

Beyond the Coup in Myanmar: Echoes of the Past, Crises of the Moment, Visions of the Future

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(Editor's Note: This article introduces a Just Security series on the Feb. 1, 2021 coup in Myanmar. The series will bring together expert local and international voices on the coup and its broader context. The series is a collaboration between Just Security and the [International Human Rights Clinic](#) at Harvard Law School).

On Feb. 1, 2021, the Myanmar military – the Tatmadaw – shattered the all too brief effort to transition to democracy in Myanmar. Over the past two and a half months, the Tatmadaw has continued its illegitimate effort to undermine the democratic elections from last year and prevent the elected government from taking power. In the face of mass popular opposition and international condemnation, the military has only escalated its use of violence against its own population – systematically stripping away rights and violently attacking protestors and dissidents, reportedly killing over [700 civilians](#) as of Apr. 20, 2021, and detaining more than 3,000.

Despite the continued threats and extreme violence, the people of Myanmar have stood their ground and refused to be silenced. On Apr. 16, opponents of the coup from across the political spectrum [announced](#) the formation of a National Unity Government (NUG) to resist the military. Just as importantly, the Civil Disobedience Movement (CDM), a grassroots movement aimed at disrupting state functions and crippling the economy in order to undermine the military's attempt to rule, has been hugely successful in galvanizing collective action since early February. In addition to the tens of thousands of CDM participants walking out of their private and public sector positions, protests across the country have seen massive youth engagement on a scale not seen in a generation. The organizing power has been impressive. Social media platforms like Facebook, Twitter, and TikTok have been used to spread awareness and coordinate protests, strikes, and other forms of peaceful resistance. The military has taken notice of the CDM's power, issuing threats against young people protesting and shooting indiscriminately at protestors of all ages, including children. Parallel movements have arisen in areas like neighboring

Thailand, with Thai youth protesting their own authoritarian government in solidarity with activists from Myanmar.

Today we launch a *Just Security* series that will take a deep dive into the situation in Myanmar. The series will provide insights that put the coup and civilian response into historical and modern context, deepen unexplored angles on the current crises, and survey possibilities and ways forward over the next six months to a year. This series also aims to elevate policy discussions on a number of issues, ranging from peace and accountability to religion and democracy, asking: What is happening now and why?

Within the series, contributions from authors from Myanmar and others working closely on the situation will explore topics such as youth leadership in the CDM and protests, domestic and international solidarity, environmental concerns, the dissolution of rule of law in Myanmar, and what the coup means for ongoing international accountability efforts. Below, we offer an overview of the major themes of the series, along with a timeline of the struggle for democracy in Myanmar. The current uprising against military rule must be understood in the context of these decades-long struggles for peace, democracy, accountability, and justice.

Echoes of the Past

The situation in Myanmar today is all too familiar for many people in the country – from the fragility of democracy to the prominence of the military to widespread human rights violations to Myanmar’s struggle to govern and embrace its diverse society and its many ethnic nationalities. Myanmar’s first attempt at democracy in the wake of its gaining independence in 1948 was similarly short-lived and filled with questions about how to set up the country, including how much autonomy ethnic nationalities would have in [the union](#). After little more than a decade of independence, the Tatmadaw took formal control of the country through a coup d’état by Ne Win in 1962 and the country was at civil war.

Like today, there were then multiple movements to push back against the oppressive practices of various military regimes. Many of these movements have been [spearheaded](#) by Myanmar's youth and students, either publicly or behind the scenes. In 1988, students in Myanmar [initiated](#) mass uprisings across the country, fighting back against the brutal regime of then-ruler Ne Win. Nearly 20 years later, in 2007, hundreds of students likewise [protested](#) repressive education laws as part of the Saffron Revolution (described in more detail below). Today's youth are as involved as ever, utilizing new technologies to coordinate protests and subvert military operations alongside their parents and grandparents.

Unfortunately, accompanying these hopeful and empowering reminders of previous movements is the familiar scheming and brutality in the military's response. While the Tatmadaw has enacted extreme violence on protestors in major cities, they have simultaneously renewed attacks on ethnic nationalities in more remote areas of Myanmar, undermining already precarious peace negotiations and attempting to [sew division](#) along ethnic lines to prevent a unified civilian coalition from fighting against them.

This divide-and-conquer strategy and widespread human rights violations have been common parts of the Tatmadaw's historic repertoire. Since the transition out of colonial rule in 1948, Myanmar has been plagued by what many describe as the world's [longest civil war](#). Ethnic nationalities like the Karen, Kachin, and Shan have fought politically and militarily against the Tatmadaw for autonomy. There have been many peace talks and ceasefire attempts over the last half century with the numerous ethnic armed organizations (EAOs), but without tangible reforms to the nation's political system and military hegemony, none have lasted. Alongside the civil war, the military has practiced campaign after campaign of human rights violations against the population, including recently during the Rohingya crisis but historically against other ethnic nationalities and political opponents for most of Myanmar's history. Together, the past failures to end human rights violations and to achieve peace along with the fragility of the democracy have all gone [hand in hand](#) in Myanmar and echo through the current crises playing out today.

Crises of the Moment

The crises of the moment are too numerous to detail here – but it is safe to say that at the heart of the problems is the military’s effort to crush all dissent and opposition to its power. Indeed, one of the junta’s first moves following the 2021 coup was to [amend Myanmar’s penal code](#) to target acts of “treason” and “sedition” by protestors. In particular, the junta amended section 505(a) of the penal code to criminalize dissent in the form of “fake news” or “incitement” against the military. Section 505(a) has been used to target [journalists, activists, and protestors](#) in the months since, seeing hundreds arrested and jailed under this repressive law.

This erosion of the rule of law has been accompanied by targeting of youth protestors, celebrity activists, and members of the National League for Democracy (NLD), the political party that claimed the majority of seats in last fall’s elections and whose leaders, including Aung San Suu Kyi, were detained in early February. The junta has also openly been committing extrajudicial killings in the streets of major cities, indiscriminately shooting peaceful protestors, and raiding homes of suspected dissidents under the cover of night. In the border regions of the country where most ethnic nationalities are concentrated, the military’s ongoing violence against civilians has drawn many ethnic armed organizations [back into the fight](#), furthering bloody conflicts in which ceasefires had been reached before the coup.

In response to these and other egregious acts by the junta, the strongest visible form of civilian resistance has come in the form of the Civil Disobedience Movement. The CDM is a coordinated effort by state employees to cease working for the military, either actively protesting the junta or simply staying at home and refusing to work. State administrative employees, workers in key infrastructure sectors like transportation or construction, and medical staff have

been some of the most powerful forces behind the CDM. With CDM participants across these and other sectors combining efforts, international trade has been brought to a virtual [standstill](#) and the [banking industry](#) is in critical condition. The CDM has not been able to undo the military crackdown alone, however, and while international condemnation has been fierce, additional and ongoing action in response to the increasingly dire situation on the ground is needed.

Visions of the Future

A host of questions – both in the domestic and international arenas – persist as the military, the NLD, EAOs, and the civilian population wrestle with the future of the country. For example, questions remain about what the coup will mean for international accountability efforts such as the cases at the [International Criminal Court](#) (ICC) and [International Court of Justice](#) (ICJ). The Tatmadaw has expressed no interest in engaging with these justice mechanisms and that position is unlikely to change. Key political decisions by other States and the United Nations on whether to recognize the junta or the newly announced National Unity Government as the legitimate government of Myanmar will weigh heavily on whether and how these cases can effectively move forward. The NUG is a major development as it includes a prominent role for ethnic nationality organizations as well as the [Committee Representing the Pyidaungsu Hluttaw](#) (CRPH)—a group formed in the days after the coup from democratically elected politicians primarily from the NLD. The CRPH has expressed a [potential desire](#) to accept ICC jurisdiction or join the Rome Statute and certain voices have called for the Security Council separately to refer Myanmar to the ICC for investigation.

Looking forward, the people of Myanmar want to build something better than the pre-coup system that oppressed so many of them. Many voices in Myanmar, including the CRPH, have announced that the 2008 Constitution, which they decry as a tool of military control, has been abolished by the military's own actions. The CRPH also recently [announced](#) a Federal Democracy Charter. How the new unity government takes up these issues in the coming months will be critically important and could be a first step toward a more inclusive democracy in Myanmar.

While the elections preceding the February coup should not have been nullified by the claimed voter fraud that the military used to justify its takeover, they excluded many members of ethnic nationalities using excuses of groups lacking citizenship as well as ongoing conflict in their regions. Rohingya Muslims in particular were [completely disenfranchised](#), barred both from voting and from running in the election. Rather than returning to a system that permits and facilitates ethnic hierarchies, an inclusive democracy is necessary for a long-term, sustainable peace in Myanmar that is defined by the rule of law and human rights and finally breaks the nearly sixty-year cycle of repression and violence that has defined much of Myanmar's history.

Timeline of Democracy in Myanmar

1947-1948

Myanmar gained independence from British colonial rule in January of 1948, following Japanese invasion of the country during World War II and growing internal divisions. In the lead up to independence, the government (under the leadership of General Aung San – father of Aung San Suu Kyi) and certain ethnic leaders signed the [Panglong Agreement](#) in February of 1947, which established arrangements with the

Kachin, Shan, and Chin in their frontier areas. General Aung San's politically motivated assassination later that year prevented him from ever seeing an independent Burma.

1962

Displacing the civilian government, the Tatmadaw took unilateral control of the Burmese government in a military coup after a caretaker government had been in place starting in 1958. After the 1962 coup, the nation lived under martial law for more than a decade as the Tatmadaw expanded and solidified its control over all facets of governance under the rule of Ne Win.

1974

In transitioning out of martial law, the Tatmadaw instated the 1974 constitution to create a unicameral legislature controlled by the military-backed Burma Socialist Programme Party (BSPP). This constitution institutionalized and formalized military control. In November of 1974, Burmese diplomat and former U.N. Secretary-General U Thant passed away and the military government refused to give him a state funeral. This highly unpopular decision fueled existing public anger at the regime, setting off a chain reaction, weeks of student-led [protests](#), and harsh military crackdowns, culminating in thousands of arrests and at least eighteen deaths.

1988

Perhaps the most well-known push for freedom and democracy to date in Burmese history are the “[8888 Uprisings](#).” After over twenty years under military rule and the nation's slide into becoming one of the most impoverished countries in the world, a student-led movement began a series of nationwide protests and marches against the government. The brutal military response to these protests killed thousands of civilians, though the official state figures

remain at only 350 victims. The protests ended in September when the military repealed the 1974 constitution and resumed full control through the State Law and Order Restoration Council (SLORC) in another military coup. Aung San Suu Kyi became a [nationally revered figure](#) following these protests and her party – the NLD – swept national elections in 1991 that the military refused to recognize.

2007

In the autumn of 2007, a series of political and economic protests took place across Myanmar, becoming known as the [Saffron Revolution](#). Over 100,000 protestors took to the streets to protest the government's removal of subsidies, causing a spike in the price of fuel and igniting collective outrage and frustration at over 40 years of military rule. The Tatmadaw's violent response to the protests drew international attention; though these protests did not reach the scale of 1988, they drew international attention to the ongoing repressive structures inside of Myanmar. Some States called for democratic reforms and others levied sanctions on key government officials.

2008

Following internal and international pressure to transition to more democratic civilian leadership, the military regime produced the [2008 Constitution](#), a document on which the coup now heavily relies to claim legitimacy. Heralded by the Tatmadaw as a sign of “democracy,” the 2008 Constitution is instead widely recognized as a [tool for the military](#) to maintain control over many aspects of governance in Myanmar. Among other provisions, the 2008 Constitution sets aside 25 percent of seats in Myanmar's parliament for Tatmadaw officers, regardless of democratic election results.

2010

The first elections in Myanmar under the new Constitution were held in late 2010. Over concerns about the election and the ability of Aung San Suu Kyi to be president under the Constitution, the [NLD did not take part](#). While there were questions about the election's legitimacy, including with regards to participation of ethnic nationalities living in conflict-heavy areas of Myanmar, the military-backed Union Solidarity and Development Party (USDP) won a majority of seats in parliament; the USDP named former military chief [Thein Sein](#) as president. Despite the close relationship with the military, the new civilian government launched a string of economic and quasi-democratic reforms.

2015

After not participating in the 2010 elections, the NLD did participate in 2015 and [won a supermajority of seats](#) in the national parliament. Though Aung San Suu Kyi was [constitutionally prevented](#) from being appointed president, she retained great popular support and in 2016 the parliament created the position of [State Counsellor](#) for her to wield significant governing power, similar to that of a prime minister. Htin Kyaw was appointed president in 2016, later followed by acting president Myint Swe and, in 2018, Win Myint was appointed president.

November 2020

Leading up to the 2020 elections, the NLD was widely projected to again win a majority of seats in parliament as they capitalized on popular support for their democratic reforms. As with the 2015 elections, [critics](#) of Myanmar's electoral process noted that many ethnic nationalities had limited access to polling places and many Rohingya Muslims were completely disenfranchised on the basis of their citizenship. The majority of Rohingya Muslims have suffered from a [lack of citizenship](#) since 1982, when the military regime passed a law functionally rendering them stateless. Despite these complaints, [election observers declared](#) that the results were credible and that a transition of power could begin. Exceeding

predictions, the NLD won even more seats than it held previously, limiting the hold of the USDP to a small fraction of elected seats (33 of 476) in addition to its constitutionally guaranteed minimum of 25 percent of parliament.

January 2021

Following the landslide victory of the NLD, the USDP and Tatmadaw leadership began to publicly challenge the election results in January of 2021. Starkly mirroring similar claims in the United States at this time, the Tatmadaw argued that there had been widespread voter fraud and that the results were illegitimate. As these accusations morphed into threats to prevent the elected parliament from taking their seats, Myanmar's Union Election Commission [reaffirmed its position](#) that the outcome was credible. This decision was unacceptable to the Tatmadaw.

February 2021

On Feb. 1, 2021, the Tatmadaw [detained](#) State Counsellor Aung San Suu Kyi and President Win Myint, preventing them and the rest of the newly elected government from taking their seats. Military leader [Min Aung Hlaing](#) declared a nationwide state of emergency and announced that the Tatmadaw would take control of the country until a new election could be held in a year. The following weeks saw massive protests in major cities and rural areas alike, calling for the release of all political detainees and a reinstatement of the democratically elected government. Prominent members of the international community [condemned](#) the military's attempted takeover and encouraged a peaceful transition back to democracy with the [United States](#), [the United Kingdom](#), and [European Council](#), among other States, imposing targeted sanctions on Tatmadaw officials.

March 2021

March saw the Tatmadaw and police forces continuing to escalate their use of violence in response to peaceful protests and civil disobedience. Soldiers indiscriminately fired [live ammunition](#) into crowds of protestors while other Tatmadaw agents have arrested, [tortured](#), and killed members of the NLD and other dissidents. In response to these brutal crackdowns, the people of Myanmar have only strengthened their calls for peace and democracy. The CDM has seen widespread success; their coordination within the banking industry has had powerful effects on the nation's economy. On Mar. 31, the CRPH announced the 2008 Constitution had been abolished and the launch of the Federal Democratic Charter. The international community continued to call for a cessation of violence, though the political response of individual States varied. Some States heightened their sanctions regimes, targeting military officials and holdings, and staunchly refused to recognize the illegitimate junta while others have held meetings with Tatmadaw appointees to discuss options.

April 2021

On Apr. 16, 2021, politicians and activists in Myanmar announced the formation of the [National Unity Government](#) and several key positions within the new government. In addition to the inclusion of elected officials from the NLD, among the various ministers and deputy ministers in the announcement are several members of Myanmar's ethnic nationalities, a hopeful sign that this new government may be based on, and work toward, genuine unity.