaung dynasty, the Hluttaw was the center of government and the kingdom's national administrative body, divided into three branches namely fiscal, executive, and judicial (Since the colonial times Hluttaw has been used to describe a parliament or legislative body).

The Byedaik acted as the privy council, maintaining the inner affairs of the royal court, whereas the Hluttaw managed the kingdom's government. Hluttaw's tradition also had the duty of selecting their apparent, whenever the incumbent king did not select one. In the Konbaung dynasty, the Hluttaw was in session for 6 hours daily, from 6 to 9 am, and from noon to 3 pm, attended by ministers, ministers of third rank, and head clerk, as well as interior ministers, who sat in Byedaik. It was tradition for the King to appoint four ministers, four interior ministers and four officers. On 1923, with the enactment of the Montagu-Chelmsford Reforms, Burma became a governor's province with a partially elected legislative council, the legislative council of Burma, consisting of 103 seats, with 80 filled by election.

The 1935 Government of Burma Act established the legislature of Burma. During this period, the colonial legislature consisted of two chambers, the 36 seat senate and 123 seat House of Representatives. Under the British colonial rule, there was a legislative council led by vice governor-general consisting to the 1935. Government of Burma Act, colonial legislature consisted of two chambers, the 36 seats and 32 seats House of Representative. Those are rudimentary and not represent for the people. Similarly, after Japanese occupation, they created authorities if Japanese military accordingly.

According to Aung San Attle Agreement, the Constituent Assembly was established in 1974. Myanmar gained independence on 4th Jan 1948, as a democratic nation. Upon gaining independence, a state Assembly was convened with a system of parliamentary democracy. The first constitution was adopted and 24th September 1947.

Based on the 1947 constitution a democratic system centered on the Union Parliament was established. The legislative was composed of two chambers. Lumyosu Hluttaw, chamber of nationalities and Pyithu Hluttaw, chamber of Deputies. The Constitution was abrogated and was replaced with socialist constitution in 1974. The parliamentary system of government lasted until 1962 led by General Ne Win took control of state and formed his party to govern the state. Though his party known as Myanmar Socialist Program Party that ruled Myanmar until 1988. Then, the Constitution of Socialist Republic of the Union of Myanmar came to an end due to the uprising in 1988.

The military government created a council called the State Law and Order Restoration Council 1988 September 18 to 1997. The SLORC later turned into State Peace and Development Council which took over the governing functions until early 2011. As Union of Burma, from 1947 to 1962, under the 1947 constitution Burma's Legislature called the Union Parliament, consisted of two chamber of the 125 seat Lumyosu Hluttaw (the Chamber of Nationalities)and the 250 seat Pyithu Hluttaw were determined by the population size and representing constituencies. Following a coup-de-tat in 1962, it became a military dictatorship under the Burma Socialist Program Party. As Socialist Republic of the Union of Burma from 1962to 1974, there was no functional Hluttaw in existence as the ruling government was Socialist Union Revolutionary Council.

From 1974 to 1988, under the 1974 constitution Burma's branch was a one party legislature consisting of a chamber, the Pyithu Hluttaw (The People's Assembly) represented by members of Burma Socialist Programs Party.

In Union of Myanmar between 1988 and 2011, there was no functional Hluttaw, as the ruling government was to the State Peace and Development Council. Burmese military government had referendum in 2008 to endorse its own Constitution and held the first ever general election in 2010, now is the second term Pyidaungsu Hluttaw (2016-2021).

Formation of the Amyotha Hluttaw

141. The Amyotha Hluttaw shall be formed with a maximum of 224 Hluttaw representatives as follows:

- (a) 168 Amyotha Hluttaw representatives elected in an equal number of 12 representatives from each Region or State inclusive of relevant Union territories and including one representative from each Self-Administered Division or Self-Administered Zone;
- (b) 56 Amyotha Hluttaw representatives who are the Defense Services personnel nominated by the Commander-in-Chief of the Defense Services in accord with the law, four representatives from each Region or State inclusive of relevant Union territories;
- (c) in forming the Amyotha Hluttaw as mentioned in Sub-Section (a) and (b), the relevant Union Territory means the Union Territories, prescribed under the Constitution, or prescribed by law of the Pyidaungsu Hluttaw, which are inclusive in State or Division, Region or State for the purpose of electing the Amyotha Hluttaw representative.

Election of Chairperson of the Amyotha Hluttaw

142. Election of Chairperson of the Amyotha Hluttaw shall be carried out subject to the provisions relating to the election of Chairperson of the Pyithu Hluttaw under Section 110.

Election of the Speaker and the Deputy Speaker of the Amyotha Hluttaw

143. Election of the Speaker and the Deputy Speaker of the Amyotha Hluttaw shall be carried out subject to the provisions relating to the election of the Speaker and the Deputy Speaker of the Pyithu Hluttaw under section 111.

Duties of the Speaker of the Amyotha Hluttaw

144. The duties of the Speaker of the Amyotha Hluttaw shall be subject to the provisions relating to the duties of the Speaker of the Pyithu Hluttaw under section 112.

Performance and termination of duties of the Speaker and the Deputy Speaker of the Amyotha Hluttaw

145. Performance and termination of duties of the Speaker and the Deputy Speaker of the Amyotha Hluttaw shall be subject to the provisions relating to the performance and termination of duties of the Speaker and the Deputy Speaker of the Pyithu Hluttaw under section 113.

146. Duties, powers and rights of the Speaker and the Deputy Speaker of the Amyotha Hluttaw shall be prescribed by law.

Formation of the Amyotha Hluttaw Committees, Commission and Bodies

147. (a) The Amyotha Hluttaw shall form Bill Committee, Public Accounts Committee, Hluttaw Rights Committee, and Government's Guarantees, Pledges and Undertaking Vetting Committee with the Amyotha Hluttaw representatives.

(b) When the occasion to have studies made and submitted on defense and security matters or Military affairs, the Amyotha Hluttaw shall form the Defense and Security Committee with the Amyotha Hluttaw representatives who are the Defence Services personnel, for a limited time. The Defence and Security Committee so formed may, if necessary be included suitable Amyotha Hluttaw representative who are not the Defense Services personnel in accord with the volume of work.

(c) If there arises a need to study and submit on other affair, in addition to legislature, executive, national race affairs, economics, finance, social and foreign affairs, the Hluttaw Committee may be formed with the Amyotha Hluttaw representatives for a limited time.

(d) The Amyotha Hluttaw shall determine the number of member, duties, powers, rights, and term of the Amyotha Hluttaw Committees.

148. If there arises a certain matter to co-ordinate with the Pyithu Hluttaw, the Amyotha Hluttaw may elect and assign its representatives who will serve with the Joint Committee comprising an equal number of representatives from the Amyotha Hluttaw and the Pyithu Hluttaw to form that Committee. The term of the Joint Committee shall be until the time they have submitted the report to the Hluttaw concerned.

149. When both the Amyotha Hluttaw and the Pyithu Hluttaw have certain matters to study, apart from matters to be performed by the Committee as prescribed in Sub Sections (a) and (b) of Section 147, the Speaker of these Hluttaw may co-ordinate among themselves and form a Joint Committee comprising an equal number of representatives from the Amyotha Hluttaw and the Pyithu Hluttaw. The Amyotha Hluttaw may elect and assign the Amyotha Hluttaw representatives included in that Committee. The term of the Joint Committee shall be until the time they have submitted the report to the Hluttaw concerned.

150. Formation of the Amyotha Hluttaw Commissions and Bodies of the Amyotha Hluttaw shall be carried out subject to the provisions relating to the formation of Commission and Bodies of the Pyithu Hluttaw under Section 118.

Term of the Amyotha Hluttaw

151. The term of the Amyotha Hluttaw is the same as the term of the Pyithu Hluttaw. The term of the Amyotha Hluttaw expires on the day of the expiry of the Pyithu Hluttaw.

Qualification of the Amyotha Hluttaw representatives

152. The Amyotha Hluttaw representatives shall be:

- (a) persons who have attained the age of 30 years
- (b) persons who have qualifications, with the exception of the age limit, entitled to be elected as Pyithu Hluttaw representatives prescribed under section 120;
- (c) persons whose qualifications does not breach the provision under Section 121 which disqualified a person from standing for election as the Pyithu Hluttaw representatives.

Qualification of the Amyotha Hluttaw representatives who are the Defence Services Personnel

153. The Defence Services personnel, nominated by the Commander-in-Chief of the Defence Services as the Amyotha Hluttaw representatives who are the Defence Services personnel in accord with the law, shall possess the prescribed qualifications for the Amyotha Hluttaw representatives.

Convening of the Amyotha Hluttaw Session

154. (a) The commencement of the term of the Amyotha Hluttaw is the day of the commencement of the term of the Pyithu Hluttaw.
- (b) The first regular session of the Amyotha Hluttaw shall be held within seven days after the commencement of the term of that Hluttaw.
155. Convening the Amyotha Hluttaw session shall be carried out subject to the provisions relating to convening of the Pyithu Hluttaw sessions under Sections 124 to 135.

Submission of Bill

156. Bills relating to other matters, except the matters prescribed in the Constitution that the Bill was submitted and passed exclusively by the Pyidaungsu Hluttaw stated in Union Legislative List, shall be initiated in the Amyotha Hluttaw in accord with the prescribed procedures.
157. (a) After issuing a rule, regulation or by-law in accord with the law enacted by the Pyidaungsu Hluttaw, the Body concerned shall distribute and submit the said rule, regulation or by-law to its representatives at the nearest regular session of the Amyotha Hluttaw with the permitted arrangement of the Speaker of the Hluttaw.
- (b) If it is found that a rule, regulation or by-law is in conformity with the provisions of relevant law, Hluttaw representatives may move to annul or amend the rule, regulation or by-law to the Amyotha Hluttaw within 90 days from the day that rule, regulation or by-law is submitted and distributed.
- (c) If there is a disagreement between the Amyotha Hluttaw and the Pyithu Hluttaw to annul or amend any rule, regulation or by-law, it shall be submitted to the Pyidaungsu Hluttaw.
158. (a) If Bill submitted by any Union level organization formed under the Constitution are sent in accord with prescribed procedures of the Pyidaungsu Hluttaw, it shall be deemed that such Bills are initiated in the Amyotha Hluttaw, and shall be discussed and resolved in the Amyotha Hluttaw.
- (b) Bills relating to other matters, except the matters prescribed in the Constitution that the Bill was submitted and passed exclusively by the

Pyidaungsu Hluttaw stated in the Union Legislative List shall be initiated in the Amyotha Hluttaw in accord with the law. Such Bills shall be discussed and resolved by the Amyotha Hluttaw under the prescribed procedures.

- (c) The Bills passed by the Amyotha Hluttaw shall be sent to the Pyithu Hluttaw to continue to discuss and to resolve
159. (a) After receiving a Bill sent by the Pyithu Hluttaw, the Amyotha Hluttaw may resolve to agree or disagree, or agree with amendments in accord with the resolution of the Pyithu Hluttaw .The Bill shall be sent back to the Pyithu Hluttaw together with the resolution of the Amyotha Hluttaw.
- (b) When the Amyotha Hluttaw receives the Bill with amendments from the Pyithu Hluttaw it shall, if it accepts the Bill with amendments of the Pyithu Hluttaw, send to the Speaker of the Pyidaungsu Hluttaw.
 - (c) If there is a disagreement between the Amyotha Hluttaw and the Pyithu Hluttaw relating to the Bill sent to the Pyithu Hluttaw, the Amyotha Hluttaw shall obtain the resolution of the Pyidaungsu Hluttaw.
160. Members representing any Union level Body formed under the Constitution are entitled:
- (a) to explain, converse and discuss Bills or matters relating to their Bodies when they are attending the Amyotha Hluttaw session with the permission of the Speaker of the Amyotha Hluttaw;
 - (b) to explain, converse and discuss Bills or matters relating to their Bodies when they are attending sessions of the Committees, Commissions and Bodies of the Amyotha Hluttaw with the permission of the Head of the Committee, Commission of Body concerned.

3.1.1 Gender Equality of MPs in Parliament

Gender equality benefits all members of society. It is critical to achieving the national goals of universal human rights, democratic governance, sustainable development, and economic prosperity across the Caribbean.

Although women’s empowerment is a critical element of gender equality, gender equality is not a “women’s issue” nor can it be advanced solely through women’s efforts in public or private spheres. Men are important actors who can share the responsibility and participate actively.

One of the most striking patterns of unequal power distribution is that men are politically overrepresented everywhere in the world. This male parliamentary dominance ranges from extreme cases such as Saudi Arabia or Qatar, where there are only male members of parliament, to countries where parity has been achieved, such as Rwanda, with 44 percent men in parliament, and Sweden, with 53 percent men in parliament. However, in all but one country in the world, there are more men than women in parliament. In total, over 81 percent of the world's parliamentary seats are occupied by men.

Men's action is furthermore necessary in the gender equality equation, because men continue to hold most of the influential decision-making positions in the region. Working in the partnership with women, male parliamentarians can be game-changers in transforming the political cultures in transforming the political culture and institutions that uphold harmful gender norms.

Members of Parliament (MPs) consist of elected, non-constituency and nominated Members. The majority of MPs are elected into Parliament at a General Election on a first-past-the –post basis and represent either Single Member Constituencies (SCMs) or Group Representation Constituencies (GRCs).MPs act as a bridge between the community and the Government by ensuring that the concerns of their constituents are heard in Parliament.

Parliamentarians can leverage their platforms to influence public opinion, political authorities and structure, and legislative agendas in favor of gender equality. Since men vastly outnumber women in Caribbean parliaments, bold leadership by male allies in this setting will accelerate social and legal inclusion efforts. This committed work in solidarity with women and marginalized groups furthermore improves representation and strengthens conditions for building citizen trust.

3.1.2 Duties of Parliamentarians

Union-level MPs mentioned the significance of overseeing government policy to help address systemic issues that are important both nationally and to their constituents. However, not all MPs appreciate the link between constituency work and parliamentary representation. Only a minority explicitly linked or distinguished between constituency and parliamentary work.

To represent constituent needs in this way, MPs should be able to identify and prioritize broad constituency interests. MPs can then leverage their parliamentary

work to strategically pursue policy objectives that benefit their constituents, often in collaboration with other MPs who have the same policy objectives. This is a proactive and strategic approach to balancing the constituency and parliamentary aspects of the MP's role. Hluttaw MPs expressed some frustration and described difficulties with pursuing particular policy developments of importance to their constituents.

The availability of reliable constituency data is a concern for many MPs. MPs heavily relies on township authorities for data. A total of 96 per cent of MPs receive data from township authorities. Other local sources are rarely used. Fifty-four per cent of MPs receive data from the Hluttaw research services. Despite improvements, such as the launch of constituency profiles, MPs frequently mentioned that they require more accurate and timely research support to conduct their duties. MPs reported difficulties in accurately representing constituency interests where they did not have detailed and updated information.

However, this form of proactive constituency engagement was only evident for a minority of MPs. There was little evidence of any systematic collation of information about the numbers and types of constituency problems confronting MPs when they meet with constituents. MPs do not appear to methodically keep detailed up-to-date records or log data.

The lack of data is critical. MPs will continue to struggle to meet constituency demands (and public expectations of their role) if they are not sufficiently equipped with basic and accurate information about their constituencies and the needs of constituents. Improved access to information and greater availability of ICT support is one means of addressing this key challenge.

The most common way for MPs to follow up on issues that constituents raise is through direct engagement with district or township authorities (91 per cent of MPs use this method and it is the most common approach for 34 per cent of MPs). Fifty-three per cent of MPs have delegated issues to regional and state MPs; 54 per cent have taken direct decisions themselves and communicated these to local authorities. Direct advocacy to Regional or State government (75% of MPs) and to Union-level ministries (75%) is also common.

When bringing issues back to the Hluttaw to resolve, MPs are very active in asking questions in plenary (81 per cent of MPs use this method and it is the most common approach for 35 per cent of MPs). A slightly higher proportion of male MPs (36 compared to 24 per cent female) said that this was the most common method of

following up on their constituents' issues. Forty-seven per cent of all MPs have followed up on constituent issues in their committee and 50 per cent have pursued matters with other committees.

MPs whose constituency work has proved successful typically and sectoral interests of their constituency by addressing systemic issues in plenary and committees.

3.1.3 Use of Questions and Motions

Asking questions is a key means of holding governments to account and of representing constituents. The Hluttaw facilitates this practice effectively. Hluttaw MPs can pose starred questions (requiring a verbal response from the government in plenary) and unstarred questions (requiring written response).

Questionnaire responses showed that 86 per cent of MPs had asked unstarred questions. Seventy-two per cent had asked up to 20 questions, and 25 per cent had tabled between 20 and 100 questions. Three per cent of MPs had posed over 100 unstarred questions. These questions were primarily used to request resources for constituents. Seventy-five per cent of MPs stated that this was the most common topic of their questions. A total of 6.5 per cent of MPs said that they most commonly asked questions about issues of national importance.

Eighty-four per cent of MPs reported that they had asked starred questions. Sixty-eight per cent had asked 1-10 starred questions, 22 per cent had asked 10-20, and 10 per cent had asked over 20. In all, 53 per cent of MPs said that they asked starred questions to request resources for their constituents. Twenty-one per cent said that they most commonly asked starred questions about issues of national importance.

Motion is more complex. Fewer MPs had proposed motions as they need research and expert advice. Twenty-four per cent of MPs had proposed motions, with 59 per cent of those MPs proposing only one. The increasingly established practice in the Hluttaw is that the committees table motions, which tend to be on issues of national importance (74 per cent if MPs mentioned this as the most common topic for motions). Twenty-two per cent of MPs stated that they had registered to participate in a plenary debate.

Questionnaire data indicates that almost the same proportion of male and female MPs have asked starred and unstarred questions. A slightly higher proportion of female MPs have tabled motions and registered for plenary debates.

A distinction can be drawn between questions about constituency business and those with a national or policy focus. In the main, Hluttaw MPs do not necessarily ask questions to oversee and scrutinize the government and do not tend to interrogate national government policy and actions. Instead, questions encourage the government either to support an MP's policy proposal or meet a constituency need. Many MPs therefore ask questions to query and request constituency resources and are generally happy with this use of the plenary. For example, MPs have asked for more schools, teachers, improved roads and health resources, for which they have to provide detailed information. Many of these requests are granted.

Although seen as satisfactory by MPs, the focus on meeting constituents' needs does not make full use of a union-level MP's entire range of powers to oversee national policy and government action.

Some MPs asked questions about constituency matters as a conduct for exploring nationally important issues. This included women MPs who raised matter that affected women throughout Myanmar. Overall, however, this was not a common approach.

In most parliaments, rules govern those topics that questions may address (often expressed in terms of relevance) and how questions may be asked. Speakers play a role in deterring whether proposed questions abide by the rules. The role of Speakers is to create space for critical dialogue between MPs and the government. This in turn contributes positively to the democratic character of the overall political process. Hluttaw MPs mentioned that approval of questions for the plenary is reliant on the decision of the Speakers. Some MPs noted that their party had a process for vetting questions. Where that is the case, MPs sometimes avoid asking certain questions because they know the questions will not be allowed to proceed. Generally, MPs did not mention the Hluttaw staff's role of providing advice on drafting questions or motions.

Some MPs were dissatisfied because of inadequate preparation time before Bills and proposals were discussed. The practice of giving MPs two days' notice of issues to be discussed was considered insufficient to ensure a high-quality debate. MPs were also keen that there should be no limit on the number and frequency of questions asked. Concerns were raised about the time allocated for MPs to speak which has been reduced from five minutes to three.

Some MPs complained that the business paper in the Pyithu Hluttaw is produced only three days in advance, giving little time to prepare supplementary questions. This suggests that MPs are submitting questions before they have completed their research. The Pyidaungsu Hluttaw publishes its business paper a week ahead, and many MPs were positive about this. They suggested that setting out topics, even if the detailed questions were not printed, would go some way to improving the institution's business.

3.2 Overview of 2008 Constitution

The Constitution of the Republic of the Union of Myanmar (2008) is the third Constitution of Myanmar after 1947 and 1974 constitution which was aborted by military coups. It is part of the seven steps road map announced by then Prime Minister of State Peace and Development Council government General Khin Nyunt on 30 August 2003. One of the seven steps includes recalling of National Convention for the drafting of new constitution which was adjourned on 31st March 1996 by State Law and Order Restoration Council government.

The convention began on 17 May 2004 attended by 1076 of invited delegates and representatives from 25 ethnic ceasefire groups. After several sessions since 1993 the convention was concluded with the adoption of fundamental principles for constitution drafting commission with member of 54 which was later formed by SPDC. On 19 February 2008, the SPDC announced that the commission had finalized the drafted constitution and planned to approve through referendum in May 2008.

On 10 May 2008 (24 May 2008 in some townships) the Constitutional referendum was held in Myanmar and SPDC announced 93.82% of the voters favored it, however there has been wide spread criticism of the process as the Cyclone Nargis hit Myanmar a few days before the referendum and free and fairness of the v=overall process. The 2008 Constitution came into force on 31st January 2011.

The Tatmadaw (Myanmar Armed Forces) retain significant control of the government under the 2008 constitution. 25% of seats in the Parliament of Myanmar are reserved for serving military officers. The ministries of home, border affairs and defense have to be headed by a serving military officer. The military also appoints one of the country's two vice-presidents have little influence over the security establishment.

3.3 Legislatives Branch of Government

Legislative power is the authority under the constitution to make laws and to alter or repeal them. All legislative power in the government is vested in Hluttaw (Parliament) meaning that it is the only part new laws or change existing laws. Executive branch agencies issue regulating with the full force of law, but there are only under the authority of law enacted by coming parliament.

Many countries-both unicameral and bicameral use a mix of electoral methods, in with a portion of legislative seats are awards using one system, such as proportional representative by another system, such as proportional representation many countries with bicameral legislatures use many countries with bicameral legislatures use different voting system for the two chambers.

According to 2008 constitution, the three branched of sovereign power namely; legislative power, executive power and judicial power are separated to the extent possible and exert reciprocal control, check and balance among themselves. And then Parliamentary power is dispersed like a legislative structure for the Union, State or Region, Self-administrative Zone or Divisions, the Capital territory and possibly other Union territories. In Myanmar, there are two terms of Pyidaungsu Hluttaw according to 2008 Constitution. The First term of Pyidaungsu Hluttaw is from 2011 to 2015 and the second term is from 2016 to 2020.

Electoral system in Myanmar that the system for electing representatives to the Hluttaw represent a different size of population as the state and region differ in area and population. Members were elected to a new national, bicameral parliament or Assembly of the Union (Pyidaungsu Hluttaw) while the military ensured that it retained an important measure of control by reserving 25% of all parliamentary seats.

The legislative power of the Union is shared among the Pyidaungsu Hluttaw, Region Hluttaw and State Hluttaws. In the composition of the Hluttaw (Parliament), the term of Hluttaw is that one term of a Hluttaw is five years from the day of the first session of Pyithu Hluttaw (House of Representatives). Not more than 330 Pyithu Hluttaw representatives are elected on the basis of township population, 168 Amyotha Hluttaw representatives are elected in an equal number of 12 from each of the 14 States and Regions. 56 Amyotha Hluttaw representatives are the Defense Services personal nominated by the Commander-in-Chief in accordance with the law. 110 Pyithu Hluttaw representatives are the Defense Service personal nominated by the Commander-in-Chief in accordance with the law.

In national level, for Head of Hluttaw the Speaker and Deputy Speaker of the Amyotha Hluttaw will serve as the Speaker and the Deputy Speaker of the Pyidaungsu Hluttaw in the first thirty months of the parliament term. For the remaining thirty months of the term of the parliament, the Speaker and the Deputy Speaker of the Pyidaungsu Hluttaw.

Bicameral Assembly of the Union or Pyidaungsu consists of House of Nationalities or Amyotha Hluttaw, seat constituencies by absolute majority vote with a second round If needed and 56 appointed by the military, members directly elected in single in seat constituencies members serve 5 years terms election.

3.4 Obligation of Parliamentarians in the Amyotha Hluttaw

The development of the Union Hluttaw and the increase in MPs who are fulfilling their duties effectively are both contributing an effective democracy in Myanmar. MPs are strongly motivated to consolidate democracy, contribute to national reconciliation and solve constituency issues. Despite many MPs identifying law making as their most important role, they feel better able to undertake their representational duties compared to oversight or law-making. MPs often feel that they are constrained when making law if they do not have a legal background. However, international experience shows that MPs can have a strong impact on law-making through specializing in the policy area that their committees cover. Specialization strengthens the quality of law-making and oversight without requiring MPs to have advanced legal expertise. A deeper understanding of the complementary roles of the different branches of the democratic system would also support MPs to fulfil all their roles.

The second Hluttaw builds on the groundwork and achievements of the first parliamentary processes and practices have evolved and developed. In the plenary, MPs are positive about the impact of their questions, especially on constituency issues. However, in the main MPs' questions seek government support for an MP's policy proposal or meet a constituency need. This may not make full use of a Union level MP's entire range of powers to oversee national policy and government action. MPs are sometimes disappointed with the government's answers in plenary. Some MPs mentioned the need for more active plenary debate.

Committees in the second Hluttaw have become more active and MPs' engagement in constituency work is becoming more routine. MPs could identify some

tangible outputs and achievements through more effective practice in areas such as holding hearings, site visits and engagement with ministries. Some ad hoc committees are still reactive. They focus disproportionately on responding to complaints and constituency grievances and so did not use their full range of powers. However other committees are conducting in depth studies of issues within their terms of reference through what is commonly known as the committee inquiry process. Committee reporting to the plenary is not always systematic. Committees produce annual reports, but many do not yet report on their inquiries into policy issues or their detailed studies of Bill and legislation. Experience should be shared aiming all as hoc committees so that effective Hluttaw practice is learned and internalized. This may lead to the amendment of committees' terms of reference.

MPs are very active in their constituencies, responding to citizens' needs and individual complaints. Many MPs work to solve individual issues themselves. Where MPs seek to address constituency issues, the extent of their participation in formal township governance processes, including the township planning process, varies and depends on relationships with the township administrator and officials. A small but increasing number of MPs seek to use their powers as members of the Union Hluttaw to represent their constituents and address their needs through better sectoral policies and legislation. Where that is the case, MPs can achieve better outcomes for their constituents by identifying and addressing nationally important systemic issues in plenary and committees. This requires MPs to understand clearly their roles in relation to local government and other branches of the democratic system, and understand the ways in which they can represent and advocate for constituency needs. The procedure and practice of plenary and committee sessions have been changed, the changes may help MPs to improve their evidence-based contribution to policy development and legislation related to their constituents' needs.

The introduction of a parliamentary calendar has enabled MPs plan and conduct their representational duties. However, MPs still face practical challenges. The lack of available and reliable constituency data concerns many MPs. They reported that, without detailed and updated information, it was difficult to identify all constituents' needs accurately and to represent constituency interests. A lack of public understanding of the role and functions of MPs and the other branches of the democratic system was also cited as problematic. MPs mentioned the practical and

operational difficulty of financing travel to, from and around their constituencies, despite provisions in the Law of the Hluttaw on emoluments for constituency work.

MPs consistently raise the need for richer and more detailed information from various sources to allow them to undertake their duties more effectively. This need should be met through procedural innovation, the development of information and communication technology (ICT), improved and increased subject-matter briefings by research services and committee staff, and stronger Hluttaw communication and collaboration with government and non-government stakeholders. As the Union Hluttaw was only reformed in 2011, MPs continue to require professional development support to fully understand their duties and develop skills to fulfil them. MPs consistently highlighted the timing of professional development activities and the importance of being able to study independently.

MPs cited difficulties in conducting their duties due to everyday living arrangements. They voiced concerns over housing and a lack of resources for living costs and travel. These issues significantly impact MPs' family lives and economic circumstances, finding solutions will be important to ensure that MPs have the means to continue and specialize in their role.

On 21 November 2019, the Hluttaw Strategic Plan 2019-2022 was presented to all MPs by the Joint Coordination Committee on Hluttaw Development. The report is based on the suggestions of surveyed and interviewed MPs. It recommends that the following actions from the Plan are prioritized to support MPs of the second Hluttaw in their duties, and so add further depth and weight to the process of developing and maturing Myanmar's democratic system.

The three main functions of parliamentarians are;

- (1) Law-making
- (2) Checking and balancing the executive and judiciary
- (3) Representing the people.

In law-making, bill submitted by the President, Union level institutions, Hluttaw committees; the Union Government and the Hluttaw Representatives are discussed, scrutinized and approved. The laws that are no longer relevant to the current situation are also reviewed, amended, repealed or replaced through the discussions in the Hluttaw by parliamentarians. The Hluttaw discusses and enacts laws to ensure the safety and development of the people.

In checking and balancing the executive and judiciary, Hluttaw representatives check and balance the executive and judiciary by raising questions, putting motions forward and by submitting reports of the committees. The need and information request of the people can be submitted to the Union Government and the Supreme Court of the Union through the Hluttaw offices. Moreover, the Hluttaw also oversees the activities of the Union ministries in accordance with rules. The eligible representatives have to attend the regular session the Hluttaw for organizing Hluttaw sessions.

The representatives may, via the Hluttaw, raise questions to the Union Government on matter related to the action of the Government and matters addressing the need of constituents. There are two types of questions used by the Hluttaw Representatives to ask the Ministries about information of public interest, the status of work done for constituents and effectiveness of the project of the relevant departments.

- Starred questions (The ministry has to respond verbally in person.)
- Unstarred questions (The ministry may respond in writing.)

The Hluttaw representatives meet with the people of their constituencies on the weekends and then MPs solve their need and difficulties are cooperated with the township officials, if necessary, will be submitted to the Hluttaw. All in cause parliamentarians have to carry out parliamentary and the duties of constituency.

Parliaments and parliamentarians traditionally have been a feature of domestic politics, are a distinctive branch of government or as representatives of the people respectively. However, lately they have come to develop a different role linked to international rather than domestics, especially regarding regional organizations. Parliamentary institutions engage in international affairs in three major ways; (1) by influencing foreign policy through national parliaments (2) by conducting parallel diplomatic (3) by establishing and empowering parliaments as representative bodies of international, often regional organization.

The first is a classical function of parliaments and implies no policy making innovation, although the degree to which parliaments do so varies from one democracy to another. The second function is more recent and has focuses mainly on peace-building and conflict prevention activities. The third is the most a typical function and is ideally oriented to work supranational institution building. Therefore, parliaments and parliamentarians are as international actors.

In the second term of Amyotha Hluttaw, there were nine parties that ran for the general election and NLD got the most seats with one hundred and thirty-five. The following table showed the winning parties and the seats they got in the second general election in 2015.

Table (3.1) Representatives for each Party in the Second Term Amyotha Hluttaw

No	Party	Numbers of Representative s
1	NLD	135
2	USDP	11
3	ANP	10
4	SNLD	3
5	TA'ang National Party	2
6	Zomi Congress for Democracy	2
7	Mon National Party	1
8	National Unity Party	1
9	Pa-O National Organization	1
10	Independent	2
	Total	168

Source: Union Election Commission Website

Table (3.2) Composition of the Hluttaw's Representatives in Second Term Union Level Hluttaw

No.	Hluttaw	Hluttaw Representatives		Elected Members	Appointed-Members	Total
		Men	Women			
1	Pyidaungsu Hluttaw	587	72	493	166	659
2	Pyithu Hluttaw	389	46	325	110	435
3	Amyotha Hluttaws	198	26	168	56	224

Source: Pyidaungsu Hluttaw Research (2019)

In this Table (3.2) survey parliaments are the Pyithu Hluttaw, the Amyotha Hluttaw and the Pyidaungsu Hluttaw. The Pyidaungsu Hluttaw is the combination of the Pyithu Hluttaw and Amyotha Hluttaw. In the Amyotha Hluttaw, there are 224 total MPs. Among them, 198 MPs are Men and 26 are Women MPs. And then, 168 are elected and 56 are appointed. Therefore, in the second term Pyidaungsu Hluttaw,

there are 659 total MPs. Among them, 587 MPs are men and 72 MPs are women. And then, 493 MPs are elected and 166 are appointed members.

Table (3.3) Numbers of Draft in Second Term Pyidaungsu Hluttaw

Year	Number of Law-Draft
2016	28
2017	47
2018	24
2019	34
2020	9
Total	142

Source: Hluttaw Research (2019)

According to the Table (3.3) total number of drafts is 142. In the 2016, number of drafts is 28, in 2017 is 47, 2018 is 24, 2019 is 34 and 2020 is 9. Among these years, in 2017, 2016 number of drafts 47 is the highest because 2016 was the foremost year of the second term Pyidaungsu Hluttaw. Therefore, drafting laws could be performed more in 2017. In 2020, the number of the drafting laws was less than others because of Corona Virus Disease 19 (COVID-19) spread in early of 2020 and preparing for the election process for the next year. So, in 2020 almost nothing within the whole years.

In the second term Pyidaungsu Hluttaw 1st session to 17th sessions there are (73) new laws, (53) amendment laws and (9) abolished laws submitted by MPs and Union Level Organizations.

Table (3.4) Numbers of New Laws in respective sectors

No	Sector	Total
1	Budget / Tax	15
2	Administrative	7
3	Health	7
4	Economic	5
5	Planning	5
6	Agriculture	5
7	Natural and Mineral Resources	5
8	Culture	4
9	Copy Right	4
10	Education	3
11	Judicial	2
12	Communication and Technology	2
13	Social Welfare	2
14	Hotel and Tourism	1
15	Construction	1
16	Human Right	1
17	Hluttaw	1
18	Environmental	1
19	Transportation	1
20	Others	1
	Total	73

Source: Amyotha Hluttaw Research (2019)

In above table, number of new laws enacted by the Pyidaungsu Hluttaw in respective sectors, among them number of law in the field of budget and tax laws are mostly. In every year budget and taxing laws are need to scrutinize for relevant sectors and replace by new law if it needed.

Table (3.5) Number of Amendment Laws in Respective Sector

No.	Sector	Total
1	Budget / Tax	7
2	Election	7
3	Others	7
4	Social	6
5	Judicial	6
6	Administrative	4
7	Health	3
8	Transportation	2
9	Planning	2
10	Agriculture	2
11	Immigration	1
12	Land	1
13	Communication and Technology	1
14	Natural and Mineral Resources	1
15	Education	1
16	Construction	1
17	Economic	1
	Total	53

Source: Amyotha Hluttaw Research (2019)

According to the above table, the number of amendment laws are mostly equal number because the process of the amending existing law is not difficult then enacting the new laws.

Table (3.6) Number of Abolished Laws in Respective Sector

No.	Sector	Total
1	Administrative	5
2	State Security and Defence	2
3	Others	2
	Total	9

Source: Amyotha Hluttaw Research (2019)

According to the situation of the country, some laws are need to abolished which are not consist with the present time. In above table, most of the number of abolished law is administrative sector because among the three main pillars, legislative and judicial sectors are rare for change but administrative sector is flexible to change.

Table (3.7) Numbers of Motion's Submissions in Amyotha Hluttaw

Second Term	Pyithu Hluttaw	Amyotha Hluttaw
1 st	12	1
2 nd	16	3
3 rd	6	1
4 th	11	1
5 th	23	6
6 th	7	1
7 th	9	4
8 th	9	1
9 th	11	1
10 th	6	1
11 th	15	3
12 th	11	1
13 th	13	4
14 th	3	4
Total	152	31

Source: Hluttaw Research (2019)

Motion means a proposal. Submitting a motion and asking a question is the right for a MP. If a MP , he or she want to know about concern with constituency can be submit a question and motion is submit for a purpose of exhort the Union Government to proceed a emergency task for the country.

According to table (3.7) in the Pyithu Hluttaw, there are 152 total number of motion's submissions and it includes 12 motions in first plenary session, 16 in second, 6 in third, 11 in 4th, 23 in 5th, 7 in 6th, 9 in 7th, 9 in 8th, 11 in 9th, 6 in 10th, 15 in 11th, 11 in 12th, 13 in 13th, 3 in 14th. Among them, 23 motion's submissions 5th plenary sessions are highest. In the Amyotha Hluttaw there are 31 total number of motion's submissions and it 1 motion's submissions in 1st plenary session, 3 in 2nd, 1 in 3rd, 1 in 4th, 6 in 5th, 1 in 6th, 4 in 7th, 1 in 8th, 1 in 9th, 1 in 10th, 3 in 11th, 1 in 12th, 4 in 13th, 4

in 4th. Among them, 6 motion's submissions in 5th plenary sessions are the highest. The longer the term Hluttaw plenary session and the more submissions of the motion by MPs, the bigger the number of motions. This is why 2nd, 5th and 13th terms of Hluttaw session have bigger number of motions than the rest term. Holding days of Hluttaws different among the plenary sessions in the Union Level Hluttaws. As the period of the fifth plenary session is long, the frequency of ones is the most in the Pyithu Hluttaw and in the Amyotha Hluttaw.

Table (3.8) Starred-questions and Non-starred-questions in Second Term

Second Term	Pyithu Hluttaw		Amyotha Hluttaw	
	Starred-questions	Non starred-questions	Starred-questions	Non starred-questions
1 st	121	230	33	5
2 nd	293	477	146	92
3 rd	136	385	104	62
4 th	121	531	90	128
5 th	367	903	235	208
6 th	127	534	68	56
7 th	242	879	106	184
8 th	140	548	86	124
9 th	158	342	87	154
10 th	127	852	105	102
11 th	180	787	121	303
12 th	240	454	177	153
13 th	171	755	61	191
14 th	138	851	-	138
	2561	8528	1359	1900

Source: Pyithu Hluttaw research (2019)

Submitting a question is a right for MP. There are two types of question, starred-question and non-starred question. Starred questions, the ministry have to respond verbally in person. Unstarred questions, the ministry may respond in writing.

According to the table (3.8) there are 2661 total starred-questions and 8528 non-starred questions in Pyithu Hluttaw. Among them, 121 starred questions in 1st

plenary sessions, 293 in 2nd, 136 in 3rd, 121 in 4th, 367 in 5th, 127 in 6th, 242 in 7th, 140 in 8th, 158 in 9th, 127 in 10th, 180 in 12th, 171 in 13th, 138 in 14th, and then 367 starred questions in 5th plenary sessions are the highest in the Pyithu Hluttaw. In the Amyotha Hluttaw there are total 1359 starred questions and 1900 non-starred questions. Among them, 33 starred questions in 1st plenary sessions, 146 in second, 104 in 3rd, 90 in 4th, 235 in 5th, 68 in 6th, 106 in 7th, 86 in 8th, 87 in 9th, 105 in 10th, 121 in 11th, 117 in 12th, 61 in 13th and 235 starred questions in 5th plenary sessions is the highest in the Amyotha Hluttaw. There are 1900 non-starred questions in the Amyotha Hluttaw, Among them 5 non-starred questions in 1st plenary sessions, 92 in 2nd, 62 in 3rd, 128 in 4th, 208 in 5th, 56 in 6th, 184 in 7th, 124 in 8th, 154 in 9th, 102 in 10th, 303 in 11th, 153 in 12th, 191 in 13th and 138 in 14th. In the 11th plenary sessions, 303 non-starred questions are the highest in the Amyotha Hluttaw.

Among the plenary sessions of the second term's Hluttaw, the fifth session is the longest. Therefore, there are also the most starred questions in the two Union Level Hluttaws' in the fifth plenary session. The reason why the more starred questions in the 2nd, 5th and 10th session rather than the other sessions because in these three sessions, there are long plenary meetings in parliaments.

3.4.1 The Role of Hluttaw Committees

The Committees play vital roles in parliament and they are regarded as a small Parliament. They can be formed according to the section 147 (a), (b), (c) and (d) of 2008 Constitution. The Amyotha Hluttaw shall form Bill Committee, Public Account Committee, Hluttaw Rights Committee and Government Guarantees, Pledges and Undertaking Vetting Committee with the Amyotha Hluttaw representatives.

When the occasion arises to have studies made and submitted on defence and security matters of Military affairs, the Amyotha Hluttaw representatives who are the Defence Services personnel, for a limited time. The Defence and Security Committee so formed may, if necessary, be included suitable Amyotha Hluttaw representatives who are not the Defence Service personnel in accord with the volume of work.

If there arises a need to study and submit on other affairs, in addition to legislature, executive, national races affairs, economics, finance, social and foreign affairs, the Hluttaw Committees may be formed with the Amyotha Hluttaw representatives for a limited time. The Amyotha Hluttaw shall determine the number of members, duties, powers, rights and term of the Amyotha Hluttaw Committees.

The role of the committee chair is that he or she calls the meetings and arrange the committee affairs with the help and support of the committee secretary and Hluttaw staff. The committee chair arranges the call meeting with not only the cabinet members but also the other stakeholders if the committee needs to investigate some issues. In some cases, the committee chairs are free for investigations and studies within the mandate of the committee and in other cases; they must liaise and consult with the speaker prior to initiating an activity. This may be depending on the Hluttaw Speaker. For the travel plan for the field visits, the committee chairs have to submit to the Speaker's office so that the Hluttaw office so that the Hluttaw administration can provide logistical and administration support to the committee.

Legal affairing and special issues are formed be MPs member commissions and other bodies may be formed with Hluttaw representatives or by including suitable time to study other matters. On Myanmar Parliament, Hluttaw committees and commissions for the assessment of legal affixing and special issues are formed are MPs member commissions and other bodies may be formed with Hluttaw representatives or by including suitable time to study other matters.

In Myanmar Parliaments, Hluttaw Committee is as like as small parliament and effective capability including policy-making and law-drafting can be worked together for the benefit of the people by committee members.

3.5 Situation of Parliamentary in Amyotha Hluttaw

All MPs undertook a significant number of professional development activities after they took their seats. Being an MP is an educational experience in itself, and a number of MPs were conscious that a key aspect of learning how to be an effective MP involved observing and doing. However, Myanmar MPs made it equally clear that they need strategic and practical support to become effective parliamentarians. Particularly notable was the MPs' keenness to learn and their willingness to engage with learning opportunities during the early stages of the current Hluttaw, often through self-study. Over time, as MPs became busy and their circumstances made it hard to fit in other activities, their ability to engage with professional support has been more sporadic.

Second-term MPs were very positive about the value of the orientation and induction programmed. They strongly welcomed the variety of support they received, noting that no such opportunities were available during the first Hluttaw.

Law-making appears to pose the most challenges for MPs, particularly those who do not have a professional legal background. Although MPs noted that their parliamentary experience had been helpful to improve their familiarity with law-making, many still feel underequipped when it comes to the knowledge and skills needed to be a good law maker. A Large number of MPs supported continuous and advanced legal training.

MPs were keen to amass not just basis legal knowledge, but also skills in relation to drafting, amending and scrutinizing Bills.

3.5.1 Skill Required Conducting Duties

MPs still require ongoing support to understand and conduct their core parliamentary duties. Forty-nine per cent of MPs stated that the knowledge and skill to make law, represent constituents and oversee the executive were most important for their ongoing professional development. Law making was the area where MPs felt they needed the most assistance.

It is important to note that the ability to amend and scrutinize Bills does not necessarily require high level expertise. IN other parliaments, policy knowledge is a critical part of being equipped to scrutinize Bills, with technical legal knowledge only rarely assisting engagement in the law-making process.

Scrutinizing the government's budget is a top priority for all parliaments. It is often a strong focus of specialized budget committees. As well as being part of the work of subject matter or ad hoc committees. Many MPs think that they have insufficient knowledge and skills when it comes to scrutinizing budgets and dealing with financial matters.

MPs explicitly noted that they would welcome training in how to manage their constituency office and how to collect and collate constituency data.

After parliamentary skills, the highest priorities were advocacy and speaking (a high priority for 30 per cent and 17 per cent of MPs respectively). The most common training that MPs requested was in English language. Language skills were frequently cited as important. An ability to speak English is seen as allowing MPs to pursue more professional development, use more international comparative resources (many of which are only available in English) and go on international study trips to learn how other parliaments operate. For MPs of certain ethnicities, limited

confidence with the Myanmar language can be problematic and undermine their capacity to contribute.

Public speaking skills were useful for helping to engage in plenary sessions, committees and constituencies. MPs are conscious that an ability to communicate effectively with people plays a role in harnessing public support for parliament and its members and legitimizing the work of MPs and the Hluttaw. A minority of MPs encounter difficulties in dealing with some of the day-to-day demands of their role.

3.5.2 Difficulties for Parliamentarians

Practices and procedures are central to the operation of parliamentary institutions. They are the rules by which the institution operates and are invariably complex, in all parliaments, new MPs grapple with the working arrangements of their institutions.

For many MPs, independently studying Hluttaw rules, and laws and by laws a key means of familiarizing themselves with parliamentary procedures and processes. One MP described that, on the first day, there was a large pile of books and transcripts of Hluttaw proceedings on his desk, and they became a reference point for his understanding of the parliamentary system. Political parties also provided reading material, conducted exams, and sought to upskill MPs in the ways and means of the Hluttaw. Peer-to-peer engagement with MPs from the first Hluttaw was an important source of information and support. However, MPs mostly learned by doing.

Some MPs also arrived either particular expectation of achieving change and found it hard to do so. Making an impact took longer than they had expected; MPs mentioned Hluttaw procedure and the legislative process as a constraint on achieving rapid change. These are not unusual early impressions. They reflect an understandable lack of detailed knowledge about precisely what the job of an MP entails, and unfamiliarity with virtues of highly prescribed deliberative procedures.

Familiarity with Hluttaw practices and procedures allowed MPs to develop perspectives on the quality, utility and efficiency of the various parliamentary instruments. MPs said that some aspects of procedure were restrictive, and that they wanted to contribute to a mechanism for reviewing practices and procedures.

Attendance and participation at the plenary are central to the work of Hluttaw MPs. Most MPs are positive about their participation in plenary sessions. In

particular, MPs highlighted and welcomed their ability to address constituency issues at these sessions. However, some MPs stressed that they would welcome a more dynamic and livelier environment in the plenary.

MPs mentioned that their interventions at Hluttaw plenary sessions often focus on constituency issues and resource needs. This may make for a less lively debating environment compared to when the plenary addresses nationally significant issues in which all MPs have a stake.

MPs mentioned that they are expected to attend each plenary session. Some MPs saw this as an inefficient use of time, particularly if discussions are not of immediate interest and an MP has no role to play in proceedings. This feedback suggests that MPs may not be familiar with the Hluttaw laws on plenary quorums. One MP suggested that the quorum at the start of the day should be 50 per cent and then drop to 30 per cent, which would allow MPs to attend when they were interested and invested in the discussions.

Table (3.9) The Committees in Second Term Union Level Hluttaws

Description	Committees Numbers	Percentage
Amyotha Hluttaw	17	36.96
Pyithu Hluttaw	21	45.65
Pyidaungsu Hluttaw	8	17.39
Total	46	100

Source; Pyithu Hluttaw research (2019)

In above Table it can be seen the committees of Hluttaws in Union level parliaments, there are 17 committees with (36.39%) in the Amyotha Hluttaw, 21 committees with (45.65%) in the Pyithu Hluttaw and 8 committees with (17.39%) in the Pyidaungsu Hluttaw. Therefore, total committees in Union Level Hluttaws are 46.

There are more committees in the Pyithu Hluttaw than in the Amyotha Hluttaw because there are more MPs in the Pyithu Hluttaw than in the Amyotha Hluttaw. The Pyidaungsu Hluttaw is combined with two Hluttaws (the Pyithu Hluttaw and Amyotha Hluttaw) but there are only Joint Committees.

CHAPTER IV
PARLIAMENTARIANS OF THE SECOND TERM
AMYOTHA HLUTTAW

4.1 Survey Design

The emphasis of the study is men MPs in the second term Amyotha Hluttaw. It is due to convene on 1st February, 2016 and it will be ended on 1st February 2021. The Union level Parliaments have been finished the 17th regular session. The Union level of parliaments (Hluttaw) is including the Amyotha Hluttaw and the Pyithu Hluttaw.

Both quantitative and qualitative methods of research were applied through the collection of demographic and men MPs data by household survey in depth interview and field observation.

In this study, there are two of parliaments, the Amyotha Hluttaw and the Pyithu Hluttaw. These two Hluttaw are in Union level, and the combined Hluttaw called the Pyidaungsu Hluttaw. The study period is within the second term Amyotha Hluttaw.

Table (4.1) The Participation of Elected MPs in Amyotha Hluttaw in Second Term

Parliaments	Elected MPs	Total MPs	(%) of Elected MPs
Amyotha Hluttaw	70	168	45

Source: Survey Data (2022)

4.2 Demographic Condition of Respondents

In this study, the respondents include MPs for presenting about representing in parliaments in the second term Amyotha Hluttaw.

In survey profile, it includes that respondent's characteristics such as gender, age, marital status, monthly income, education level, occupation before MPs. The respondent characteristics about MPs are shown in the following tables,

Table (4.2) Age Distribution of Respondents (MPs)

Age Group	The Amyotha Hluttaw	
	Frequency	Percentage
30-40	7	10
41-50	25	35.71
51-60	30	42.85
61-70	5	7.14
Over 70	3	4.28
Total	70	100%

Source: Survey Data (2022)

According to Table (4.2), most of MPs are in the age ranging from 41-60, age group of MPs' respondents in the Amyotha Hluttaw can be seen. The backgrounds of the age group were collected by grouping (5) categories; (1) 30-40 years, (2) 41-50 years, (3) 51-60 years, (4) 61-70 years and (5) over 70 years. It can be seen that 10% of MPs are between the age of 30 and 40 years, 35.71% are between 41 and 50, 42.85 % are between 51 and 60, 7.14% are between 61 and 70 and 4.28% are over 70 in the Amyotha Hluttaw.

Therefore, in the Amyotha Hluttaw, age level between 51 and 60 years is 30 MPs with (42.85%) is the highest group among these age level groups. It is found that those ages have enough knowledge and experiences to perform as the MPs.

Table (4.3) Marital Status of Respondents

Marital Status	The Amyotha Hluttaw	
	Frequency	Percentage
Single	16	22.85
Married	51	72.85
Divorced	2	2.85
Window	1	1.42
Total	70	100%

Source: Survey data (2022)

In above table, it expresses the distribution of respondents with marital status. There are 5 categories including: single, marriage, divorces and widow. It can be seen that in the Amyotha Hluttaw, 22.85 % are single, 72.85% are married, 2.85% are divorced and 1.42% are widow. Therefore, in the Amyotha Hluttaw, 51 married MPs with (72.85%) are the largest and 1 widow MPs with (1.42 %) is the lowest. Therefore, it can be found that married MPs can perform the duties of both the household and MP simultaneously.

Education level of respondents in the Amyotha Hluttaw is shown in the following table (4.4).

Table (4.4) Education Level of Respondents

Education Level	The Amyotha Hluttaw	
	Number	%
High School education	5	7.14
University Student	-	-
Graduated	60	85.71
Post Graduated	5	7.14
Total	70	100%

Source: Survey Data (2022)

In above table, distribution of respondents with education level can be seen. In scholastic field of MPs, there are (5) levels of education; high school education, university students, graduated and post graduated. The distributed percentage of education background. In the Amyotha Hluttaw, 7.14% are high-school level in education, 85.71 % are graduated, and 7.14% are post graduated.

Most of MPs are graduated in Amyotha Hluttaw. Therefore, it is found that at least one degree should be required to perform as a MP in Union Level Parliament.

Table (4.5) Occupational Status of Respondents before MPs

Occupation	The Amyotha Hluttaw	
	Frequency	%
Doctor	6	8.57
Lawyer	17	24.28
Teacher	7	10
CSO	4	5.71
Self-employed	17	24.28
Politician	9	12.85
Dependent	5	7.14
Cultivator	5	7.14
Total	70	100 %

Source: Survey Data (2022)

According to table (4.5), expresses the distributed percentage of occupational status. In the Amyotha Hluttaw, 24.28% are both lawyers and self-employed, 8.57% are doctors, 5.71% are CSO, 12.85% are politicians, 7.14% are dependents and 7.14% are cultivator. Therefore, the contributors of politicians with (24.28) are the largest and the dependent contribution with (5.71%) is the least in the Amyotha Hluttaw.

4.3 Survey Result of Parliamentarians in Second Term Amyotha Hluttaw

The effects of Parliamentarians can be measured with their participation in their related parliaments. On parliament, there are male MPs and female MPs. The MPs performances are discussion in motion, discussion in parliaments, raising the asterisk question and submitting the motion is measured the performances of MPs in parliament. Below table show the performance of MPs,

Table (4.6) Discussion in Motion of the Amyotha Hluttaw

No.	Regular Session	Motion's Discussion	MPs Participation	
			Quantity	Percentage
1	1 st	9	8	88.8
2	2 nd	53	50	94.3
3	3 rd	14	14	100
4	4 th	13	12	92.3
5	5 th	76	56	73.6
6	6 th	11	9	81.8
7	7 th	39	27	69.2
8	8 th	12	7	58.3
9	9 th	20	16	80
10	10 th	10	7	70
11	11 th	35	23	65.7
12	12 th	7	3	42.8
13	13 th	46	30	65.2
14	14 th	30	25	83.3
	Total discussion	375	287	76.5

Source: Survey Data (2022)

In above table, distribution of respondents with discussion in motions of fourteen term regular sessions can be seen in the Amyotha Hluttaw. There are (375) total discussions and among then, 287 discussions with (76.5%) are by men MPs. According to table (4.7), discussion rate in motion of men MPs is higher than the rate of participation in Amyotha Hluttaw than women.

Table (4.7) Contribution to Submitting the motion in the Amyotha Hluttaw

No.	Regular Session	Number of Motion	MPs Participation	
			Quantity	Percentage
1	1 st	1	-	-
2	2 nd	3	-	-
3	3 rd	-	-	-
4	4 th	1	-	-
5	5 th	20	14	70
6	6 th	2	-	-
7	7 th	12	8	66.6
8	8 th	5	4	80
9	9 th	4	3	75
10	10 th	3	2	66.6
11	11 th	12	9	75
12	12 th	4	3	75
13	13 th	16	12	75
	Total discussion	83	65	78.3

Source: Survey Data (2022)

In above table, distribution of respondents with discussion in motions of thirteen term regular sessions can be seen in the Amyotha Hluttaw. There are (83) total motions among them 65 motions are submitted by MPs with (78.3%). The amount of motion within Hluttaw is dependent upon the timeline of Hluttaw session.

Table (4.8) Contribution to Raising the Starred-question in the Amyotha Hluttaw

No.	Regular Session	Number of Starred-question	MPs Participation	
			Quantity	Percentage
1	1 st	33	33	100
2	2 nd	147	147	100
3	3 rd	104	97	93.2
4	4 th	90	79	87.7
5	5 th	235	206	87.6
6	6 th	69	63	91.3
7	7 th	106	97	91.5
8	8 th	86	77	89.5
9	9 th	87	77	88.5
10	10 th	105	77	73.3
11	11 th	121	111	91.7
12	12 th	117	108	92.3
13	13 th	123	104	84.5
	Total discussion	1423	1276	89.6

Source: Survey Data (2022)

In above table, distribution to the starred-questions of thirteen term regular sessions can be seen in the Amyotha Hluttaw. There are (1423) total asterisk questions.

Table (4.9) Top 3 MP who asked Highest Number of Starred-questions

Sr. No	MP	Position	Constituency	Number of Questions
1	U Myint Naing	Member	No.(5), Rakhine State	8
2	U Hawe Tinn	Member	No.(11), Chin State	3
3	Naw Hla Hla Soe	Member	No.(10), Rangon	2

Source: Survey Data (2022)

According to Article 140 (a) of Amyotha Hluttaw, MP can be submit no more than (10) starred-question in a regular session. Above data is collected in 7th regular session of second term Amyotha Hluttaw.

Table (4.10) Top 7 MP who asked Highest Number of Non-Starred-questions

Sr. No	MP	Position	Constituency	Number of Questions
1	U Bawe Khaine	Member	No.(3), Chin State	5
2	U Aye Min Hann	Member	No.(1), Mon State	4
3	Daw Ma Ma Lay	Member	No.(8), Shan State	4
4	U Zaw Min Latt	Member	No.(1), Shan State	3
5	U Mya Min Swe	Member	No.(9), Magway	3
6	U Soe Moe	Member	No.(1), Ayawaddy	3
7	U Kyaw Than	Member	No.(10), Rakhine	2

Source: Survey Data (2022)

Submitting the number of Non-starred question is not limited for a MP. Above data is collected in 7th regular session of second term Amyotha Hluttaw.

4.3.1 Obstacles to become MPs

The status for obstacles to become MPs from different situation for second term Amyotha Hluttaw in the study. It is comprised in thirteen questions to the men for becoming MP in their conditions in the following table (4.9). All the questions tend to the obstacles of men to become MPs in the Union Level Hluttaw.

Table (4.11) Obstacles of men to become MPs

Sr. No	Obstacles of Men	Strongly Disagree		Disagree		Neither Disagree nor Agree		Agree		Strongly Agree		Total Respondents		Mean	SD
		Qty	%	Qty	%	Qty	%	Qty	%	Qty	%	Qty	%		
1	Prevailing cultural attitudes regarding role of men in society	0	7	0	0	3	4.48	34	50.75	27	40.3	70	100	4.18	0.69
2	Religion	7	10.48	24	35.82	15	22.39	14	20.99	7	10.48	70	100	2.82	1.03
3	Security concerns	0	0	2	2.99	8	11.94	32	47.76	25	37.31	70	100	4.19	1.2
4	Lack of Finance	0	0	0	0	0	0	7	10.48	60	89.42	70	100	4.9	0.9
5	Domestic responsibilities	4	5.97	6	8.96	20	29.85	15	22.39	22	32.84	70	100	3.67	0.95
6	Lack of support from political parties	2	2.99	10	14.93	12	17.91	14	20.99	29	43.28	70	100	3.87	0.99
7	Politics seen as dirty, corrupt or dangerous	8	86.57	5	7.46	2	2.99	32	47.76	20	29.85	70	100	4.06	1.2
8	Lack of Education	0	0	0	0	0	0	7	10.45	60	89.55	70	100	4.9	1.22
9	Lack of confidence	0	0	0	0	0	0	0	0	67	100	70	100	5	1.19
10	Lack of support from family (i.e. parents, spouse)	0	0	0	0	0	0	9	13.43	58	86.57	70	100	4.87	0.78
11	Lack of support from other relatives	10	14.93	17	25.37	4	5.97	22	32.84	14	20.99	70	100	3.18	1.16
12	Lack of support from constituency	5	7.46	5	7.46	0	0	17	25.37	50	74.63	70	100	4.75	0.83
13	Lack of support from female voter	0	0	0	0	3	4.48	12	17.91	42	62.96	70	100	3.4	1.03
	Overall Scores	36	3.6	69	6.9	67	6.7	215	21.51	481	48.1	70	100	4.2	

Source: Survey Data (2022)

Above table (4.9) shows that there is 4.48% of men MPs to neutral (neither agree nor disagree), 50.75% of men MPs agree and 40.3% strongly do. Overall, most of them have agreement in prevailing cultural attitudes regarding the roles of men in society.

In religion, express that 10.48% of men MPs strongly disagree and 35.82% of them do. 20.9% agree and 10.48% of them strongly agree. Thus, it can be said that men don't agree that religion is not an obstacle to become MP.

According to the above, when relating with financial situations, 10.48% of men MPs agree and 89.42% of them strongly agree that financial situation is an essential role. Thus, most of men accept that lack of finance is a huge obstacle to become MP.

The survey data describes that in the affairs of domestic responsibilities, 5.97% strongly disagree and 8.96% also disagree the domestic responsibilities is obstacles for men MPs. 22.39% and 32.84% of them agree and strongly agree respectively. Thus, most of men think that domestic responsibilities are obstacles in becoming MPs.

In this table, in association with the support from political parties, 2.99% of men MPs strongly disagree and 14.93% disagree that absence of support is not important. Next, 17.92% agree and 43.28% strongly agree that support is critical. All in all, lack of support from political parties is a stumbling block for them.

The result of above table shows that 11.94% of men MPs strongly disagree and 7.46% disagree. 47.76% agree and 29.85% strongly agree. On the whole, most of them see politics as being dangerous, dirty and corrupted, so that view is also a difficulty to become MPs.

The above table shows in association with the education, there is 10.45% of men MPs agree and 89.55% strongly agree that education is vital. So, women think that lack of education is a barrier to become MPs. According to survey data, 100% of men MPs strongly agree that confidence is the most important to become MP.

According to the table, in the relationship with the support from family, 13.43% agree and 86.57% strongly agree that it is crucial. In a nutshell, men MPs believe that getting support from family is necessary to become MPs.

In above table, 14.93% of men MPs strongly disagree, 25.37% disagree, 32.84% agree and 20.9% strongly agree. Thus, in relating with the lack of support from other relatives, men MPs' options on this case are not much different.

In this table, 0% of men MPs strongly disagree, 25.37% agree and 74.63% strongly MPs agree and 62.96% strongly agree, 7.46% of them strongly disagree and disagree that support is required. Most of men MPs assess that lack of support from female voters is also a block to become MPs.

To interpret overall score results of the men MPs of the second term Amyotha Hluttaw ,21.5% of men MPs agree and 48.1% of men MPs strongly agree that they have obstacles to become MPs. 6.4% of disagree and 3.1% strongly disagree that obstacles of men to become MPs in Union Level Hluttaw. Thus, most of them accept on it.

Meanwhile, obstacles of men have the highest mean scores in item of are lack of confidence, lack of education and finance, lack of support from family, lack of support from constituency, security concerns, prevailing cultural attitude regarding roles of men in society, politics seen as dirty, corrupt or dangerous, lack of support from political parties, lack of support from other relatives and lack of support from female voters.

Therefore, this results showed that the women have obstacles to become MP because they answered mostly are strongly agree on survey respondents and overall mean in 4.2 and standard deviation is 1.03.

CHAPTER V

CONCLUSION

Members of Parliament (MPs) play an essential role in parliament of all over the democratic countries and have a pioneering role to play in bringing new voices to legislature delegation and prioritization. MPs represent their constituencies, democracy and different public policy. This study shows significant finding and gives the suggestions on the empirical and responsive results in the study.

5.1 Findings

In study, respondents include MPs of second term Amyotha Hluttaw of 2016-2020. 168 Amyotha Hluttaw representatives elected in an equal number of 12 representatives from each Region or State inclusive of relevant Union territories and including one representative from each Self-Administered Division or Self-Administered Zone and 56 Amyotha Hluttaw representatives who are the Defense Services personnel nominated by the Commander-in-Chief of the Defense Services in accord with the law, four representatives from each Region or State inclusive of relevant Union Territories.

In the study, the age groups between (51-60) years are the largest contributions in total respondents. The graduated level-education respondent contributes to (55.94%) as the largest contributors. Only (7.46%) of respondents are high school-level and post graduated. Among all of the MPs, (24.28%) are lawyer and self-employed, which leads to the largest contribution in Amyotha Hluttaw (2016-2020).

Table (4.7) to (4.8) are express the information that in performances of the respondents in the second term Amyotha Hluttaw, (375) is number of discussion of motion and (83)is contribution to submitting the motion. In addition, number of contribution to Raising the starred-question is (1423) in second term Amyotha Hluttaw.

According to the studies and findings, raising starred-question is the strong activities of the performance of MPs in the second term Amyotha Hluttaw.

5.2 Recommendations

Member of Parliament (MPs) should maintain their strong points for sustainable development and continue to hold most of the influential decision-making positions in the region. Otherwise, MPs should do performance actions and plan for successful activities in parliament. And then, the performances of MPs are still weak in the second term Amyotha Hluttaw. Therefore, MPs should continue willingly participating in Hluttaw to enhance citizen's confident and trust.

In survey result, it was recommended that MPs' performance and participated development recognized by government and citizens are very important because by getting more involved of the MPs to address furthermore improves representation and strengthens conditions for building interests of the citizen . Union-level MPs mentioned the significance of overseeing government policy to help address systemic issues that are important both nationally and to their constituents. However, not all MPs appreciate the link between constituency work and parliamentary representation.

Based on all survey results, the study founded that MPs still require ongoing support to understand and conduct their core parliamentary duties. The knowledge and skill to make law, represent constituents and oversee the executive were most important for their ongoing professional development. Law making was the area where MPs felt they needed the most assistance. MPs still need independently studying Hluttaw rules and laws and by laws a key means of familiarizing themselves with parliamentary procedures and processes. The assumption is that if the high rate of performance of MPs' in order to continue supplies is being delivered, the democratic transition will be successful.

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Survey Questions

Part I – Profile of Respondents

1. Name of Parliament -----

2. Name of Constituency -----

3. Name of Respondent -----

4. Respondent Occupation -----

5. Age

- 30-40 years
- 41-50 years
- 51-60 years
- 61-70 years
- Over 70 years

6. Marital Status

- Single
- Marriage
- Divorced
- Window

7. Education Level

- High school education
- University
- Graduate
- Post Graduate

Please, tick the following answer. The level are described as,

1 = Strongly Disagree

2 = Disagree

3 = Neither Disagree nor Agree

4 = Agree

5 = Strongly Agree

**Part II – Obstacles to become MPs, How much do you feel these obstacles as Men
MPs?**

Sr. No.		1	2	3	4	5
1	Prevailing cultural attitudes regarding roles in society					
2	Religion					
3	Security concerns					
4	Lack of finances					
5	Domestic Responsibility					
6	Lack of Support from political parties					
7	Politics seen as dangerous, dirty or corrupted					
8	Lack of education					
9	Lack of confidence					
10	Lack of support from family (i.e, parents, spouse)					
11	Lack of support from constituency					
12	Lack of support from other relatives					
13	Lack of support from male voters					
14	Lack of support from female voters					
15	Lack of experience with representative functions; Public speaking, constituency relations					

Part III – Performance of parliamentarians with Hluttaws

1. Have you introduced your own bill?
2. How many did you raise the non-starred-question?
3. How many did you raise the starred-question?
4. How many did you submit the motion?
5. How many did you discuss in the Amyotha Hluttaw?
6. How many did you discuss in Pyidaungsu Hluttaw?
7. Which committee do you consist?
8. What is your post in your committee?