

## Analyzing Myanmar's Military Relapse: From the Perspective of 2021 Coup D'état

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**Abstract:** *Historically, from its initial foray into politics in 1958 as a caretaker government, the military never had intended to relinquish power to civilians for an extended length of time. Instead, it preferred to establish long-term control, and it gradually became obvious that they would reclaim power through force after a brief period of military-henpecked democratic practices. Finding the deeper dynamics that underlie the most recent military intervention in Myanmar is the principal objective of this paper. The study argues that a range of protracted contentious issues, particularly those between the Tatmadaw, the National League for Democracy (NLD), and ethnic groups, has gradually exacerbated skeptic inconsistencies and complicating factors among different stakeholders, leading to the recent relapse. This research is qualitative in nature, based on secondary sources, following historical and explanatory methods.*

**Keywords:** Military Relapse, Myanmar, Nld, Reform Agenda, Rohingya, Tatmadaw

### 1. Introduction

Militarism in Asia is frequently reactive and unanticipated because of the fragility of civilian institutions (Janowitz, 1968). Such inabilities of democratic governments make scope for the military to intervene without coercion as it preserves its integrity and legitimacy (Bienen, 1968). Myanmar is no exception. In the existing literature, the return of military rule in Myanmar is viewed as a strategic game plan of the junta, in which they usually choose an exit strategy to withdraw from national politics by ensuring its "reserve domains" (Linz & Stepan, 1996: 67) with hegemonic control to protect their interest & reclaim the power in future. Interpretation of most scholars (Croissant & Jilkamerling, 2013) shows that Myanmar's transition is nothing but the quasi-military government's survival strategy to combat disunity and promote regime stability by establishing power-sharing institutions. Likewise, Marco Bunte (2011) contended that military withdrawal from direct rule doesn't mean a return to the barracks but, instead, results in additional institutionalization of military control to establish a serious autocratic system, in which it retains the authority of power. In the case of Myanmar, he emphasizes on the "disciplined democracy" by which the Tatmadaw has institutionalized its domination over the civilian government and thus ensured its safe return to the barrack. The military's abdication of the throne in March 2011 did not entail a complete disengagement from politics; it remains the country's power arbitrator (Bunte, 2011). All key governmental institutions were under their authority. Although there were some spaces for civilian authority in the governing party, it was dominated by former generals. In another work, Bunte (2016) argued that Myanmar's ongoing democratization was just the beginning of a protracted transition wherein the opponent parties, ethnic groups, and the military were

trying to renegotiate political control. Myanmar's liberalization, he claims, has included a large amount of discussion with members of parliament and a nascent civil society, despite having started as a top-down, elite-managed affair instigated by former generals. Yet while he made an effort to explain how the transition would be jeopardized if the military's interests were curtailed, most of his analysis focused on the events from 2011 to 2014 and fell short of examining all of the rationales why the junta seeks coequal status with the mutual power-sharing apparatus or reclaims control after a brief civilian transition.

From a regime consolidation strategic perspective, Morgenbesser (2015) gave a theoretical explanation of the survival strategy of an autocratic rule considering election as a tool of regime longevity. He argued that domestically, elections are used to either simulate conformity in order to set rules and/or common ideals on how political power should be maintained or to organize people in a gesture of uniformity in favor of the ruling party. Internationally, elections are used to imitate adherence to global liberal rules regarding the legal method of selecting political authority. Another factor is explained by Fabio Armao (2015), where he analyses how the three risk factors of clustered sovereignty in Myanmar affect the democratization process in Myanmar. These are the inability to eliminate autonomous power centers with coercive capabilities and return them to a shared political sphere, the ability to bring together various intra-group networks in a common political realm, and the ability to eradicate or at the very least lessen social inequities by separating them from the common political realm. Even though this is a significant reason for the military's dominance in society, it lacks a wider focus except the one distinguishing element. In addition, Huang (2013) stated that the current developments in Myanmar politics made by the military government as "a diminished form of authoritarianism" where all the institutional settings and historical succession of the Tatmadaw's role in state-building provide it with ample opportunity to establish its dominance over the future government. The regime transition sought to develop a 'disciplined democracy' that originated from a methodology of coercive state-building, diplomatic setting, and economic incorporation through "ceasefire capitalism" (Jones, 2014) that reduced centrifugal challenges and made the system adequately certain to impose its preferred settlement. Yet, why the various emerged circumferential difficulties compel the military to retake their autocratic power after the application of their favored institutional arrangements creates a gap that gives us a scope to explore further. The writings of Kyaw (2020) and Pedersen (2019), both stated on Myanmar's issues, which have far-reaching implications. Although they explain the factors such as the long-standing Rakhine issue, and the start of a legislative constitutional reform process which tend to increase public distrust in the system, their illustration still lacks how these issues are responsible for the relapse plausibility where their work only gave the sense of threat to Myanmar's nascent democracy as the National League for Democracy (NLD) government had failed to deliver on its promised changes or reforms since gaining a landslide victory in the 2015 elections. Military regime survival strategies are crucial for comprehending the plausible elements that support

regime sustainability and the dynamism of the civil-military relationship. However, they fall short of pinpointing the possible explanations why Tatmadaw repeatedly permitted the transition to civilian power and which reasons led to them retaking control after a transient civilian performance.

Another explanation developed by Chu and Min (2013) is that the likelihood of a military intervention is reduced or increased depending on the interaction of civilian and military officials. The chances of a coup or relapse are reduced if the political leaders and the military have equal unity and mutual trust. On the contrary, if the civil-military relationship is unbalanced, the military may be forced to participate in politics and pay higher costs to regain control and protect its interests. Although Chu and Min (2013) developed the military relapse theory and provided a brief explanation of these trends in Myanmar, their analysis only covered the country's first two relapses (1962, 1990). However, thorough research on this recent coup d'état is required, which is the main objective of this study, in order to comprehend and illuminate the factors or driving forces responsible for the military coup in February 2021 in Myanmar. It also examines military intentions to relapse, which is how the military plans its control over civilian government to reclaim control if there is any deviation from their pre-configured blueprint of managing society regardless of who is in power.

## **2. Theoretical Perspectives**

Generally, “a coup d'état is a manifestation of a particular interest as opposed to a general one, and, as such, it carries the stigma of illegitimacy” (Bartelson, 1997: 325). The military coup d'état is a military takeover of a government that is illicit, unconstitutional, and forceful. In addition, the word 'relapse' has a multiformity of contexts in terms of its use that denotes the reality of turning out to revert again after improving. It refers to the tendency of military regimes to “transition to multi-party civilian rule, only to quickly revert back to military control” (Chu & Min, 2013: 1). Chu and Min who developed this theory stated that the plausibility of relapse decreases or increases based on the relationship between the civilian leaders and the military. If the political elites and military enjoy a coequal unity and mutual trust, the possibility of relapse decreases. On the contrary, imbalanced civil-military may lead the military to intervene in politics and endure higher costs to restore control to shield its interests. The situation of relapse or normal state affairs depends on the mutual (mis) trust in the balance of civil-military relations. The normal state of affairs is “an equilibrium that requires mutual trust between the civilian governments and military” where “each side must feel assured that its prerogatives will not be drastically altered and if such dramatic changes occur, then each side may attempt to subvert the other” (Chu & Min, 2013: 13). That means the probability of relapse maximizes if a unified civilian government undertakes to sabotage the interest of the military and such acts instigate a powerful military to think of intervening at a relatively higher cost to stop future infringements. Because the military has a tendency to retake power or intervene in politics when they find out their interests are under threat. Military, regardless of their level of professionalism always tend to

develop their corporate interests and material resources to maintain their institutional cohesion and autonomy. They even follow a tight code of conduct when it comes to the management of the defense system, security issues, and fixing the state's allies and adversaries, and even the military is immune from civil court scrutiny. Besides, if the credibility of civilian rule worsens or the country's stability crumbles due to economic crisis, political disorder, or civilian leader's inability to govern, the military is left as the only coherent entity to maintain the state's stability in exchange of monopoly power over society and there being a very high probability that the military just keeps the power. Meanwhile, the military may have taken "unpopular actions during its time in power and thus fears retribution from the civilian government" (Chu & Min, 2013: 13). By estimating the costs of intervention, the military determines whether or not to re-intervene, if the costs of maintaining civilian rule are higher than the intervention, the military will think of a relapse. Because the military is usually aware of its human rights violations and arbitrary actions, if civilians are allowed in power, they may prosecute them.

### **3. Historical Context of Tatmadaw and Its Relapse Culture**

Myanmar established itself as a democratic republic after gaining independence on January 4th, 1948. Though the Burmese military has been deeply involved in politics since independence, the military first entered politics as a caretaker government in 1958, when the fear of a coup compelled Prime Minister Nu's civilian government to voluntarily transfer authority over to the military. Despite a number of challenges to its authority since then, the military has been able to reclaim itself while reasserting its grip over society (Huang, 2013). In 1960, it was ultimately able to relinquish control to the democratic government in order to safeguard its corporate solidarity balance as intra-army conflicts and public disapproval of the Tatmadaw grew because of its delay in handing up authority to civilians. Since assuming power, Nu's weak democratic government adopted some preventive measures in order to underestimate the military's strength. As a result, after a brief period of democratic rule, the military ousted the civilian government in March 1962. Meanwhile, the Tatmadaw, led by Ne Win and the Revolutionary Council, sought to consolidate its hold on society by suppressing pluralism and promoting the 'Burmese Way to Socialism' doctrine (1964–1988) through the Burmese Socialist Programme Party (BSPP). The military actually failed to establish its absoluteness as armed insurgencies on the edges provided a constant threat. Besides, poor administration and economic collapse eventually sparked mass protests, prompting the military to establish civilian control again in 1990. The SLORC (State Law and Order Restoration Council) declared the multi-party election in May 1990. The landslide victory of the opposition party (NLD) however vindicated the miscalculation of popular demand made by Tatmadaw and its wrong perception that the National Unity Party (the successor to the BSPP) would get victory. After this humiliating defeat and the loss of the last legal method for retaining ultimate authority over the state, the military devised a new hoax, claiming that Myanmar lacked a constitution that would allow power to be transferred to



a new government. As a result of this dodge, it denied to descend from the government apparatus. Despite the inability to govern, economic crisis, massive student demonstrations (1988), and domestic as well as international condemnation, the Tatmadaw refused to hand over power to civilian government and terminated it preemptively due to fear of retribution and the perceived higher cost of remaining in the barracks. Since then, the military authority had been preparing to take whatever steps were necessary to reclaim and consolidate (Selth, 2002) its direct authority over the government, which it did until 2011.

#### **4. Discussion**

Since 2011, the Union Solidarity and Development Party (USDP), the Junta's "own proxy party" (Bunte, 2011: 12), has been in the field, which we refer to as the "Myanmar Spring" (Htut, 2020)—the so-called democratic transitions. In which, Tatmadaw shifted its rule from driving seat to back and handed over the power to a quasi-civilian government, where the military secured a dominant position in government until an open general election held on November 8, 2015. The NLD won the 2015 election where the military also played a significant role in various state positions. Over the time, relations between the two had deteriorated centering on the number of issues; including the NLD's move to amend some portions of the constitution in order to weaken the various state positions of military, which was one of their electoral promises. The initiative was seen as a clear threat to the military's power and control in government. Furthermore, the military was particularly alarmed by the NLD's overwhelming victory in the November 8, 2020 election and it was seen as a major step toward Suu Kyi's goal of removing the military from national politics by 2035 (Razzak, 2021). They were frightened of losing control of the government (Razzak, 2021), which could result in enormous costs as they have committed serious human rights violations and other atrocities. This tension prompted them to launch a coup on February 1, 2021, and return to the junta rule again. Prior to the military coup, the military's propaganda platform, 'True Information News Team', had been disseminating allegations of electoral fraud, corruption, violations of state secrecy laws, and incitement to violence since the Union Election Commission (UEC) announced the results (Razzak, 2021). Democrat leader Suu Kyi was placed under house arrest. One case after another was filed against her based on the above-mentioned accusations. This section delves into the following key factors that prompted the military to carry out its most recent coup d'état on February 1, 2021, as an endeavor to reestablish its control over society.

**4.1 NLD's reform agenda: constitutional, socio-economic, and political:** From 1993 to 2007, a protracted and periodic procedure was pursued in order to create a constitution that was finally formed through a state-staged disputed referendum in 2008, giving the military the dominant role in politics. According to the 2008 constitution, the Tatmadaw possesses significant powers, including holding a considerable number of seats in both the lower and upper houses of parliament, having veto power over any constitutional

modifications, the authority to select one of the three presidential candidates and one of the two vice presidents, nominating the three security-related cabinet ministries (Defense, Home, and Border Affairs), the ability to declare emergencies and transfer all powers (executive, legislative, and judicial) to the Junta's commander-in-chief, and keeping military affairs or justice free from civilian scrutiny. However, the NLD and ethnic groups have long acknowledged the imperative to revise the constitution, which unjustly favors the military while marginalizing civilian sections. Additionally, the NLD promised to change the constitution in both the 2012 by-election and the 2015 general election, and they kept the pledged for a long time even in the 2020 election. Apprehensions and distrust between the NLD and the military had escalated due to the ruling government's proposed amendments to the 2008 constitution. Suu Kyi and the National League for Democracy demanded constitutional amendments to the 59(f), 436(a), 436(b), 60(c), and 418(b) sections in 2014, citing the importance of reforming article 59(f) of the Constitution, which bars anyone with foreign family links from becoming president (Pedersen, 2015). That means, if the NLD wins the 2015 election, opposition leader Aung San Suu Kyi, whose children are British nationals, will be disqualified from being president. NLD even teamed up with the 88 Generation Peace and Open Society in 2014 (Kyaw, 2019) to organize a mass movement for the repeal of Section 436. Suu Kyi described it as a “master key” (Pedersen, 2015: 225) which gives the Tatmadaw bloc in parliament veto power over constitutional reform. According to this constitution, the constitutional changes stipulate the approval of more than 75 percent of members of parliament while the military occupies 25 percent of its seats. The NLD intended to change the phrase "more than seventy-five percent" to "two-thirds of elected representatives" voting requirement for constitutional amendments (Wast, 2020) in order to decrease the military's political power. Consequently, the NLD wanted to gradually diminish the military's representation of parliamentary seats, reducing it to 15% after the 2020 election, 10% after 2025, and 5% after 2030 (Wast, 2020).

In response, the military bloc in parliament rejected the majority of NLD's proposed reforms. The parliament decided against amending proposed sections of the constitution in June 2015 and effectively quashed the reform program (McCarthy, 2016). The joint votes of both houses of parliament fell short of the 75 percent required votes to pass five of the six provisions in the constitutional amendment bill. Because, article (109) secures the military one-quarter of the seats in parliament and article 436 requires the vote of three-quarters of parliament members to approve amendments to the constitution, along with the 166 members of the military (McCarthy, 2016). Here, USDP members could operate as reformists and serve as a buffer between the NLD and the military as long as the military's core interests are protected (McCarthy, 2016). Senior General Min Aung Hlaing of the military opposition claims that the military obtained these seats to maintain national stability for the country's smooth transition to democracy (Wast, 2020). On February 6, 2019, the NLD again started the process of amending the constitution (Htut, 2020, p. 256) and met with strong opposition from the Tatmadaw who control enough seats in the Pyidaungsu Hluttaw to prevent the amendments from being passed. NLD-led

Pyidaungsu Hluttaw formed a 45-member Union of Myanmar Constitution Amendment Joint Committee (UMCAJC) which later compiled 3,765 amendments and suggestions and commenced its drafting process at the end of that year. In the meantime, to tackle NLD's process, the Tatmadaw bloc in parliament was also placed some of their draft amendment bills. Both parties' efforts failed because it is broadly known in Myanmar that the constitution cannot be simply amended because of the 'more than 75%' issue while Tatmadaw itself constitutionally holds 25% of reserve seats. Tatmadaw will only allow to charter reform if there have ensured at least three favorable situations for them such as "the cessation of fighting between the Tatmadaw and ethnic armed groups; the creation of a perfect balance between the soldier and the civilian; mutual guarantees that the power base and interests of the Tatmadaw will be protected or at least left untouched by civilians" (Kyaw, 2020: 245). But the NLD gave a reminder to the military through its reform initiatives that 'the status quo is not sustainable' (Kyaw, 2020: 245) and hard to maintain always. The majority of these Tatmadaw's' inclinable interests were threatened, and the NLD's reform initiatives were seen as a significant obstacle to the military's supremacy and control over government. Moreover, the NLD's landslide victory in the November 8, 2020 election gave the Junta the impression that Suu Kyi would carry out all of her reform agenda, including the removal of the military from national politics. As a result, mistrust developed, and the military reclaimed its direct control once again.

Since 2016, the NLD has encountered a multitude of challenges, such as the failure to implement promised constitutional reforms and the peace process, as well as difficulties in effectively governing and balancing the socio-economic arena, which have raised doubts about its credibility. The NLD-dominated government, according to Vicky Bowman (Britain's ambassador to Myanmar from 2002 to 2006), was a "bigger disappointment" because of its inability to build modern institutions that stabilize economic development with environmental and human rights concerns (Yuichinitta, 2020). Taking into account its shortcomings and the context of the 2020 elections, the NLD embarked on a reform plan aimed at enhancing the perception of good governance in society which may have prompted the Tatmadaw to reconsider or pause future co-existence with the NLD. The NLD's aspirations for government reorganization were also manifested in their significant party leadership reforms, exemplified by their preference for U Win Myint as president, who held the position of Myanmar's tenth president from 2018 to 2021, and additionally, his appointment as the NLD's new vice-chairman (Pedersen, 2019). NLD showcased its unwavering commitment to fostering transparency and accountability, as evidenced by the decisive action taken to dismiss the minister of finance and planning due to allegations of weak leadership and corruption (Pedersen, 2019). The government intensified its reform efforts and sharpened its focus during the president's inauguration program when both the new president and the state counselor publicly emphasized the significance of elevating endeavors aimed at enhancing people's socioeconomic circumstances (Pedersen, 2019). Besides, NLD declared that the General Affairs Department (GAD) would be shifted from the Ministry of Home Affairs to the Ministry of the Office of the Union Government, bringing it more

fully under civilian control (Pedersen, 2019). Because the department has direct supervision over district and township authorities, and the country's principal administrative entities under the 2008 constitution with broad responsibility for maintaining security, enforcing laws and regulations, collecting taxes, and managing public services (Pedersen, 2019). Even though it was difficult for the NLD government to restructure a department that had already long been under military control and whose top personnel was primarily military, it appears to have undertaken a deliberate move to loosen the succession by appointing two ex-military officers (Pedersen, 2019). Apparently, NLD's first urges seemed like priorities on active leadership, good governance, anti-corruption, and economic reforms over politics, but its firmed attempt was to enhance more democratic space.

**4.2 Mistrust and disagreement with peace process mechanism:** Myanmar's ethnic minority problems are regarded as the "most perplexing" (Renard, 1987: 255) in Southeast Asia, and even the phrase "ethnic minorities" is debatable (Kipgen, 2015). Kipgen (2015) noted 'two interpretations' of this term: one viewpoint contains that the question of majority/minority is a misnomer because each ethnic group preserved its own distinctiveness or was confined to a particular entity during British colonial rule (1885-1948); a further view is based on population where Bama ethnic group considered as the only majority group and others referred as ethnic minorities. Decades of fighting have fostered an atmosphere of mistrust among the NLD, Tatmadaw, and Ethnic Armed Organizations (EAO) about the peace process mechanism (Bunte, 2016). Each was attempting to derail the peace process by discrediting the other. As we observed when the previous military government-imposed prerequisites such as a cease-fire must be agreed upon before beginning any negotiations; ethnic armed groups must hand away their arms prior to initiating talks; all discussion must take place within Myanmar (Kipgen, 2015), the Thein Sein government Myanmar had agreed to dialogue with ethnic armed groups without any preconditions (Keenan, 2012). In August 2011, the government announced a three-phase peace plan to be followed at the state, union, and national levels, culminating in the signing of a nationwide cease-fire. The administration had established some parameters for state and union-level peace negotiations as part of their efforts to clinch a peace deal, although Thein Sein promised a dialogue without any prerequisites. But the union-level agreement included the following terms: to remain in the union indefinitely; to accept the three national causes of non-disintegration of the union, non-disintegration of national sovereignty, and preservation of national sovereignty. On the contrary, the United Nationalities Federal Council's (UNFC) (an ethnic alliance) basic aims, according to a statement released on February 17, 2011, were to struggle for improved recognition of ethnic armed groups, ethnic equality, rights, and self-determination, and the development of a true democratic federal union. He had not, meanwhile, opened a tripartite dialogue with ethnic groups and the opposition, as the international community urged for the past two decades; instead, he had simply conducted an informal discussion with ethnic groups (Bunte, 2016). Despite efforts to develop a complete peace process



and sign cease-fire agreements with most armed ethnic groups, warfare between the junta and ethnic armed groups had risen in northern Myanmar.

Later, after several rounds of meetings and negotiations, the peace initiative had made significant headway. Regardless of this, there were still issues, such as a clear lack of trust between ethnic armed groups and the government, particularly the military (Kipgen, 2015: 400). Eight organizations signed a Nationwide Ceasefire Agreement (NCA) in October 2015; however, the majority of the important organizations abstained. After the November 2015 elections, NLD leader Aung San Suu Kyi promised that when the NLD government takes office in March 2016, building peace with the non-signatories ethnic armed groups will be her first priority. Yet, progress had stalled under the National League for Democracy (NLD). The peace process had come to a halt, trust in it had deteriorated, and instability had increased substantially in Kachin and northern Shan states, both of which are bordering China. The Karen National Union (KNU) and the Restoration Council of Shan State (RCSS) were compelled to postpone entering the NCA process due to the government's "one step forward, two steps back" policy (Pedersen, 2019: 228). NCA signatories and non-signatories had become increasingly split based on whether a group was positioned on the India or Thai border or on the China border. To bolster their military and political power, many non-signatory factions created the Northern Alliance (USIP, 2018). Due to disagreements and mistrust, especially between the military and armed groups, the peace process hovered in balance and came to a standstill since the second 21st Century Panglong Conference held in May 2017 (Wanna, 2020). The deep-root trust deficit between the Burman-dominated government and ethnic armed organizations (EAOs) had become even more apparent since the NLD gradually had to hand over control of the process to the military (Pedersen, 2019: 228). Since then, several allegations arose when the military offered EAOs "self-determination and individual state constitutions under a new federal system" (Pedersen, 2019: 229) in exchange for devotion to union unity by agreeing to single military representation for the country. All of this discontent resulted in enormous violent confrontations in Kachin, Northern Shan, and Rakhine states between the Tatmadaw and the Kachin Independence Army, Ta'ang National Liberation Army (TNLA) & the Arakan Army (AA). Both the NLD government and the Tatmadaw had deep disagreements on the peace process, as reflected by the NLD government's demand for "immediate resumption of peace negotiations with the 10 ethnic armed groups that signed the NCA as well as holdover groups that have yet to sign the truce pact" (Wanna, 2020a) quickly after the 2020 election. In the meantime, the military staged a coup and disbanded the NLD government's leading internal peace process mechanism, the National Reconciliation and Peace Centre (NRPC), arresting some of its civilian leaders, and informing ethnic armed groups that future peace talks would be held only with the Tatmadaw-formed peace committee (Wanna, 2021).

**4.3 Conflicts over decentralization and federalism issue:** Generally, the military was perceived as opposing all federalism initiatives proposed by different civic and ethnic stakeholders, a stance that seemed to contradict the military's core principles of

"non-disintegration" of the union. Despite many confusions and constraints, the military-dominated quasi-civilian government contributed to the start of a series of decentralization reforms by the end of overlong direct military control in 2010. For example, the establishment of sub-national governance, which was built based on fourteen state and regional governments and provided several opportunities for democratic input at the local and state levels. Interestingly, the 2008 constitution stipulates that military personnel serving under the command of the commander-in-chief of the Defense Service are entitled to 25% of seats in both the national and state/region legislatures (Ninth & Arnold, 2016). Besides, as the state and regional administrations do not have their own civil service, they must rely on national ministries. The Junta's position on federalism is skewed because it is undefined and vague (Lintner, 2014). On the other hand, if we look at the NLD 2015 election manifesto (Section 3, Article 1), the party's policy was to aspire for the development of a real federal democratic union founded based on the values of freedom, equal rights, and self-determination (Lynn, 2020). They had also planned to promote fiscal federalism as well. In this regard, it released (July 2015) its document on the economic strategy that was supposed to establish and practice the equitable distribution of natural resource revenues, fiscal rights, and responsibilities among different levels of government regarding budget preparation, budget execution, revenue generation based on consensus (NLD, 2015).

In November 2015, the NLD's victory drew new hope for federation in both national and sub-national institutions as they promised in its election manifesto released in September 2015 that the party will "work to ensure a fair distribution across the country of the profits from natural resource extraction, in accordance with the principles of a federal union" and to "guarantee ethnic rights and establish a federal democratic union" (Ninth & Arnold, 2016: 224-241). As the new NLD-led government adopts a more inclusive view of decentralization, which served as the foundation for Myanmar's transition to democracy and political settlement, they garnered substantial support from ethnic populations in the 2015 elections. However, alongside this optimism, there also arose considerable concern regarding the NLD's ability to address ethnic frustrations. People questioned whether the government would continue to be Bamar-centric or if it would genuinely fulfill its promises (International Crisis Group, 2015). Despite the widespread support for increased decentralization among Myanmar's key stakeholders, the Tatmadaw, in particular, has been hesitant about the matter, consistently impeding the process (Ninth & Arnold, 2016). Throughout history, the Tatmadaw has removed other contenders from power and resources (Callahan, 2001), limiting civilian involvement to a certain extent, and often resorting to coups if their interests are perceived to be at risk during the transitional phase. The decentralization debate intensified with two main factions: on one side, the military bloc and their focus on non-disintegration, and on the other, the country's various ethnic armed groups advocating for a federal government system and the NLD's broader national reconciliation agenda. Although the Tatmadaw's later realization and public acknowledgment of the necessity for a democratic federal union in both the 2015 Nationwide Ceasefire Agreement (NCA) and the Pyidaungsu

Accord, the process faced hindrance due to a strike on Pyi Oo Lwin (home to a Tatmadaw academy) by members of the Northern Alliance, consisting of the Ta'ang National Liberation Army (TNLA), the Myanmar National Democratic Alliance Army (MNDAA), and the AA, on August 15, 2019 (Kyaw, 2019).

On the contrary, the NLD government seemed to prioritize democratic reform over federalization, aiming to enhance civilian authority while gradually diminishing military influence, and seeking to establish a fair and acceptable form of civil-military relations (Kyaw, 2019). In October, while the process was extended until the end of 2019, Suu Kyi mentioned that the necessary charter amendment for "complete democracy" was unlikely to be accomplished by the November 2020 elections (Nitta & Suzuki, 2019). Ethnic parties and groups expressed discontent with the NLD's stance and demanded federalist reforms, advocating for the withdrawal of the military bloc from parliament to empower themselves in their respective states (Kyaw, 2019a). Contrary, Tatmadaw wanted to keep the current constitutional status quo and only allow region or state hluttaws to appoint chief ministers—who were directly nominated by the president (Kyaw, 2019). Besides, NLD proposed "democratic federalism" (Section 3, Article 1), which advocates rule based on the majority's desire for federalism, while "federal democracy" seeks equal power division and participation of all ethnic groups in the country's political, economic, social, and cultural affairs (Lynn, 2020). However, the NLD's approach was criticized for giving disproportionate decision-making power on potential federal structures to the ethnic Bamar majority, contrary to other ethnic political groups who favor federal democracy. This policy shift could have worsened political turmoil, leading the military to question the government's stance on security and unity matters, given their exclusive authority over military, peace, and security affairs (Lynn, 2020).

**4.4 The Rohingya crisis: insecurities, pressures, sanctions, and fear of retribution:** Over the past few decades (between 1978 and 2017), successive Myanmar governments have been accused of purposefully denying Rohingya citizenship, committing extrajudicial killings, engaging in genocide, destroying numerous Rohingya villages, and forcibly displacing Rohingya to Bangladesh (Lee, 2019). In 2015, the Rohingya refugee influx resumed, with about 100,000 people boarding boats heading for Thailand, Malaysia, or Indonesia and drew international media coverage, with news of mass graves discovered in the Malaysian jungle and smugglers atrocities on the Rohingya boat migrants (McCarthy, 2016). Particularly in August 2017, the Tatmadaw launched a "clearance operation" in Rakhine state under the guise of combating a Muslim militant group, during which they brutally targeted the Rohingya Muslim community. This operation has been accused of involving war crimes, crimes against humanity, and displaying genocidal intent (UN Human Rights Council 2018; Lee, 2019). More than 900,000 Rohingya people fled from Myanmar to Bangladesh labeled a textbook example of ethnic cleansing (Weber & Stanford, 2017) as a result of the forcible displacement, which was the largest in the region since World War II. The extent and ferocity of the atrocities, meanwhile, brought international attention, prompting calls for UN action to avoid additional persecution of the Rohingya people (Lee, 2019; Thuzar & Cheong,

2019; Roth, 2017). The Tatmadaw committed widespread human rights violations against the Rohingya, according to a UN Human Rights Council investigation conducted in Myanmar in 2017 and 2018. Several international and local investigating commissions were created in reaction to worldwide criticism, economic sanctions, and the elimination of preferential access of Myanmar to international markets. A Report by Amnesty International (2018) also confirmed Tatmadaw's 'widespread and systematic attack against the Rohingya population. Consequently, in August (2018), the Independent International Fact-Finding Mission (IIFFM) had evidence that the Myanmar military's clearance operations were "genocidal" in nature and issued a report urging the United Nations Security Council (UNSC) and the International Criminal Court (ICC) for genocide investigation and prosecution. After a lengthy investigation, it was revealed the Junta's atrocities. In response to the IIFFM report, an International Criminal Court (ICC) prosecutor (Fatou Bensouda) initiated an examination through a statement (18th September 2018) into the Junta's genocidal crime and human rights violations, including the accused forceful displacement of Rohingya Muslims.

Furthermore, to gather evidence for future legal proceedings, the majority of members of the United Nations Human Rights Council backed the establishment of an uninterrupted independent framework, either under the ICC or as an independent tribunal. On November 14, 2019, the International Criminal Court (ICC) opened proceedings to examine suspected crimes against Rohingyas (Al Jazeera, 16 November 2019). In the beginning, Myanmar proclaimed a total denial of any violation or mistreatment. For instance, Suu Kyi refused to allow the IIFFM investigation. Pressure from the international community, Bangladesh, and demands from private and local organizations that all the awards she received for her contributions to democracy and human rights should be withdrawn, which later forced her to increase cooperation and agree to access UNSC missions. Aung San Suu Kyi called the visit as a "turning point" in Myanmar's tie with the UN. Just after that, NLD declared to form an independent commission of inquiry including foreign participation to investigate systematic human rights violations in Northern Rakhine State. Myanmar and the UN High Commission signed a memorandum of agreement to facilitate the voluntary, secure, honorable, and long-term return of refugees from Bangladesh (Pedersen, 2019). In November 2017, in response to international criticism, Myanmar also negotiated an agreement with Bangladesh, mediated by China, for the temporary repatriation of refugees to newly created settlements. The NLD's interactions with the international community drew harsh criticism from the military, opposition parties, and nationalists, who saw these actions as a threat to Myanmar's sovereignty and national interests, despite the NLD-led commission's focus on national reconciliation, truth-seeking, and reparations for victims rather than retribution (Pedersen, 2019). Gambia, reportedly at the request of the Organization of Islamic Cooperation, filed a complaint against Myanmar with the International Court of Justice (ICJ) in The Hague on November 11. Although Suu Kyi, who delegated Myanmar to the hearings on the 11th and 12th of December and rejected any malfeasance by the Tatmadaw with "genocidal intent", but she accepted that significant atrocities had been perpetrated by the Tatmadaw (Kyaw, 2020: 239).

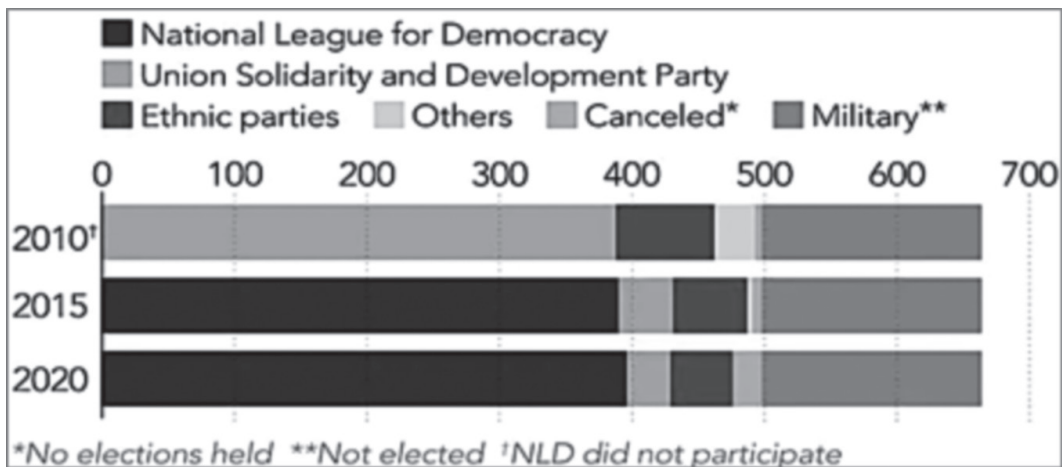


Similarly, to the ICC and ICJ actions, the Rohingya diaspora group filed a private lawsuit in November claiming universal jurisdiction in an Argentine court where Suu Kyi was also listed as one of the perpetrators of the Rohingya's plight (AFP, 2019; Kyaw, 2020). Her protracted passivity was hard to decipher at certain moments, and it was difficult to predict if it's signaled apathy, cowardice, or a carefully designed long-term strategy (Weber & Stanford, 2017) to corner the military from politics.

Additionally, the Junta came to the realization that the international community was on the side of justice after facing sanctions against several senior military officers suspected of planning atrocities against the Rohingya, exerting pressure on the government, and the stance of various states and international organizations (Pedersen, 2019). It is only a matter of time before additional economic sanctions and retributions will follow. Increased international pressure exacerbated nationalist sentiments, prompting the government to retreat and focus on its own ideas and programs, with the assistance of friendly countries in the region. Meanwhile, some of those neighbors, especially China were too quick to accept simplistic depictions of the crisis as a development problem, which suited their own national interests but did little to resolve the crisis, and had even intensified it by increasing economic and political divisions among Rakhine State's various communities (Pedersen, 2019). Moreover, the ruling government's political stance on international, bilateral, and domestic measures put the Junta in a state of dilemma. Faced with insecurities, mounting pressure, and a fear of potential retribution from the uncertain actions of the NLD in their upcoming administration if allowed to form, the Tatmadaw devised a plan centered around a blame-game strategy to reclaim control, culminating in the eventual coup.

**4.5 NLD's 2020 election mandates and results:** Political maneuvering and confrontation have increased particularly among the three types of political parties that will run in the 2020 election: the ruling NLD, the national opposition parties (USDP), and more than fifty ethnic political parties that claim to represent ethnic minorities (Kyaw, 2019b). Despite the fact that the NLD government's poor performance, economic instability, corrupt practices, and limited political interactions have increased public scrutiny, it had unquestionably outperformed its predecessor due to the history of widespread corruption and harsh political oppression during Tatmadaw's previous incarnation as a military junta (Kyaw, 2019). It also undeniable that lack of progress on federalism and local autonomy, the historically Bamar-dominated NLD had been unpopular in ethnic minority-dominated districts, and it even suffered a humiliating electoral setback in the 2018 mid-term elections. Yet, many in Myanmar have continued to consider the NLD as the country's best option for advancing democratic growth, constitutional reform, and long-sought national reconciliation, because of the long-unresolved issue and struggle between Tatamadw and ethnic groups (Myers, 2021). Understanding ethnic minorities' displeasure with the government-led peace process mechanism as NLD lost five out of six seats in ethnic areas in the 2018 elections, the ruling party's top mandate was to resolve the country's decades-old ethnic disputes (Myers, 2021). NLD's major concern was to precede its promised reform programs and

to sustain the democratization process (Htut, 2020). It began the constitutional reform procedure on February 6, 2019, and faced alienation of the military as they “hold enough seats in the Pyindaungsu Hluttaw to prevent the passage of the amendments” (Htut, 2020: 255-272 ). In this context, NLD emphasized the tactics of the 2015 election where they mobilized mass support to amend Section 436 of the constitution. They applied the exact strategy of holding “mass rallies across the country over the issue in order to mobilize mass support and galvanize their followers prior to the official campaigning period” (Htut, 2020: 255-272). This was reflected in the 2020 election, NLD secured more than 80% of contested seats (396 seats out of 476) in parliament meanwhile the military-affiliated USDP, suffered a "humiliating" defeat even worse than in 2015 capturing only 33 seats (Reuters, 2021; Irrawaddy, 2020) and several ethnic parties won the rest of the seats.



**Figure 1. The 2020 Election Result in Myanmar (total seats in both houses of parliament)**

Source: Nikkei Asia Research (as cited in Yuichinitta, 2020)

After realizing the staggering levels of acceptance of NLD's in the 2020 election that demonstrate Tatmadw’s unpopularity, Gen. Min Aung Hlaing, Myanmar's strong military chief, accused the government of its "weakness and deficiencies" (Strangio, 2020) in election management system and alleged that the NLD government's Union Election Commission (UEC) had mismanaged voter lists, ballot papers & boxes. They urged for a new election where the military will act as observers (Irrawaddy, 2020). In response to these complaints, the election observers declared no major irregularities in the voting. Yet, the military claimed to have discovered over 8 million irregularities in voter lists in over 300 townships and demanded that UEC and the government for review the results. However, the commission dismissed the claims due to a lack of evidence (The Irrawaddy, 2021) and too limited anomalies to alter the election's outcome (Reuters, 2021). Despite the fact that the election commission affirmed the NLD's massive victory, the USDP and Myanmar's military continued to accuse the NLD (Irrawaddy, 2021), and the military

threatened to "take action" if the NLD did not comply it (Reuters, 2021). Suu Kyi's government voiced optimism right after winning the contest, and her second government was about to form in (March) 2021, vowing to make headway on constitutional change and peace talks with ethnic armed groups (Myers, 2021)— a process that had been stalled due to Myanmar's powerful military's de facto veto on such subjects. Even though the military continues to appoint 25% of members in all parliaments, the NLD could easily create the next government and elect the president, as well as have an absolute majority in 12 of the 14 state and regional legislatures (Jagan, 2020). It was a strong call to the country's elected politicians not to lag behind in the country's democratic transition, and to undertake political and economic changes, prosperity, and more inclusive policies with fresh vigor. Tatmadaw had a clear understanding of the new democratic demands that unleashed through the election results could make the military vulnerable in ahead.

**4.6 NLD's inabilities and civilian inquietude towards the Junta apparatus:** The NLD government's inability to address any of the country's key issues, including the peace process, the Rohingya crisis, and the economy, poses a great risk to the military and other stakeholders (Pedersen, 2019) to hold its power. Especially, the USDP intended to damage the image of the NLD government based on public frustration with the NLD's performance, economic slowdown, and the Rohingya issue (Htut, 2020). The lack of reforms to transfer into actual advantages at the grassroots level, in particular, had caused many to believe that the NLD government had fallen short of expectations. The degree of voter displeasure with the NLD was shown in the by-elections of 2017 and 2018. In the 2017 by-elections, the NLD managed to win 9 out of the 18 seats, whereas, in the subsequent 2018 by-elections, it secured 7 out of the 13 seats; however, in the 2012 by-elections, the NLD had a much more significant victory, obtaining 43 out of the 45 seats contested (Htut, 2020). The NLD government also admitted that the international sanctions and restrictions had harmed the country's economy, and foreign direct investment (FDI) had decreased in the two years after the Rohingya crisis began in November 2016 (Geddie, 2018). Business optimism about the country's growth situation appeared to have faded as well.

Subsequently, the public's unease with the military, police, and judicial systems was another obvious source of the Tatmadaw's fears and stress. Furthermore, the high intensity of civilian wrath and democratic awakening could be seen as a potential threat to the military, as these energies might progressively undermine the junta's position, therefore the Junta possibly believed it would be prudent to control this sentiment immediately. Usually, police had limited freedom to consider themselves as a civilian entity within the Ministry of Home Affairs, which was essentially controlled by a military official after the democratic transition. These bodies have been instrumental in suppressing protesters and activists and tend to show strong loyalty to the military. Civilian distrust was centered on police misconduct and delayed justice in several cases, particularly in relation to the 'Victoria case' (child rape victim) where countless protests against the police took place across Myanmar until late December 2019 (Theinkha, 2019;

Lin & Paing, 2019) exposes Myanmar's missing rule of law. And people's anger was heightened by allegations that such acts would not have occurred if the police were under civilian control (The Irrawaddy, 2019a). Police officers also often extract bribes from victims of human (or "bride") trafficking on the Myanmar-China border and regularly refuse to assist victims of human trafficking without extensive payments (Human Rights Watch 2019). As a result, rage of public pressure and outcries mounted by multiple cases on the Tatmadaw (police see as military proxies) (Kyaw, 2019). The military understood that allowing a huge uprising against them would cost them a lot; therefore, it seemed like the ideal time to rein in the civilian uprising by retaking the state control.

## **5. Conclusion**

The recent relapse, according to the study, occurred as a result of a growing level of distrust, disagreement, and tensions among various stakeholders, particularly between the Tatmadaw, the NLD, and ethnic groups, over a variety of concerns, which gave the military fear of losing its grip on society, as well as a sense of higher perceived costs & retributions for what they had done during the civilian regime. Primarily, the NLD's progressive initiatives to curtail the unjust constitutional authority of the Junta through a variety of constitutional reform agendas that totaled 3,765 proposed amendments since its expedition through the victory in the 2012 by-election, especially which triggered after the landslide triumph of the 2015 election and persisted till 2020 general election, had fostered an atmosphere of deep mistrust among them. The NLD's reform proposals and popular support were considered as a severe danger to the military's authority and control over the government, which put the Tatmadaw's desires and the status quo in jeopardy. Junta's belief even got intense that Suu Kyi would implement all of her reform plans after the NLD's resounding victory in the election on November 8, 2020, including the elimination of the military from national politics. Besides, the NLD government's steadfast efforts to expand more democratic space and to bring diverse affairs under complete civilian control by attempting to implement numerous socio-economic and political reforms also remain important elements that unnerved the junta's authority. Decades of ethnic conflict have also fueled animosity between the NLD, Tatmadaw, and Ethnic Armed Organizations (EAO). Each side tried to hinder the peace process by discrediting the other, further escalating the risk. Moreover, the Tatmadaw faced international pressure for committing widespread genocidal acts against the Rohingya. While the NLD government seemed to be steadily reaffirming its position and advocating for significant systemic changes, the Junta interpreted all of these civilian initiatives as attempts to undermine the military's authority. Finally, as a result of various squabbles, skepticism in ruling NLD's agenda, and outside stimuli stated earlier, the Junta orchestrated a takeover in order to preserve its position in the system.



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