

## **Background of the Coup D'état: A Chain of Miscalculations\***

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### **An Unexpected Coup**

On February 1, 2021, a military coup d'état took place in Myanmar, and State Counselor Aung San Suu Kyi (hereafter referred to as Suu Kyi) and President Win Myint were placed in detention. Acting in consultation with the National Defense and Security Council<sup>1</sup>, former military commander Vice President Myint Swe, assuming the role of Acting President, declared a state of emergency, and Commander-in-Chief Min Aung Hlaing seized full control. The Myanmar military claimed that the seizure of power is not an illegal coup d'état but an action in accordance with the 2008 Constitution. However, the President himself, who convenes the National Defense and Security Council and declares a state of emergency, had been detained by the military, which is not generally considered to be an action based on the 2008 Constitution.

There has been speculation that the cause of the coup lies with the defeat of the military-backed Union Solidarity and Development Party (USDP) in the general election held in November 2020, wherein the National League for Democracy (NLD) led by Suu Kyi won a landslide victory. The major defeat for the USDP in the general election is highly likely to have been a trigger for the coup.

However, while the result of the general election led to a slight increase in the number of NLD seats in the parliament, it did not significantly impact the military's involvement

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\* This essay originally appeared in the [IDE Square](#) in Japanese on February 15, 2021. This is the English version and does not reflect the rapidly developing situation in Myanmar after that date.

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in national politics. This is because the current political system is regulated by the 2008 Constitution, which grants the armed forces various privileges, and Suu Kyi, who became a member of parliament in the by-elections of 2012, reluctantly tolerated this political system. Under this constitution, the Commander-in-Chief of Defense Services has the authority to appoint military personnel equivalent to a quarter of all seats in the parliament and the ministers of defense, home, and border affairs. The 2008 Constitution also stipulates that, in the event of a state of emergency, the Commander-in-Chief, not the President, will assume full control. In other words, as long as the 2008 Constitution was in place, there was no immediate threat to the status of the armed forces.

A coup is naturally expected to significantly impact Myanmar's economy, which had been achieving steady economic growth as "Asia's last frontier." The coup constitutes a shift that could disrupt Myanmar's economic development, undoing the work of former President Thein Sein, who undertook bold political and economic reforms despite his military background. The international community is likely to tighten sanctions on military personnel and military-related companies. Following the coup, Kirin Holdings of Japan announced that it will dissolve its joint venture with Myanma Economic Holdings Public Company Limited<sup>2</sup>. From this perspective, the coup appears to lack rationality.



Min Aung Hlaing, Commander-in-Chief of Defense Services

## **Aung San Suu Kyi's Return**

Questions of rationality aside, why did the army resort to a coup at this time? In hindsight, it appears to be the result of an accumulation of miscalculations by political leaders since the transition to civilian rule 10 years ago.

Suu Kyi and the NLD were profoundly oppressed throughout the 23-year span of the former military junta led by Than Shwe, Chairman of the State Peace and Development Council<sup>3</sup> (formerly known as the State Law and Order Restoration Council). Suu Kyi was placed under house arrest for almost 15 years, and many NLD politicians and student activists were imprisoned. Thein Sein became president in the 2011 transition to civilian rule, changed the situation 180 degrees, and invited Suu Kyi to join national politics. Thein Sein had been roundly condemned by the international community when he was Acting Prime Minister (and subsequently Prime Minister) under the military junta when the military cracked down on the “Saffron Revolution” of 2007. He subsequently made efforts to respond to the disaster of Cyclone Nargis in May 2008, which left 140,000 people dead or missing. These experiences possibly made him acknowledge the international community's uncompromising stance and the poverty of Myanmar society and that cooperation with Suu Kyi was necessary in order for the country to develop.

Joint Chief of Staff Shwe Mann, who ranked third in the military hierarchy, also cooperated with Suu Kyi. He believed he would be nominated for president by Than Shwe for the transition to civilian rule but became Speaker of the House of Representatives. As a result, he came to see Thein Sein, who became president, as a rival, although Thein Sein ranked below him—fourth in the military hierarchy. There were rumors that Than Shwe had promised Shwe Mann that he would become president after Thein Sein. For a time, Thein Sein stated that he would not serve a second term, thus hinting toward a secret agreement.

However, as President Thein Sein proceeded with reforming and opening up the country, he achieved greater results than expected and garnered praise domestically and internationally. Speaker Shwe Mann began to suspect that Thein Sein would continue in office. Ultimately, as a strategy to become the next president, Shwe Mann decided to work with Suu Kyi based on her overwhelming popular support.

In other words, following the retirement of Chairman Than Shwe and Vice Chairman Maung Aye, who were ranked first and second, respectively, in the military hierarchy, the people ranked third and fourth suddenly became Suu Kyi's collaborators, albeit with differing motives for doing so. In this way, reforms progressed with drastic speed,

Western sanctions were eased, foreign investment flowed in, and Myanmar was transformed from a “pariah” in the eyes of the international community into “Asia’s last frontier.”

It is true that Thein Sein had undertaken the full-fledged reforms that were aimed at developing the national economy, perhaps even beyond the expectations of Than Shwe. However, the reforms were originally motivated by the junta’s wish to mitigate the negative legacy of military rule in the last two decades. The reforms should have been allowed to the extent that they conformed to the original plans envisioned by Than Shwe. Although Suu Kyi’s cooperation was undoubtedly important, the reforms essentially came from above—from the Myanmar military. At the time, I wrote, “This [the fact that the reforms were initiated by Thein Sein and tolerated by Than Shwe] means that while reforms will proceed as long as they are within the framework of the political system stipulated by the 2008 Constitution, there may be a backlash when reforms attempt to go beyond that framework.”<sup>4</sup> Thein Sein seems to have gone beyond, hence the birth of Suu Kyi’s government in March 2016.

### **Thein Sein’s Miscalculations**

The rivalry between President Thein Sein and Speaker Shwe Mann greatly damaged the government’s administration and party’s management. Taking advantage of constitutional provisions that banned the president from taking part in party-related activities, Shwe Mann replaced Thein Sein as the de facto leader of the USDP. Exerting great influence on the parliament and the USDP, Shwe Mann challenged Thein Sein at every turn. This is illustrated by the sequence of events related to the introduction of a proportional representation system.

The NLD’s overwhelming victory in the 2012 by-elections raised concerns within the USDP about the 2015 general election. Myanmar has an electoral system wherein a single member is elected by simple majority to represent each constituency. This kind of system leads to a greater number of wasted votes and, as such, there tends to be a gap between the number of seats won and the percentage of votes obtained. For example, in the 2015 general election, the NLD won about 80 percent of the seats with a turnout of about 60 percent, while the USDP gained less than 10 percent of the seats with a turnout of about 30 percent. If a proportional representation system had been adopted, the USDP would have won about 30 percent of the seats, and it could have possibly remained in

government in combination with the military parliamentary members who occupied a quarter of all seats.

The USDP submitted a proposal in the parliament to introduce a proportional representation system in collaboration with the National Democratic Force (NDF), a splinter group of the NLD. After many twists and turns, in November 2014, when a committee of the House of Representatives was about to vote on proposals for eight electoral systems, including proportional representation, Speaker Shwe Mann interrupted the member making the proposal and declared that the Constitutional Tribunal had ruled that only the single-member constituency system was constitutional. At the time, the Chairperson of the Constitutional Court was affiliated with Shwe Mann. Thus, the introduction of a proportional representation system was stalled.

Why did Speaker Shwe Mann, who was the de facto leader of the USDP, move against his own party in this way? Although it is unclear, there may have been a political deal with Suu Kyi, who opposed the proportional representation system. Following this, Shwe Mann was embroiled in repeated feuds with President Thein Sein and was finally dismissed as acting leader of the USDP in August 2015. However, the USDP was unable to implement an effective election strategy in the midst of internal conflict and suffered a major defeat in the general election in November 2015. The conservative and mainstream factions of the military represented by Than Shwe must have been dissatisfied with Thein Sein and Shwe Mann for allowing the genesis of Suu Kyi's government.

### **Aung San Suu Kyi's Miscalculations**

Following its resounding success in the 2015 general election, the Suu Kyi government was inaugurated in March 2016, the first to be democratically elected in half a century. Notably, at this point, President Thein Sein, who did not run for the election, and Speaker Shwe Mann, who lost the election, disappeared from the political scene and lost their influence. The Suu Kyi government was established on the basis of a power-sharing arrangement with the military<sup>5</sup>; the diminished positions of Thein Sein and Shwe Mann therefore signified a loss of the major collaborators in the military who had invited Suu Kyi to join national politics in 2011, cooperated with her, and protected her from attacks from the conservative and mainstream factions of the military. In particular, the disappearance of President Thein Sein and his subordinates from the center stage of politics is considered to have influenced the military's decision-making process. With his

understanding of the reality of the international community and ability to coordinate on domestic issues through dialogue with Suu Kyi and the NLD, Thein Sein's fall from power meant that a key agent of balance had disappeared from the armed forces.

In the past, there had also been some NLD grandees with military backgrounds. However, over the long period of the military junta, they gradually retired until the human connection with the military was lost. Under these circumstances, the relationship between the Suu Kyi government and the military gradually deteriorated. This was further compounded when the NLD sought to amend the constitution. The 2008 Constitution grants various privileges to the military and is therefore of vital importance to the military. With the general election approaching, the NLD submitted a constitutional amendment in the parliament in March 2020. Although the amendment was rejected by the opposition of the USDP and military parliamentary members, the two sides remained at odds.

Relations between State Counselor Suu Kyi and Commander-in-Chief Min Aung Hlaing had also cooled. Min Aung Hlaing made repeated calls for the National Defense and Security Council to be convened. The Council was established under the 2008 Constitution, as mentioned earlier, but Suu Kyi was unreceptive to Min Aung Hlaing's requests. It appears that they had barely spoken to each other in recent years.

Concerned that the NLD would win the election and move to make a constitutional amendment again, the military began to suppress the November 2020 general election. The military issued statements criticizing the Election Commission, claiming that the preparations for the imminent election were fraudulent. However, this move was counterproductive. It appears to have been construed as an attempt to interfere with the general election by the military, which resulted in fierce opposition from citizens and possibly contributed to the NLD's victory. After the NLD's victory became clear, the military made repeated calls for the Election Commission to investigate electoral fraud. The USDP and military members of parliament also demanded an extraordinary session of parliament to discuss election fraud.

However, neither the Election Commission nor the government paid any heed to the army's demands. On January 26, 2021, the army held a press conference and claimed that the electoral roll, which comprised about 8.6 million people, was incomplete. At the press conference, when a journalist asked whether there was any possibility that the armed forces might instigate a coup, the military spokesperson did not deny it. Discussions were held between the NLD and the military just before the first session of the new parliament on February 1, but Suu Kyi and Min Aung Hlaing did not meet in person. Suu Kyi may have considered the suggestion of a possible coup by the armed forces to be a bluff on the

part of Min Aung Hlaing. Suu Kyi made two major miscalculations: failing to coordinate relations with the military and failing to recognize the coup as a real threat.

### **Min Aung Hlaing's Miscalculations**

Min Aung Hlaing was 55 years old when he succeeded Than Shwe, who retired with the transfer to civilian rule in 2011. The retirement age for the Defense Services was 60 years, but following the inauguration of the Suu Kyi government in 2016, the retirement age was extended by five years. Thus, having been the Commander-in-Chief for 10 years, Min Aung Hlaing is approaching retirement in July 2021.

Soon to retire from the Defense Services, it is likely that Min Aung Hlaing had ambitions to become the next president. He may have thought that if the USDP were to take a third of the seats in the general election, it would be able to hold majority in parliament with its military members. Alternatively, he may have thought that even if the USDP failed to win a third of the seats, it would be possible to win majority by partnering with Thet Thet Khine, who had fallen out with Suu Kyi and set up the People's Pioneer Party, and some ethnic minority parties dissatisfied with the NLD.

However, the USDP lost by such a significant margin that such ideas were no longer viable. Concerned that a second landslide victory for the NLD would increase pressure for constitutional amendment and democratization, Commander-in-Chief Min Aung Hlaing resolved to implement a military coup. Given the sequence of events leading up to this moment, compromise with Suu Kyi or the NLD appeared unlikely. There is a strong possibility that Min Aung Hlaing is resolved to remove Suu Kyi from national politics. After the state of emergency is lifted, the military will possibly purge Suu Kyi and the NLD and hold a general election to establish a military-led government. The prosecution of Suu Kyi for the minor offense of violating the Import and Export Law appears to be the first step to disqualify her from running for office.

However, Min Aung Hlaing will have to face up to the greatest miscalculation of all. The citizens of Myanmar have staged huge anti-military demonstrations. The scale, diversity, and geographical breadth of these protests will have exceeded Min Aung Hlaing's expectations. A large number of civil servants and healthcare and education professionals are participating in the Civil Disobedience Movement to boycott work in public administration, thereby paralyzing government and economic activity.

Footage of the demonstrators reveals a wide range of age groups, occupations, and

social classes, but many of them appear to be from the younger generations in particular. Rather than following the instructions of a particular political leader, they use social media channels such as Facebook to communicate with each other and organize demonstrations. They march in an orderly fashion, organizing themselves and controlling traffic. After the march, they clean up garbage and keep the streets clean.

These demonstrations have often been compared with the pro-democracy demonstrations of 1988. At the time, there were rumors that the armed forces had planted agitators in the guise of citizens in urban areas, causing loot, assault, lynch mobs, murder, and a general deterioration of public security. This gave the armed forces a pretext for armed suppression. With the present demonstrations, public security has been virtually unaffected, and there has been little indication of other issues, including hoarding of essentials such as rice and oil and significant increase in prices. After a decade of freedom and economic growth, the people of Myanmar appear to have the courage, wisdom, and technology to raise their voices and protest to protect their democracy.

Commander-in-Chief Min Aung Hlaing's greatest mistake was to underestimate the power of the people. Under these circumstances, the threat that the armed forces will turn their guns on the people, as they did in 1988, remains. However, the military's planned scenario for the future of Myanmar is collapsing. Even if a military-led government is established by the general election following the state of emergency, the people will continue to resist. ■



Teachers protesting against the military coup (Kayin State, February 9, 2021)



## Photo Sources

- MARCELINO PASCUA/Presidential Photo, public domain, via Wikimedia Commons.
- Ninjastrikers, Teachers protest against military coup (February 9, 2021, Hpa-An, Kayin State, Myanmar) (CC BY 4.0).

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## Notes

<sup>1</sup> The National Defense and Security Council is an organization established by the 2008 Constitution. It consists of 11 members, including the President and the two Vice Presidents, the Speakers of the House of Representatives and the House of Nationalities, the Commander-in-Chief and Deputy Commander-in-Chief of the Defense Services, the Minister of Defense, the Minister of Foreign Affairs, the Minister of Home Affairs, and the Minister of Border Affairs. Six of these members are military personnel and/or those appointed by the Commander-in-Chief, comprising a majority of members. The President can declare a state of emergency in consultation with the National Defense and Security Council.

<sup>2</sup> See Kirin Holdings' news release, dated February 5, 2021, "Statement on the situation in Myanmar." Accessed on February 10, 2021.

<sup>3</sup> The military seized power in a coup in 1988 and established the State Law and Order Restoration Council (SLORC). The SLORC was reorganized into the State Peace and Development Council (SPDC) in 1997 and dissolved in the 2011 transition to civilian rule. Than Shwe chaired both councils from 1992 to 2011.

<sup>4</sup> Toshihiro Kudo (2012) "Myanmar: prospects for a democratic future" in Toshihiro Kudo ed., *A true picture of Myanmar politics under the 23 years of military rule*, IDE Selection No.29, IDE-JETRO, Tokyo, pp.309–343.

<sup>5</sup> The 2008 Constitution divided the power of the SLORC/SPDC Chairman Than Shwe among two persons: the civilian President and the military Commander-in-Chief. In this constitution, the Burmese word for "head" (*akyi ake*) is used only for the President (Article 16) and the Commander-in-Chief of the Defense Services (Article 20(c)). The President is the head of the Union and the executive branch; the Commander-in-Chief is the head of all armed forces.