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## INTRODUCTION

**T**he Tatmadaw, the military in Myanmar (formerly Burma), has long been the most powerful part of the state. It has frequently taken over and run the country, at least at the federal level.

Equally, it has a long history of engaging in internal violence since gaining independence from the British in 1948. This has most consistently been aimed at non-Burmese, non-Buddhist ethnic groups but — especially during periods such as 1988-92, 2006-2009 and 2021, when it feared it was losing its grip on power — the Tatmadaw has also directed an equal degree of violence toward virtually the entire nation.

The military coup in February 2021 overthrew a legitimate government, and the Tatmadaw has since violently suppressed all dissent<sup>1,2</sup>. Subsequently, it has desperately sought international recognition for its government, led by Senior General Min Aung Hlaing, but behaved utterly dishonorably in so doing.

As was demonstrated during the recent Association of Southeast Asian Nations

(ASEAN) peace conference, the regime will attempt to portray any international interaction as an implicit recognition of its legitimacy<sup>3</sup>. It is not a reliable partner any more than it is a legitimate one.

Since April an opposition umbrella group, the National Unity Government (NUG), has formed and made attempts to unite the Burmese and non-Burmese civilian opposition in a formal challenge to the coup.

This group would be easy to recognize as the legitimate government of Myanmar, except for one thing: the NUG currently excludes any representation from the Rohingya, the Muslim minority that has suffered a genocide at the hands of the Tatmadaw. It is the only ethnic group excluded in this way.

The international community has little choice, morally, but to back the NUG. However that backing must be conditional upon inclusion of the Rohingya as full and equal citizens, with appropriate representation in any future Myanmar state envisioned by the shadow government.

In addition, that future must also include the elimination of the privileged role the military gave itself in the 2008 constitution. The return of the Rohingya to their homes in Rakhine state also has to be part of any



*The new government did nothing to challenge the military's grip on economic power*



Rohingya refugees walk through a shallow canal after crossing the Naf River as they flee violence in Myanmar to reach Bangladesh. AFP

## A UNITARY THREAT

When Burma gained independence in 1948, the army was seen as an important part of the new polity. While its role in achieving independence was limited, many of the leaders of the new state had been part of the pro-independence military establishment.

However the army became increasingly important to the new state in the years that followed as Burma faced armed revolts, including one led by the Burmese Communist Party, allied with almost every ethnic group along the country's northern and eastern borders.

Eventually the post-independence civilian democratic government was usurped by a military coup in 1962. Subsequently, until 1988, the notionally socialist military regime presided over human rights abuses, the looting of the country's economic resources, and endless wars in the border regions — including repeated assaults on the Rohingya.

In 1988 there was a general uprising against military rule, and Aung San Suu Kyi emerged as leader of the fledgling democracy movement. A brutal response by the military left an estimated 3,000 people dead and thousands were imprisoned or fled into exile.

Two years later the military ignored the

overwhelming victory of Aung San Suu Kyi's National League for Democracy (NLD) in the election it had long promised, and returned itself to power<sup>4</sup>.

Things continued in the same way until a wave of unrest from 2008 to 2010 forced the Tatmadaw to yield to a new constitution with a more democratic veneer. However it not only reserved seats in the new parliament for its own members, it also ensured that a permanent political role for itself was enshrined in the new constitution.

The Tatmadaw continued to proclaim itself the true custodian of the nation, and ensured that its control over the economy (and thus its ability to maintain control over the allocation of rewards) continued unchecked.

Between 2010 and 2019 Myanmar appeared to many outsiders to be on a road toward a democratic, inclusive future. The post-2015 NLD government even made some progress in ending residual border conflicts in the north and east.

Unfortunately, however, the new government did nothing to challenge the military's grip on economic power. Indeed, the NLD both indulged and protected the military when it carried out an act of genocide in 2017, during which more than 1





A Rohingya refugee boy looks on as he plays with a balloon at the Kutupalong camp in Ukhia near Cox's Bazar. AFP

million Rohingya were driven from their homes. This outrage was marked by extreme brutality, including repeated reports of rape, the burning of villages and their inhabitants, and the killing of an estimated 100,000 people by the military and extremists in Rakhine state.

The NLD backed this genocide and was quite prepared to attend the International Court of Justice in December 2019 to argue that the violence was justified and the claims had been exaggerated<sup>5</sup>.

The general who led the assault on the Rohingya, Min Aung Hlaing, would later command the 2021 coup that deposed the NLD, imprisoned Aung San Suu Kyi and returned the country to military rule<sup>6</sup>.

Across this long arc of the nation's history, it can be observed that the Tatmadaw has been a consistent threat to the well-being of the people of Myanmar/Burma since independence. The focus of its violence has most often been non-Burman ethnic groups, but the Burmese majority have suffered as well, as a result of political violence, excessive expenditure on the army, corruption and economic mismanagement.

## A DISUNITED OPPOSITION

Historically the Burmese opposition has been divided along ethnic lines. In the early years after independence, the dynamics between the Burman and non-Burmese pro-democracy parties were complicated by the extent to which some ethnic groups sought independence from Burma — or, at least, greater regional autonomy.

During the brief democratic period in 1990-1991, the NLD dominated, but only on the basis of the majoritarian Burman vote. This fragmentation was repeated in the 2011, 2015 and 2020 electoral cycles. In effect, the NLD is the electoral vehicle of the majority Burman ethnic group and has little electoral appeal outside of that constituency.

With the easing of most border tensions since 2010 this has mostly been of secondary importance, as the various ethnic/regional parties have been able to work with the NLD. In recent cycles, local opposition parties have tended to side with the NLD and, at least notionally, have a firm commitment to a democratic Myanmar.

The critical exception is Rakhine state and

the Rohingya. In 1990, the NLD allied with the extremist Rakhine ethnic party, then called the Arakan League for Democracy (ALD), which even then was calling for the expulsion of the Rohingya.

Immediately after the military shutdown of the nascent democratic government, the NLD and ALD joined forces to call into question the legitimacy of any Rohingya representatives, even within their own parties. This alliance between the NLD and the Rakhine extremists continued even after 2010.

From its inception, the NLD has never voiced dissent to the military's characterization of the Rohingya as foreigners, nor has it ever stood up for the their basic human rights.

By 2010, the view that the Rohingya were really “Bengalis,” with no right to be in Myanmar, was widespread among the Burmese majority nationally, as well as the Rakhine majority in Rakhine state, and few voices domestically have spoken out against the continued persecution of the Rohingya.

But how is a country to be “democratic” if it tolerates genocide committed against any of its own people? And how are other minority groups to trust the NLD and the Burmese majority if they remain unrepentant of their abuses against the Rohingya?

If the democratic vision for the country espoused by the NUG is to be credible and viable in the long term, all minorities must feel safe in the new state. That is not likely to happen until adequate restitution is provided to the Rohingya and they are recognized as full and rightful members of the polity.

## SOLUTIONS: FOR THE ASSOCIATION OF SOUTHEAST ASIANNATIONS

The ASEAN has always had problems in dealing with Myanmar. Traditionally the organization has stressed the importance of national sovereignty and has been cautious in any dealings with China. Since Myanmar has, in effect, been a Chinese client state for the past 20 years, this has compounded the association's reluctance to challenge it over the treatment of the Rohingya.

This reticence was briefly overcome in 2015, as a result of the massive refugee crisis of that year<sup>7</sup>, but even the expulsion of the Rohingya



in 2017 only provoked moderate criticism<sup>8</sup>.

Since the recent coup in Myanmar, ASEAN has feared that internal unrest will lead to fresh waves of refugees and the risk that various border conflicts will reignite, undermining fragile attempts by Thailand and Cambodia to bring a degree of control to their sides of these contested borders.

Meanwhile the status quo leaves Bangladesh hosting about 1.1 million Rohingya it really does not want as permanent citizens. In addition, if the new regime in Myanmar becomes even more isolated, this will increase its dependence on its main external backer, China.

Therefore ASEAN members have a substantial degree of self-interest as motivation for attempts to broker a deal between the Tatmadaw and the deposed NLD government. However, a peace-building attempt at the ASEAN summit in May this year was swiftly undermined by Min Aung Hlaing and his colleagues, who attempted to use their invitation to the event solely to legitimize their rule.

This should impress on the ASEAN nations that they are not dealing with an honest partner seeking a viable compromise. The Tatmadaw does not plan to experiment with democracy again. The past decade has driven its leaders to the conclusion that any democratic alternative allows for legitimate challenges to what they consider their core interests.

The ASEAN needs to act, therefore, and do so in a manner that conflicts with its traditional, cautious *modus operandi*. It should consider suspending Myanmar as a member, as well as imposing sanctions and embargoes and offering clear support to the opposition. Continuing to treat Min Aung Hlaing's regime as a normal member of the association would signal implicit support for the suppression in Myanmar, leave Bangladesh in a nearly impossible situation, and risk triggering political instability across the region.

## FOR THE DOMESTIC OPPOSITION

As noted, when in power the NLD has never challenged the persecution of the Rohingya and has often been closely allied with a party that has always sought ethnic cleansing as its basic political goal.

Many Burmese believed the narrative, created by the military and sustained by extremist Buddhist monks, that the Rohingya are really Bengalis and should “go back home.” This created a level of tacit support that tolerated the violence against the Rohingya in 2012-13, the refugee crises of 2014-2015 and the genocidal assault of 2017.

More generally, while all in the country have suffered under military rule, traditionally it has been the non-Burmese ethnic groups that have borne the brunt of the brutality.

This time it seems that the military really is at war with the entire population and is making no distinctions. If individuals want even the most minimal of human rights and the merest vestiges of democracy they are considered the enemy, regardless of whether they are Burmese, Shan or Rohingya.

While there is little to suggest that the prejudices of those around Aung San Suu Kyi have changed, there is evidence that the struggle to regain a democratic state is breaking down prior ethnic divisions. In March many Burmese publicly apologized to the Rohingya people at a time when exiled Rohingya activists were trying to support the internal opposition.

The new NUG is a positive step in creating a cross-ethnic campaign but the senior NLD leaders within it are both complicit in the persecution of the Rohingya and trying to limit any co-operation with them.

The recent escalation of violence along the borders is a warning that Myanmar could fragment, but it also indicates that those opposed to the military are trying to co-operate across ethnic lines.

## FOR THE INTERNATIONAL COMMUNITY

External recognition of the NUG by the international community is important. However it must be conditional on the full incorporation of the Rohingya into the pro-democracy movement, into NUG structures and into the future polity of Myanmar. If necessary to achieve that goal, the exclusion from the NUG of those NLD figures who were most complicit in the previous persecution should be demanded.

The potential strength of the NUG is substantial. The NLD came to power in 2015 after striking a deal with the Tatmadaw under

Myanmar's State Counsellor Aung San Suu Kyi (C) stands before the UN's International Court of Justice. AFP





which it accepted the military’s constraints on democracy and acted as a supporter of the military. The NUG potentially offers something new: a framework to construct a democratic system that has the merit of neither needing the approval of the military nor being constrained by the elitist politics that characterize the NLD.

It also offers a means finally to deliver on the goal, set upon independence in 1948, of being a state that works for the benefit of all who live in the country, regardless of ethnicity or religious affiliation.

There is strong evidence, especially in the appointment of long-time human rights campaigner Aung Myo Min as minister of human rights, that the NUG is open to this change of approach. Now is the time to lay the foundations for a sustainable, democratic future for Myanmar and the emergence of a genuinely multi-ethnic compact upon which the state can be built anew. But the foundation stone of that compact needs to be the reinstatement of historically the most persecuted minority: the Rohingya.

## ACTIONS

The experience of the recent ASEAN conference indicates the futility of trying to work with the military and the risk of legitimizing its role in Myanmar. To resolve the issue of the coup, and of democracy in Myanmar, two tracks must be followed.

Firstly, isolate the military. Myanmar should be suspended from all international bodies until the generals step down. Foreign investment has to stop and the sanctions aimed at individuals must be strengthened. This will leave them very dependent on China, which does offer some protection but will also be unwelcome among a group that has always been deeply suspicious of foreign influence and control.

Secondly, the international community must back the NUG but this support must be conditional on it acknowledging the Rohingya as a legitimate part of the population of Myanmar, even if that means that individuals such as Aung San Suu Kyi will be marginalized.

If this is agreed, the NUG will need support, moral and financial, and the international community should give it. It should also give continuous assurances that Myanmar will be rewarded and supported if it rejects the 2008



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constitution and seeks a truly democratic future. International bodies such as the Organization of Islamic Cooperation (OIC) can play a critical role in these endeavors and doing so would create great opportunities for member states. The OIC already has standing on the issue of the Rohingya, as it has long supported their humanitarian cause<sup>9</sup>.

Based on the credibility the OIC has already built in this area, the organization can move to facilitate political dialogue and the solutions advocated here. These do not need to be enacted by the US or the West; OIC members can take the lead themselves in many ways on this issue:

The OIC enjoys considerable influence in many ASEAN nations, such as Malaysia, Indonesia and even Bangladesh, which is hosting a significant displaced Rohingya population. Thus the organization has the ability to act as a convening platform, in partnership with the UN and ASEAN, to enable a “track 1.5 dialogue” between various parties, official and unofficial, to ensure the NUG has the necessary support and recognition in the international arena.

The OIC can enhance its humanitarian credentials by supporting equal representation and protection for minorities in the NUG and the future Myanmar state, not just for the Rohingya but also the other, non-Muslim ethnic-minority groups caught in the crosshairs of the Tatmadaw.

Myanmar has substantial natural resources that differ from those available in most OIC member states, which means trading opportunities would be substantial. This offers an incentive for the NUG to work with OIC members in the future, and for the OIC and its members to cultivate friendly relationships with a benign and open Myanmar that is not wholly isolated nor entirely captured in China’s sphere of influence. The wind already seems to be behind the pro-democracy uprising in Myanmar and its ultimate triumph seems increasingly likely by the day, even if it might take a couple of years to achieve.

Given this, the amount of diplomatic and financial investment in the NUG that is required at this moment in time is relatively small, but the expected returns would be substantial — much more substantial, in any case, than anything on offer from Myanmar’s isolationist Tatmadaw.

## NOTES

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