

PERSPECTIVE

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The Military Coup in Myanmar: Time to Prioritise ASEAN Centrality and Communal Values

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Myanmar's crisis is ASEAN's most serious challenge since Vietnam's invasion of Cambodia in the late 1970s. It threatens ASEAN's long-standing objective of keeping the region in peace, free of external intervention. Here, protesters are seen to carry bricks to construct a makeshift barricade to deter security forces during demonstrations against the military coup in Yangon on March 9, 2021. Source: STR, AFP.

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EXECUTIVE SUMMARY

- The 1 February military coup in Myanmar is the direct outcome of domestic political tensions. It is a situation of deep-seated mutual distrust between the popular NLD party that sought to complete democratic transition under a civilian government, and the military (Tatmadaw) with declining public support but significant constitutional and coercive power that fears for its own political survival.
- Myanmar's crisis is ASEAN's most serious challenge since Vietnam's invasion of Cambodia in the late 1970s. It threatens ASEAN's long-standing objective of keeping the region in peace, free of external intervention.
- If mishandled, it poses an existential threat to ASEAN by weakening the organisation's internal unity and decreasing its relevance and centrality in shaping regional affairs and regional order.
- It appears high time for ASEAN to weaken its commitment to the norm of non-intervention and give more effect to its communal values and the notion of ASEAN Centrality. Directly responding to the Myanmar crisis serves ASEAN Centrality and its emphasis on a caring and people-oriented community. Continued inertia based on strict adherence to the non-intervention principle will further weaken ASEAN's agency, unity and relevance.
- ASEAN is the only actor that can lead the de-escalation and mediation process in Myanmar. Its immediate focus must be on diffusing tensions and bringing the two sides to the negotiating table. It must occupy the driver's seat in the international community by actively framing the issue and engaging with both domestic groups in Myanmar and various external powers.
- If ASEAN mediation fails and the situation develops towards widespread violence, then ASEAN must be prepared to take some hardline measures against the Tatmadaw. One such measure could be temporary suspension of Myanmar's membership of ASEAN until the Tatmadaw aligns its behaviour with ASEAN's communal values.

INTRODUCTION

There is a sense of *déjà vu* about the recent military coup in Myanmar. In 1988, the widespread pro-democracy demonstrations known as the 8888 Uprising were brutally suppressed by the military, and a coup ensued that led to the formation of the State Law and Order Restoration Council (SLORC). In May 1990, the military junta government held free elections which resulted in a landslide victory for the National League for Democracy (NLD) led by Daw Aung San Suu Kyi. Refusing to cede power, the military junta put Daw Aung San Suu Kyi under house arrest, suppressed the democracy movement, and returned to ruling the country as SLORC. The latest military coup, which occurred on 1 February 2021 has therefore familiar themes: a landslide election victory for NLD (in November 2020), the military's refusal to accept the results, widespread pro-democracy demonstrations, and the possibility of coercive crackdowns, if matters are not managed quickly.

The recent coup is the direct outcome of domestic political tensions that had been building up between the NLD and the military for years. Myanmar's fleeting democracy, which began in 2011, was guilefully crafted by the Tatmadaw (the Myanmar military) to safeguard its interests in the form of the military-drafted 2008 Constitution. These safeguards included prohibiting Daw Aung San Suu Kyi from leading her own political party and enabling the military free rein to carry out the most powerful functions of government. Any attempts to unpick these safeguards through constitutional amendment are further protected through Article 141 of the Constitution which reserves 25% of seats in parliament for the military. A change to the Constitution requires at least 75% of votes in Parliament.

However, the Tatmadaw did not foresee Daw Aung San Suu Kyi and her aides navigating constitutional loopholes. One such loophole was to create the post of State Counsellor, which effectively rendered Daw Aung San Suu Kyi as the proxy leader of her party, thereby allowing her to govern from 2016 to 2020. As her term progressed, Daw Aung San Suu Kyi has repeatedly called for constitutional amendment to consolidate power for the civilian-led government at the expense of the military. Although her party's attempt to amend the constitution was unsuccessful, her continued rhetoric in the matter threatened to remove the Tatmadaw from Myanmar's political structure. What we had therefore was a situation of deep-seated mutual distrust between publicly popular Aung San Suu Kyi's NLD that sought to complete democratic transition under a civilian government and a military with declining public support but significant constitutional and coercive powers that feared for its own political survival.

Somewhat fortunately, the initial statement from the Tatmadaw suggested that it was not interested in reversing a decade of reforms which had positioned Myanmar as one of the fastest growing economies in the region, if not the world. In his post-coup address to the nation, Tatmadaw's Commander-in-Chief, Min Aung Hlaing, stated that his government would build a genuine and disciplined democratic system with no changes to economic and foreign policy. He has called on foreign investors to continue their business activities, and established the State Administration Council (SAC) with representative appointment of members from different ethnic groups and technocrats.

Despite these actions, the Myanmar public continues to view the military with a deep sense of disdain and distrust and is unwilling to accept anything less than the return of governing power to the NLD.

Figure 1. Timeline of Major Events since 1 Feb Military Coup in Myanmar

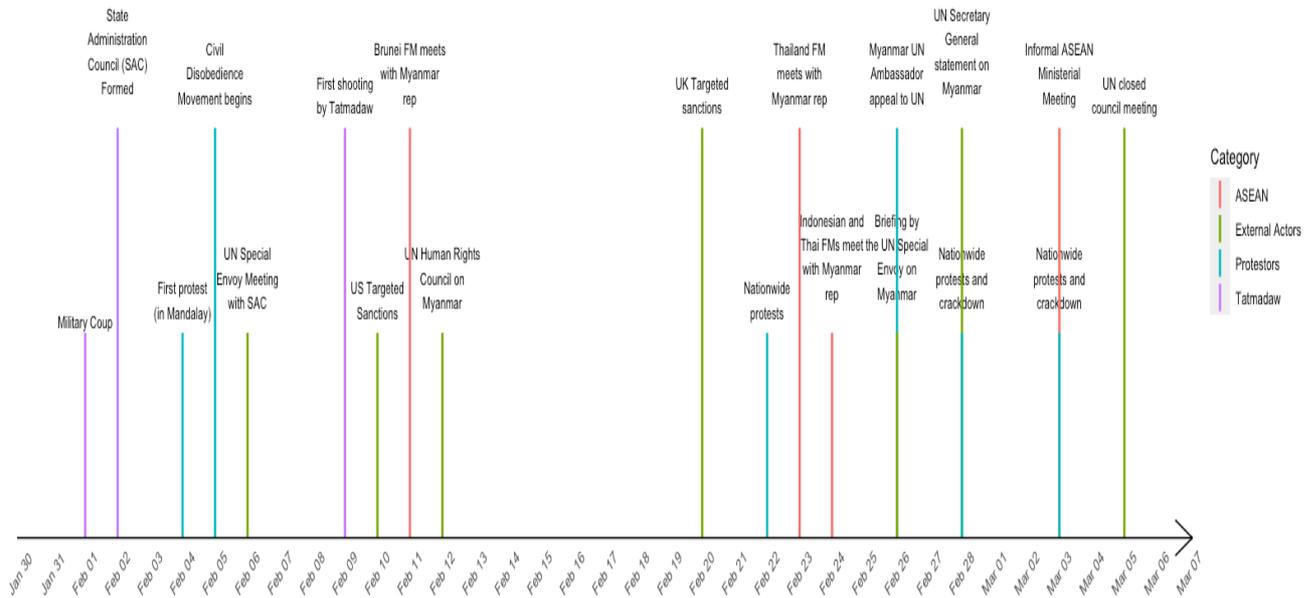
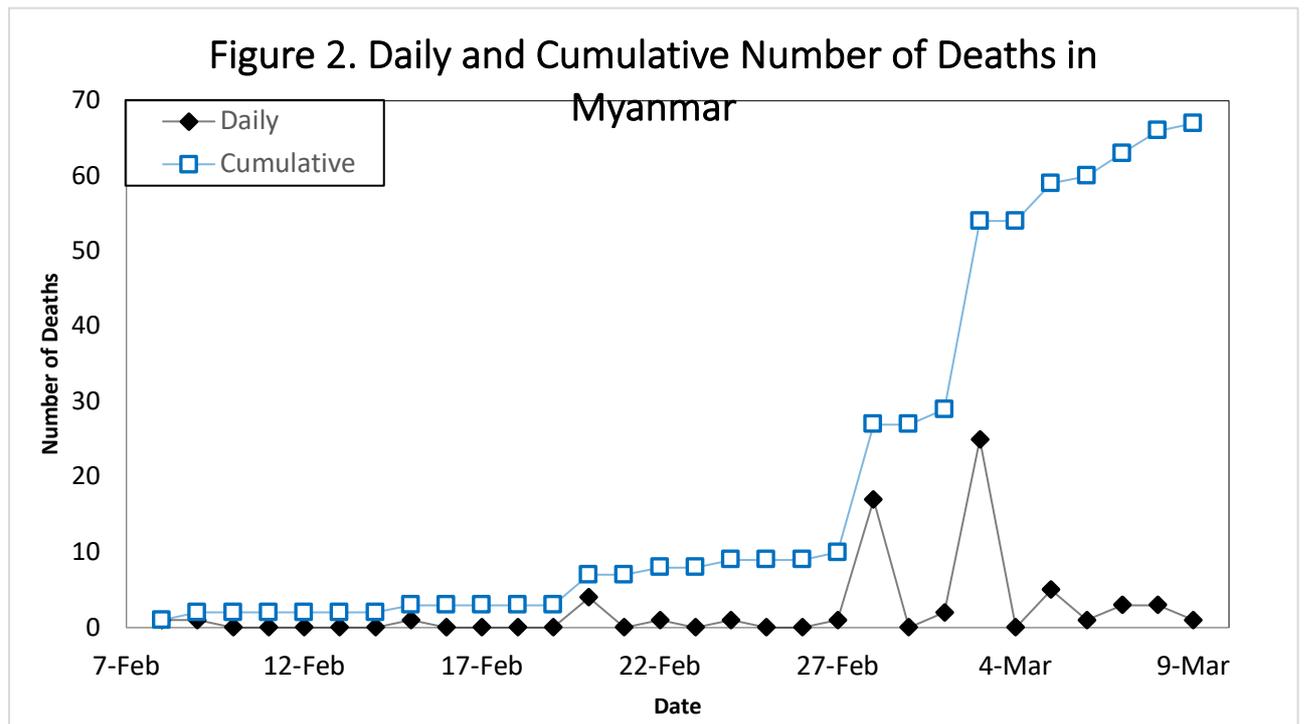


Figure 2. Daily and Cumulative Number of Deaths in Myanmar



Source: Data are from the website, the heroes of Myanmar. Url: <https://www.heroesofmyanmar.com/?fbclid=IwAR1xnwXEBMhMQZpDM63mcM9WMUnfOP6n64H4JseHFHO3t45dhknFYW4XtdM#/>

The situation has significantly worsened since the first protest took place in Mandalay on 4 February, and threatens to turn into large-scale violent internal conflicts. Figure 1 shows the timeline of major events since the 1 February military coup, while Figure 2 shows the daily and cumulative numbers of deaths since 8 February when the first killing occurred.

MOST SERIOUS CHALLENGE TO ASEAN

The current crisis in Myanmar is the most serious challenge to ASEAN since Vietnam's invasion of Cambodia in the late 1970s that challenged ASEAN's vision of regional order based on the Treaty of Amity and Cooperation. It also threatens ASEAN's long-standing goal in foreign policy of keeping the region free of external intervention and promoting regional peace and stability. Therefore, failure to resolve the current Myanmar crisis will pose a long-term existential threat to ASEAN by weakening the organisation's internal unity and decreasing its relevance and centrality in shaping regional affairs and order. In addition, it will expose internal fissures within ASEAN, which external powers can exploit for intervention in the region. The modern history of Southeast Asia attests that the occurrence of national political turmoil and regional fissure invites political and military intervention by external powers in the region. This is a key reason why the founding fathers of ASEAN placed so much emphasis on building national and regional resilience.

Furthermore, the Myanmar crisis raises an old debate within ASEAN, namely, what degree the norm of non-intervention needs to be adhered to. The non-intervention norm has always existed uncomfortably with the notion of ASEAN Centrality as well as with the stated goal of an ASEAN Community. While the norm has been a cardinal principle, it is not the only relevant principle or norm within ASEAN today. At least since ASEAN became the main architect of the regional institutional landscape in the 1990s, ASEAN has explicitly promoted ASEAN Centrality in regional affairs. Furthermore, its regionalist project of constructing an ASEAN Community has increasingly emphasised the importance of creating a caring and people-oriented community.

It is high time then for ASEAN to weaken its commitment to the non-intervention norm and give effect to ASEAN Centrality and communal values. The non-intervention norm has been used all too easily in the past to avoid addressing controversial and difficult issues. If ASEAN hides behind the veil of non-intervention again this time, it will significantly marginalise ASEAN in regional affairs and weaken its relevance and centrality. The only option for ASEAN is to take a proactive attitude to resolve the Myanmar crisis and to be quick on its feet to start its mediation effort immediately before the situation gets out of control. This requires a shift away from its cardinal norm of non-intervention and non-interference. ASEAN is required to practise what it preaches. Directly responding to the crisis in Myanmar aligns with ASEAN's principle of ASEAN Centrality and its emphasis on a caring and people-oriented community, while continued inertia based on strict adherence to the non-intervention norm poses severe risks to ASEAN's agency, relevance and unity.

ASEAN is the only actor that can play a meaningful role in this issue. Initially, ASEAN's response to the Tatmadaw's seizure of power was distant and non-committal. Only on February 18 did ASEAN propose to hold an informal ASEAN ministerial meeting to exchange views on the ongoing developments in Myanmar. More recently, however, following a flurry of diplomatic exchanges within ASEAN led by Indonesia and Brunei, ASEAN began its engagement in the issue, which culminated in the virtual Informal ASEAN Ministerial Meeting (IAMM) on 2 March.

The chair's statement on the IAMM contains three paragraphs (paras 8, 9, and 10) that are directly relevant to Myanmar. These paragraphs contain a modest description of the current Myanmar situation as a "concern" to ASEAN and call for "utmost restraint", "flexibility",

“constructive dialogue” and “practical reconciliation”. In addition, they reiterate the importance of resolving the Rohingya situation and addressing the humanitarian crisis in the Rakhine State. No doubt, these paragraphs are an expected disappointment to many, especially given ASEAN’s failure to respond effectively to past regional crises, ranging from the Asian financial crisis to the 2015 Rohingya crisis.

In our view, however, the most important provision of the statement is paragraph 2, which emphasises “political stability” of member states and the need to “collectively address common challenges” in the region. It is this paragraph that explicitly recognises that “the strength of the ASEAN Community lies in putting people at its centre” and calls for adherence to “the rule of law, good governance, the principles of democracy and constitutional government, respect for fundamental freedoms, and the promotion and protection of human rights”. These are precisely the values and principles of ASEAN’s that the military coup in Myanmar and subsequent actions taken by the Tatmadaw have contravened.

The chair’s statement is only a starting point, not an end stage, for ASEAN’s engagement with both the Tatmadaw and Aung San Suu Kyi’s NLD. And it is only ASEAN – and no other actor – that can lead the de-escalation and mediation effort. Not only does ASEAN possess extensive experience in interacting with the Tatmadaw, but it also understands the complex political structures of Myanmar. The Tatmadaw also finds ASEAN less intimidating and is comfortable enough to engage with ASEAN in exchanging views. ASEAN’s track record of successful engagement with Myanmar includes acting as a conduit between the Tatmadaw and the international community throughout the 1990s based on the policy of ‘constructive engagement’ as well as its response to the devastation of Cyclone Nargis in 2008. In contrast, the Tatmadaw’s strained relationship with the United Nations, the US and the West entails the latter’s lack of leverage over the Tatmadaw and impracticality of brokering a deal.

WHAT CAN ASEAN DO?

What should and can ASEAN do, then? Its first task must focus on diffusing current tensions by bringing the two sides to the negotiating table. This requires gathering precise facts on the ground and the exact views of both the Tatmadaw and NLD, in order to know the range of negotiable outcomes. In this regard, it is encouraging to see that Indonesia has taken the initiative to consult with various ASEAN member states and engage with the Tatmadaw and the Committee Representing Pyidaungsu Hluttaw (CRPH) that is widely viewed as representing the NLD and the people. This effort must be kept up and sustained with patience and flexibility.

At the same time, ASEAN must frame the issue in the right way, and it should send out an unequivocal message to the Tatmadaw that further violent crackdowns must be avoided. Failure to produce its own interpretation of the current crisis will only diminish ASEAN’s centrality and relevance. Here, ASEAN is well-advised to stand with or give more consideration to the ordinary people in Myanmar. If it tolerates brutal suppression of pro-democracy supporters by the military in the name of non-intervention and non-interference, it will essentially deny its own social purpose and decrease its relevance for ordinary Southeast Asians. In this regard, the chair’s statement of the IAMM in reiterating the importance of these communal values is heartening. ASEAN must take a brave step forward to promote and implement these values in its foreign policy, too.

ASEAN should also actively consult external great powers such as the US, China, Japan, and EU. This is necessary not only to garner international support for ASEAN's mediation effort, but also to decrease the likelihood of great powers exploiting the situation or pushing Myanmar toward an external power. The more united the international community is, the more effective ASEAN's mediation effort will be.

And finally, if ASEAN's mediation fails and the situation spirals into massive violence, then ASEAN should be prepared to take some hardline measures against the Tatmadaw. One such measure could be temporary suspension of Myanmar's membership of ASEAN. ASEAN's approach to Myanmar today cannot be the same as its approach in the 1990s. Back then, Myanmar was not a member of ASEAN, whereas now it is an integral member of the ASEAN family. Hence Myanmar, like all other ASEAN member states, is expected to uphold and follow the ASEAN Charter communal values, of which communal values of human rights, rule of law, and good governance are an integral part. In fact, ASEAN should have issued a strong warning to Myanmar when the Rohingya crisis happened in 2015, but instead it largely remained silent and inactive. Wrong behaviour gone unpunished only begets similar wrong behaviour. Hence if Myanmar deviates from ASEAN's communal values in an egregious manner, then ASEAN must seek to enforce its own values and social norms, not merely issuing a series of verbal statements of 'grave concern'.

No one thinks that managing all this is an easy task. Indeed, it requires deft diplomatic manoeuvring between conflicting domestic groups in Myanmar as well as between various external powers. Many expect ASEAN's mediation attempt to fail, and ASEAN could also end up introducing different risks and concerns in the process. Of particular concern is the Tatmadaw becoming dependent on Beijing and going under Chinese influence. But these are reasons for ASEAN to proactively engage with various parties and resolve the issue through its own initiative, rather than sitting idly behind the norm of non-intervention. We are reminded of the past record and positive result of ASEAN acting united during Vietnam's invasion and occupation of Cambodia throughout the 1980s, to uphold its principles and norms, which promoted regional peace and stability.

Only ASEAN can carry out this present task. If it succeeds, it will rejuvenate ASEAN's relevance, unity and centrality in regional affairs. If it does not act, then it will only further decrease ASEAN's already-declining unity and relevance. The choice is ASEAN's to make. It is time for ASEAN to give effect to its communal values and self-proclaimed ASEAN Centrality, because Myanmar's future is also ASEAN's future.

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