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Contesting the Anti-Coup Norm: ASEAN Responds to the 2021 Myanmar Coup

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Abstract

Since the end of the Cold War, democracies have sought to create a range of normative and international legal standards intended to reduce the frequency and legitimacy of coups. The rise of the anti-coup norm has led to the isolation and punishment of numerous coup-created governments, and evidence suggests it has helped reduce the frequency of coup attempts. However, the norm is contested, and coup leaders often find that the international condemnation they face is countered by quiet acquiescence or active support by international allies. This paper examines the politics of norm contestation around the anti-coup norm by considering the international response to the 2021 coup in Myanmar. It introduces the concept of "norm waverers" and illustrates how committed norm promoters and norm resisters often try to persuade norm waverers—in this case exemplified by ASEAN—to join their respective camps. International pressure induced ASEAN to make normative commitments. But these commitments ultimately reflected a concern for reputation and credibility, rather than any underlying institutional commitment to the anti-coup norm. The result was a shallow institutionalization of the norm against the legitimacy of coups.

Keywords: Myanmar, Democracy, Autocracy, Norms, Coup d'état, Authoritarianism.

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Introduction

In the early hours of February 1, 2021, the Myanmar military, known as the Tatmadaw, staged a swift and brutal coup d'état. The coup was carefully timed and was launched on the day the Myanmar government was scheduled to begin its second term after the November 2020 legislative elections. The ruling party, the National League of Democracy (NLD) had won a landslide victory and Aung San Suu Kyi was set to prolong her controversial tenure as State Counsellor, the de facto leader of Myanmar. Instead, the military detained Suu Kyi, annulled the election results and established a military regime headed by the newly created State Administration Committee (SAC). In the following months, the military regime quickly became deeply entrenched within Myanmar and the military leadership showed no sign of relinquishing power. The new authorities launched a brutal and repressive crackdown on non-violent protesters, and Aung San Suu Kyi and other political leaders were put on trial.[1] Many political activists were disappeared, there were rolling electric and internet blackouts, and the military patrolled the streets in force.[2] Myanmar's new leader, military general Min Aung Hlaing, consolidated his position and in August 2021 appointed himself Prime Minister.[3]

The international response to the coup and its aftermath was complex and contested. The United Nations Security Council held an emergency meeting and expressed deep concern.[4] The U.S. and the EU moved quickly to place sanctions on the new military regime in Myanmar, and several regional leaders called for the return to civilian rule.[5] However, international pressure on the new authorities was tempered by the actions of several influential countries that sought to minimize the severity of the coup and took steps to shore up rather than force out the military junta. Furthermore, the regional

1 Al Jazeera, "Trial of Myanmar's Aung San Suu Kyi Gets under Way," June 14, 2021, Online edition, sec. News, https://www.aljazeera.com/news/2021/6/14/trial-of-myanmars-suu-kyi-gets.

2 AAPPB, "Statement on Recent Detainees in Relation to the Military Coup," Coup Daily Briefings (Yangon: Assistance Association for Political Prisoners Burma, February 4, 2021), https://aappb.org/?p=12997.; BBC, "Myanmar Coup: Aung San Suu Kyi Detained as Military Seizes Control," *BBC News*, February 1, 2021, sec. Asia, https://www.bbc.com/news/world-asia-55882489.

3 Sarah Johnson, "Myanmar Military Junta Arrests Prominent Trade Union Leader," *The Guardian*, April 19, 2021, Online edition, sec. Global Development, https://www.theguardian.com/global-development/2021/apr/19/myanmar-military-junta-arrests-prominent-trade-union-leader.

4 AFP, "UN Security Council Holds Emergency Meeting on Myanmar," *France 24,* February 2, 2021, https://www.france24.com/en/live-news/20210202-un-security-council-holds-emergency-meeting-on-myanmar; Vassily A. Nebenzia, "Security Council Press Statement on the Situation in Myanmar | Meetings Coverage and Press Releases," Press Release (United Nations Security Council, February 2, 2021), https://www.un.org/press/en/2022/sc14785.doc.htm.

5 ANFREL, "Myanmar Situation Update 1 to 14 February 2021," Myanmar Situation Update, Myanmar Situation Update (Bangkok: Asian Network for Free Elections, February 15, 2021), https://anfrel.org/wp-content/uploads/2021/03/Myanmar-Situation-Update-1-to-14-February-2021.pdf.

organization ASEAN (the Association of Southeast Asian Nations) reacted tentatively to the coup, and took several months before appointing a special envoy and, eventually, taking punitive steps against one of its member states.

In this article, we examine the international response to the Myanmar coup to identify and illustrate important features of international norm contestation around the anti-coup norm. Since the early 1990s, several states and international organizations have sought to promote and consolidate a global anti-coup norm, seeking to set standards of behavior that rule out the unconstitutional overthrow of sitting governments.[6] However, the norm has struggled to achieve universal acceptance and its spread has been resisted by several countries (especially but not exclusively authoritarian states) who see its enforcement as a threat to competing norms of state sovereignty and non-interference, as well as a constraint on their foreign relations with coup-created governments. The international responses to coup episodes are thus often characterized by intense norm contestation, as diverse members of the international community debate each other about the applicability of the norm and extent to which coup leaders should be condemned or sanctioned.

Our analysis of the international response to the Myanmar coup engages with and builds upon approaches to norm contestation that emphasize the ways in which external actors compete with one another over the application and enforcement of international norms against norm-violating states. We make two principal contributions. The first is conceptual, and relates to the typology of political actors who are involved in the process of norm contestation. We draw on recent work that distinguishes between norm entrepreneurs, who seek to promote and enforce their favored international norms, and so-called "antipreneurs," who resist the spread of new norms and favor the status quo.[7] However, we move beyond this simple dichotomy to identify a third set of external actors who we term "norm waverers," namely those international states or international organizations who are not firmly within either of the "pro-norm" or "anti-norm" camps and are demonstrating some indecision on how much to embrace the norm. We show how the response of these waverers to instances of norm violations can become the subject of intense international struggle, as members of each hardline camp seek to persuade or pressure the waverers to tilt in their direction. International actors thus engage in contestation across several dimensions—between pro-norm

6 Issaka K. Souaré, "The African Union as a Norm Entrepreneur on Military Coups d'état in Africa (1952–2012): An Empirical Assessment," *The Journal of Modern African Studies* 52, no. 01 (March 2014): 69–94; Oisín Tansey, "The Fading of the Anti-Coup Norm," *Journal of Democracy* 28, no. 1 (2017): 144–56, https://doi.org/10.1353/jod.2017.0012.

7 Alan Bloomfield, "Norm Antipreneurs and Theorising Resistance to Normative Change," *Review of International Studies* 42, no. 2 (April 2016): 310–33; Kurt Mills and Alan Bloomfield, "African Resistance to the International Criminal Court: Halting the Advance of the Anti-Impunity Norm," *Review of International Studies* 44, no. 1 (2018): 101–27.

international actors and norm-violating states, between the two camps of pro-norm and anti-norm actors, and between both of those camps and the wavering international actors in the middle ground. By looking at the patterns of multi-dimensional contestation we are able to trace how norms are diffused and contested outside of direct interactions between norm entrepreneurs and antipreneurs and norm violating states.

Our second contribution is to illustrate the relationship between the process of norm contestation and the effectiveness of norm enforcement. We show how efforts to lure norm waverers to the pro-norm camp can result in instrumental forms of norm enforcement that risk undermining rather than strengthening the norm. When norm waverers are pressurized by international peers to align their policies and join an enforcement coalition, their incentives to enforce the norm can increasingly deviate from any genuine commitment to the norm. Cooperation in the norm enforcement effort can be purely instrumental and designed to avoid the negative consequences of non-enforcement that would be imposed by international peers. Such incentive structures can lead to shallow forms of enforcement that resemble window dressing for an international audience rather than any real commitment to bringing about change in the target country.

In the case of Myanmar, we show how advocates of the anti-coup norm acted quickly to enforce the norm and punish the new military regime in Myanmar. These efforts were undercut, however, by the supportive policies of powerful anti-norm actors (especially Russia and China) who sought to block enforcement measures and offered lifelines of political and economic sponsorship to the military junta. We also show how ASEAN was a wavering actor during this period, and how extra-regional states in both pro- and anti-norm camps sought to persuade ASEAN to align its policies with their favored approach. After months of tentative and hesitate response, ASEAN did take firm action against Myanmar in October 2021, disinviting its political leadership from a key ASEAN summit. However, its justification for the move, couched in language that referred to the need to protect ASEAN's credibility and centrality, suggested that international pressure to act had led only to a shallow and partial embrace of the norm rather than a more genuine form of socialization. ASEAN appears to have acted for reasons that have less to do with a commitment to restoring democracy in Myanmar and have more do with institutional self-preservation and reputation management at a time of intense international scrutiny and pressure.

The Politics of Norm Contestation: Promoters, Resisters and Waverers

Norms are standards of appropriate behavior for actors with a particular identity.[8] Early work on the role and importance of norms in international politics focused on the ways in which international norms emerge, how they come to be widely accepted, and how they shape and structure the behavior and identities of both national and international actors. Finnemore and Sikkink's classic article on the norm "life cycle" identified the central role of norm entrepreneurs who seek to change the prevailing normative order and advance new standards of behavior.[9] Similar work focused on key norm promoters and their efforts to persuade and pressure other actors to adopt and internalize their preferred norms.[10]

Much of this research has been criticized for focusing on international actors primarily as norm entrepreneurs, and downplaying the independent role of international opponents of international norms.[11] According to this critique, the early work on norms neglected the agency of those actors who sought to maintain the status quo and resist or adapt the new normative standards that were being actively promoted by norm entrepreneurs. More recent work has thus focused on the role of norm contestation, and the often prolonged and divisive debates between international actors over the validity and appropriateness of different norms.[12]

8 Peter J. Katzenstein, *Cultural Norms and National Security: Police and Military in Postwar Japan* (Cornell University Press, 2018).

9 Martha Finnemore and Kathryn Sikkink, "International Norm Dynamics and Political Change," *International Organization* 52, no. 4 (ed 1998): 887–917, https://doi.org/10.1162/002081898550789.

10 Thomas Risse et al., *The Power of Human Rights: International Norms and Domestic Change*, vol. 66 (Cambridge University Press, 1999).

11 Alan Bloomfield, "Norm Antipreneurs and Theorising Resistance to Normative Change," *Review of International Studies* 42, no. 2 (April 2016): 310–33, https://doi.org/10.1017/S026021051500025X; Antje Wiener, "Contested Meanings of Norms: A Research Framework," *Comparative European Politics* 5, no. 1 (April 1, 2007): 1–17, https://doi.org/10.1057/palgrave.cep.6110107; Antje Wiener, *Contestation and Constitution of Norms in Global International Relations* (Cambridge University Press, 2018).

12 Nicola P. Contessi, "Multilateralism, Intervention and Norm Contestation: China's Stance on Darfur in the UN Security Council," Security Dialogue 41, no. 3 (June 1, 2010): 323–44, https://doi.org/10.1177/0967010610370228; Jonas Wolff and Lisbeth Zimmermann, "Between Banyans and Battle Scenes: Liberal Norms, Contestation, and the Limits of Critique," *Review of International Studies* 42, no. 3 (2016): 513–34, https://doi.org/10.1017/S0260210515000534; Jeffrey S. Lantis and Carmen Wunderlich, "Resiliency Dynamics of Norm Clusters: Norm Contestation and International Cooperation," *Review of International Studies* 44, no. 3 (July 2018): 570–93, https://doi.org/10.1017/S0260210517000626; Wiener, *Contestation and Constitution of Norms in Global International Relations;* Gregorio Bettiza and David Lewis, "Authoritarian Powers and Norm Contestation in the Liberal International Order: Theorizing the Power Politics of Ideas and Identity," *Journal of Global Security Studies* 5, no. 4 (October 7, 2020): 559–77, https://doi.org/10.1093/jogss/ogz075; Nicole Deitelhoff and Lisbeth Zimmermann, "Things We Lost in the Fire: How Different Types of Contestation Affect the Robustness of International Norms," *International Studies Review* 22, no. 1 (March 1, 2020): 51–76, https://doi.org/10.1093/isr/viy080.

The scholarship on contestation has addressed issues relating both to the types of contestation that take place, as well as the identity of the actors involved. Deitelhoff and Zimmermann, for example, distinguish between two ideal types of contestation, relating either to contestation over the validity of the norm (whether a norm is righteous or should be prioritized) and over the application of the norm (whether a norm fits a given situation and requires action).[13] Bloomfield and his colleagues have identified the critical role of so-called "antipreneurs," who work in direct opposition to norm entrepreneurs and resist the promotion of new norms and seek to maintain the status quo.[14] Different forms of contestation between these different sets of actors can have implications for how norms spread and evolve over time. Acharya's work on norm localization highlights the ways in which local actors, such as regional organizations, can significantly modify international norms and adapt them to fit their own beliefs and practices.[15] Scholars have shown how norms can change over time as a result of ongoing debates, and also how they may decay and even die due to active resistance and reinterpretation.[16]

We seek to build on this recent scholarship on norm contestation by identifying a wider set of international actors that engage in contestation over norms. In particular, we focus on contestation over the application of particular norms during and after specific episodes of norm violation. While norm contestation can play out in a variety of ways as norms emerge and evolve, including through debates over language usage, organizational policies and international treaties, we focus in particular on those moments when specific actors have been accused of violating international norms and contestation emerges over the nature and scope of the necessary international response. These debates over the application of individual norms in specific test cases provide crucial insights into the extent of power and influence of norms in international politics.

13 Deitelhoff and Zimmermann, "Things We Lost in the Fire."

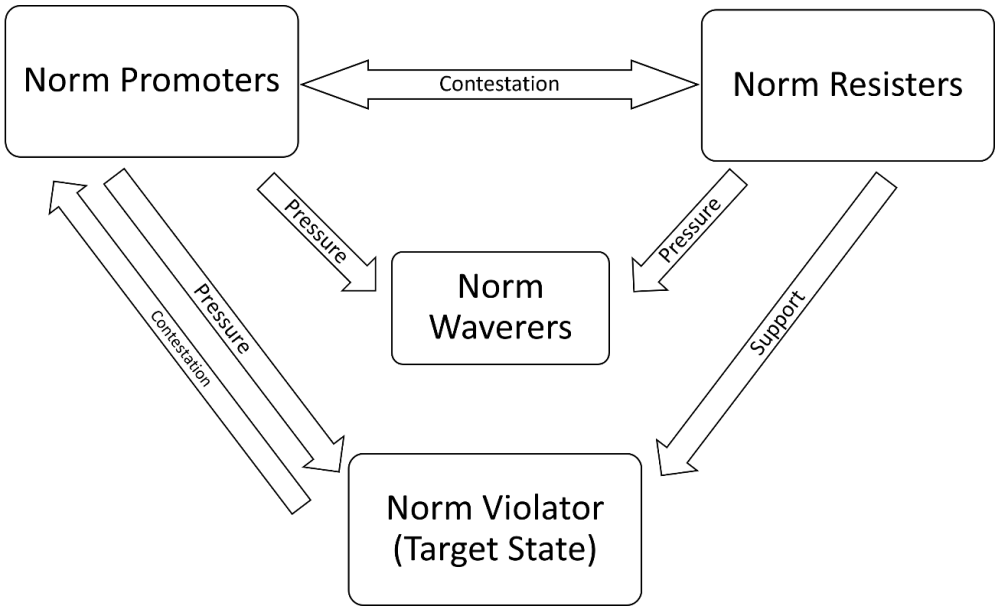
14 Alan Bloomfield and Shirley V. Scott, *Norm Antipreneurs and the Politics of Resistance to Global Normative Change* (Taylor & Francis, 2016).

15 Amitav Acharya, "How Ideas Spread: Whose Norms Matter? Norm Localization and Institutional Change in Asian Regionalism," *International Organization* 58, no. 2 (April 2004): 239–75, https://doi.org/10.1017/S0020818304582024; Amitav Acharya, "Norm Subsidiarity and Regional Orders: Sovereignty, Regionalism, and Rule-Making in the Third World1," *International Studies Quarterly* 55, no. 1 (March 1, 2011): 95–123, https://doi.org/10.1111/j.1468-2478.2010.00637.x.

16 Mona Lena Krook and Jacqui True, "Rethinking the Life Cycles of International Norms: The United Nations and the Global Promotion of Gender Equality," *European Journal of International Relations* 18, no. 1 (March 1, 2012): 103–27, https://doi.org/10.1177/1354066110380963; Harald Müller and Carmen Wunderlich, "Not Lost in Contestation: How Norm Entrepreneurs Frame Norm Development in the Nuclear Nonproliferation Regime," *Contemporary Security Policy* 39, no. 3 (July 3, 2018): 341–66, https://doi.org/10.1080/13523260.2017.1394032; Lantis and Wunderlich, "Resiliency Dynamics of Norm Clusters"; Jennifer M Welsh, "Norm Robustness and the Responsibility to Protect," *Journal of Global Security Studies* 4, no. 1 (January 1, 2019): 53–72, https://doi.org/10.1093/jogss/ogy045.

We contribute to existing understandings of norm contestation by examining a wider set of relationships than has previously been considered. In episodes of norm contestation over norm violations, we identify four distinct sets of actors that engage with one another and seek to influence the outcome of norm enforcement efforts. We add nuance to existing understanding of the politics of norm contestation by identifying and including a previously overlooked category of international actor: norm waverers. These actors are uncertain or internally divided over how to respond to norm violations, and they play an important part in the political theatre of norm contestation over the nature and extent of international norm enforcement. Our framework is captured in Figure 1, and we outline each of our four sets of actors below and identify the different channels of contestation between them.

Figure 1. Norm Contestation and Norm Waverers Framework



The first actor we identify is the norm violator. These actors initiate episodes of norm contestation by engaging in behavior that norm promoters declare to constitute a breach of the standards of behavior that a particular norm enshrines. Some norm violators may deny any wrongdoing, although they are identified as norm violators by norm promoters and their actions become the focus of norm contestation. In other cases, norm violators are open and explicit about their violations, and make no effort to conceal their norm transgressions.[17]

17 Miles M. Evers, "On Transgression," *International Studies Quarterly* 61, no. 4 (2017): 786–94.

We group the remaining three sets of actors in the broader category of norm responders. These actors each take a different approach to responding to the initial act of violation, and often clash with one another over how to treat the violating state. Two of these sets of responding actors are well established in the existing scholarship, and include the norm promoters/entrepreneurs who will actively seek to enforce the norm, and norm resisters/antipreneurs who argue against and seek to undermine enforcement efforts. Norm promoters often focus on the violating state, condemning its behavior and pursuing punitive measures designed to bring about compliance with the norm and deter future violations by other actors.[18] By contrast, norm resisters argue against enforcement measures, and often provide symbolic and material forms of support to the violating actor that often finds itself under intense international scrutiny and pressure.[19] The clash between active norm promoters and norm resisters can play a decisive role in the fate of individual norms, and helps determine their global spread and robustness.

We move beyond existing approaches, however, by introducing a third set of norm responders who are involved in debates about how norms should be enforced in the wake of violation episodes. Distinct from active norm promoters and resisters, this third set of norm responders are best understood as "norm waverers" who are not clearly situated in either camp and whose response is uncertain and becomes the subject of political struggle. Norm waverers are not simply neutral actors who have decided not to take a stance, or actors who have no interest in the particular norm. Rather, their behavior suggests that they are actively considering joining either the pro- or anti-norm camp but are beset by political indecision and are struggling to reconcile competing interests related to the norm.

We identify three behaviors that are indicative of norm wavering. First, norm waverers may make inconsistent statements about the norm, offering statements at different times that suggest some internal disunity as to whether the actor is committed to the norm. Secondly, norm waverers may prevaricate over key decisions related to the norm, taking time to respond to instances of norm violation and being slow to clarify their position. Finally, norm waverers may indicate their uncertain position by reversing initial decisions and taking a "one step forward, two steps back" approach to norm promotion.

18 Daniela Donno, "Who Is Punished? Regional Intergovernmental Organizations and the Enforcement of Democratic Norms," *International Organization* 64 (2010): 593–625; Anna Van Der Vleuten and Andrea Ribeiro Hoffmann, "Explaining the Enforcement of Democracy by Regional Organizations: Comparing EU, Mercosur and SADC," JCMS: *Journal of Common Market Studies* 48, no. 3 (2010): 737–58.

19 Bloomfield, "Norm Antipreneurs and Theorising Resistance to Normative Change," April 2016; Thomas Risse and Nelli Babayan, "Democracy Promotion and the Challenges of Illiberal Regional Powers: Introduction to the Special Issue," *Democratization* 22, no. 3 (April 16, 2015): 381–99.

Overall, norm waverers are defined by their hesitancy with respect to the norm in question, and uncertainty over whether they are firmly committed or opposed to the enforcement of a given norm.

Norm waverers may either be states or international organizations. For both sets of actors, wavering may result from both internal and external pressures. For states, norm enforcement decisions are made by governments who have to balance the costs and benefits of taking a firm stance. Wavering may occur if governing parties are split on the issue or if domestic or international pressure leads governments to reverse initial decisions. For example, after the Russian invasion of Ukraine many international actors framed their support for Ukraine in terms of protecting the norm of territorial integrity. Within Europe, Germany was quickly identified as a wavering actor over its reluctance to send heavy weapons to Ukraine. The German Chancellor, Olaf Scholz, pointed to the risks of becoming a party to the conflict and raising the prospects of nuclear war. However, he reversed his initial position and agreed to send anti-aircraft tanks to Ukraine after domestic and international pressure, including accusations from the leader of the opposition of "wavering, procrastination and timidity."[20]

In the case of international organizations, wavering may result from internal divisions between member states, who may struggle to reconcile their normative preferences and strategic interests. An important site of norm contestation can involve the disagreements and negotiations between member states within international organizations over how to approach the politics of norm enforcement.[21]

We argue that another unappreciated site of norm contestation involves the efforts by international actors in each of the unambiguous pro- or anti-norm camps to persuade and pressurize norm waverers to join their side and align their response to either the enforcement or non-enforcement approach. Norm promoters can work to persuade and pressurize the waverers to join their camp and help enforce the international norm that they allege has been violated. By contrast, norm resisters may place pressure on the waverers to act in the opposite direction, and to join the antipreneurs in denying or minimizing the violation and defending the alleged violator. Work on economic sanctions has illustrated the complex politics involved in building sanctions coalitions, often entailing the use of pressure and inducements to bring reluctant partners on

20 "Germany's Olaf Scholz Struggles to Get His Message across on Ukraine," *Financial Times*, May 4, 2022.

21 Uwe Puetter and Antje Wiener, "Accommodating Normative Divergence in European Foreign Policy Co-Ordination: The Example of the Iraq Crisis," *JCMS: Journal of Common Market Studies* 45, no. 5 (2007): 1065–88, https://doi.org/10.1111/j.1468-5965.2007.00760.x.

board.[22] However, research on the politics of norm enforcement has to date neglected the important element of contestation that involves the struggle over norm waverers. We argue that norm waverers play a key role in the politics of contestation between the pro- and anti-norm camps at the international level. By focusing on norm waverers, we are able to show how the broader international community engages with norm contestation outside of the key relationship between the target and enforcer states. As each side tries to draw the wavering group to their camp, they engage in acts of contestation through persuasion, pressure and coercion. The result may be that the waverer is drawn closer to whichever camp exerts the most leverage and has the most influence. As a result, the waverers' normative stance may be strongly driven by non-normative considerations as it is buffeted on multiple sides in a storm of international politics. Any decision to adopt new policies may reflect its need to bow to outside pressure rather than any genuine normative commitment. The political outcome of contestation with norm waverers, therefore, may involve outward signs of new normative commitments that actually reflect instrumental calculations and interest-driven policies. We explore these dynamics with reference to recent, and heated, diplomacy over the application of the anti-coup norm in Myanmar. While many international actors fell squarely into the pro- or anti-norm camp, we identify ASEAN as a norm waverer that initially hedged its response and took a hesitant and tentative approach to dealing with Myanmar. However, intense international pressure on ASEAN from both the pro- and anti-norm camps forced it to take a clearer position in favor of norm enforcement, albeit it one that fell short of the position of the committed pro-norm actors.

The Rise and Stall of the Anti-Coup Norm

The interplay between norm promoters, resisters, and waverers can clearly be seen in the case of the anti-coup norm, which emerged and strengthened after the end of the Cold War. The promotion and protection of democratic norms rose dramatically after the 1990s, with many international and regional organizations establishing legal protections for democracy within their charters. As part of a wider suite of democracy-related ideals and standards, international actors began to promote the idea that coups constituted an unacceptable route to power and also to promise stiff penalties for coup leaders who seek to steal power from sitting incumbents.[23]

22 Lisa L. Martin, *Coercive Cooperation: Explaining Multilateral Economic Sanctions* (Princeton University Press, 1994); Daniel W. Drezner, "Bargaining, Enforcement, and Multilateral Sanctions: When Is Cooperation Counterproductive?," *International Organization* 54, no. 01 (December 2000): 73–102, https://doi.org/10.1162/002081800551127.

23 Tansey, "The Fading of the Anti-Coup Norm."

The initial emergence of the norm was spearheaded by a set of norm entrepreneurs in different regions of the world. The Organization of American States (OAS) began to introduce anti-coup instruments in the early 1990s, and by the end of the decade had adopted a commitment to suspend any member state that experienced a coup.[24] In 2009, the OAS used these provisions to suspend Honduras from the organization after the sitting President was removed from power.

The African Union also developed similar measures and became an active promoter of the anti-coup norm.[25] The AU's predecessor, the Organization of African Unity (OAU), began to institutionalize the anti-coup norm in the late 1990s, promising to suspend member states that experienced "unconstitutional changes of government." The AU adopted and expanded on these measures, including as part of its ambitious African Charter on Democracy, Elections and Governance, which was adopted in 2007.[26] It also showed a willingness to enforce the norm, and began to regularly suspend member states that experienced coups (such as Mauritania in 2005, Madagascar in 2009, Egypt in 2013 and Mali in 2021).

However, the realization of the anti-coup norm remains limited by inconsistent implementation within the international community, and also by the firm resistance of some international actors who were sceptical of the new normative trend. At the United Nations, the commitment to the norm has been partial and highly selective. While the UN did take steps to embrace the norm in the early 1990s in the case of Haiti, where it authorized robust international intervention to return the deposed leader Jean-Betrand Aristide, it has failed to develop a consistent approach to condemning coups. In contrast to the proactive stance of the regional organizations mentioned above, the permanent members of the Security Council have sought to protect the political and strategic flexibility that comes with a case-by-case approach, and have resisted any effort to entrench a fixed and binding policy that would require identical responses to comparable coup cases.[27]

24 Jorge Heine and Brigitte Weiffen, *21st Century Democracy Promotion in the Americas: Standing Up for the Polity* (Routledge, 2014), 38.

25 Julia Leininger, "Against All Odds: Strong Democratic Norms in the African Union," in *Governance Transfer by Regional Organizations*, ed. Tanja A. Börzel and Vera van Hüllen (Palgrave Macmillan, 2015), 51–67; Laurie Nathan, "Trends in Mediating in Africa Coups, 2000-2015," 2015; Issaka K. Souaré, "The AU and the Challenge of Unconstitutional Changes of Government in Africa," *Institute for Security Studies Papers*, no. 197 (2009): 1–13.

26 AU, 'Constitutive Act of the African Union', 2000; AU, 'African Charter on Democracy, Elections and Governance', 2007.

27 Oisín Tansey, "Lowest Common Denominator Norm Institutionalization: The Anti-Coup Norm at the United Nations," *Global Governance: A Review of Multilateralism and International Organizations* 24, no. 2 (August 19, 2018): 287–306, https://doi.org/10.1163/19426720-02402008.

Furthermore, several international actors have displayed active resistance to the norm. In particular, powerful authoritarian regimes often sought to block efforts to enforce the anti-coup norm and take steps to support coup-created governments. These efforts fit in with an increasing trend in which authoritarian actors pursue policies designed to prop up and bolster non-democratic regimes abroad.[28] The strategies employed by autocracies include statements that emphasize the sovereignty of target states and that call for non-intervention, as well as more active measures of support to coup leaders who seize power. Resistance to the anti-coup norm can come in the form of recognition of coup-created governments, which can offer important signals of international support and provide legitimacy to coup leaders.[29] Norm resisters can also offer more material forms of international sponsorship. Financial and technical assistance is essential to the consolidation of post-coup governments and aids them in building their sustainability in the face of democratic pressures from the international community.[30] As a result, financial and technical assistance from supportive international allies greatly increases the opportunities for post-coup governments to consolidate into autocratic regimes whilst limiting the impact of punitive measures employed by democracy promoters within the international community.

An instructive example is that of the Egyptian coup in 2013 where President Morsi was ousted by Army Chief General Abdel Fattah al-Sisi. The coup was widely condemned and the AU followed procedure and suspended Egypt as a member state. However, the pressure on the new Sisi government was undermined by the role of active norm resisters. Members of the Gulf Cooperation Council stepped in and supported the post-coup government, offering statements of recognition and celebration while also providing funds to offset the costs of international sanctions imposed by anti-coup enforcers.[31] This demonstrates the significant impact norm resisters can have in creating a more supportive environment for the establishment and consolidation of authoritarianism within the post-coup period.

28 Oisín Tansey, *The International Politics of Authoritarian Rule*, 2016. Mark Chou, "Have the Black Knights Arisen? China's and Russia's Support of Autocratic Regimes," *Democratization* 24, no. 1 (January 2, 2017): 175–84, https://doi.org/10.1080/13510347.2015.1124089; Jakob Tolstrup, "Black Knights and Elections in Authoritarian Regimes: Why and How Russia Supports Authoritarian Incumbents in Post-Soviet States," *European Journal of Political Research* 54, no. 4 (2015): 673–90, https://doi.org/10.1111/1475-6765.12079.

29 Megan Shannon et al., "The International Community's Reaction to Coups," *Foreign Policy Analysis* 11, no. 4 (October 1, 2015): 363–76, https://doi.org/10.1111/fpa.12043; Oisín Tansey, "The Limits of the 'Democratic Coup' Thesis: International Politics and Post-Coup Authoritarianism," *Journal of Global Security Studies* 1, no. 3 (August 1, 2016): 220–34, https://doi.org/10.1093/jogss/ogw009. Sharon Erickson Nepstad, "Mutiny and Nonviolence in the Arab Spring: Exploring Military Defections and Loyalty in Egypt, Bahrain, and Syria," *Journal of Peace Research* 50, no. 3 (May 1, 2013): 337–49, https://doi.org/10.1177/0022343313476529.

30 Tansey, "The Limits of the 'Democratic Coup' Thesis."

31 Tansey, "The Fading of the Anti-Coup Norm."

Aside from the clearly delineated camps of norm promoters and resisters, the history of the anti-coup norm also illustrates the prevalence of norm waverers: international actors who have struggled to adopt a consistent position and who are pressured by the other camps to align with their preferred policies.

For example, the Association for Southeast Asian Nations (ASEAN) has demonstrated little commitment to democratic principles and has taken few actions against coups in the past, as can be observed in Thailand (2006 and 2014).[32] Yet it would not be accurate to label it a clear-cut norm resister either, and in recent years ASEAN has showed signs that it is susceptible to pro-norm pressures from both outside and within the organization. In 2007, as it sought to draft a new Charter, the Organization did briefly consider including language on democratic norms, including references to unconstitutional changes of government, into the new text. However, the proposal was made by an Eminent Persons Group tasked with offering suggestions for the Charter's content, and it found little favor with the sitting governments of ASEAN's member states. The final Charter included no reference to the normative commitment to protecting democratic rule that had been proposed.[33]

More concretely, we explore below how ASEAN struggled to adopt a clear position in the wake of the Myanmar coup, and visibly wavered in its response. While stopping short of embracing the anti-coup norm, the organization responded to intense (and competing) international pressures by shifting its position and edging closer to the norm entrepreneurs. However, the grudging nature of the shift in policy raises serious questions over whether pro-norm actions by wavering international actors contribute to a strengthening of the underlying norm. When wavering international actors are pulled towards a position that does not reflect their underlying normative commitments, the result is a form of shallow and hollow enforcement that risks undermining rather than consolidating the norm in question.

In the next section, we examine how norm promoters, resisters, and waverers responded to the Myanmar coup of 2021, and how the nature of norm contestation between them illustrates the promise and limitations of one of the most prominent democracy norms of the post-Cold War era.

32 Tansey.

33 Rizal Sukma, "Political Development: A Democracy Agenda for ASEAN," *Hard Choices: Security, Democracy, and Regionalism in Southeast Asia*, 2008, 140.

The Response of Anti-Coup Norm Promoters

After the February 1 coup d'état in Myanmar, the response from democratic states was swift and clear. In the first month after the coup the new regime faced a slew of sanctions from the U.S., Britain, and Canada as well as condemnation by the Quad alliance (US, India, Japan, Australia), European Nordic countries, the EU, G7, Singapore and the UN Secretary General.[34] There has been clear support from these actors for a return to democracy in the immediate aftermath of the takeover, demonstrating the continuing role of democratic states as norm promoters of the anti-coup norm.

However, whilst the response from multiple democratic states around the world has been swift, the impact has remained restricted by the lack of universal response by the wider international community. There has been clear condemnation for the violence in the post-coup period, yet the response to the illegal takeover of government has been more limited. States such as Russia, China, and South Korea have taken a more cautious approach to engaging in punitive measures, with all three states deciding to take time to analyze and assess the situation in the initial post-coup period.[35] This focus on the violence over the reversal of the democratic transition in Myanmar demonstrates the continuing contestation within the struggle for the anti-coup norm.

Though those in the norm promoter camp have responded decisively to the coup, they have remained limited in number and therefore effectiveness. This is evident when observing the UN's response to the coup. Whilst the UNSC held an emergency meeting on February 2, and released a statement condemning the violence on the February 4, the Council's major powers failed to agree on any punitive action. Further, despite calls by the Myanmar Ambassador of the UN, Kyaw Moe Tun, for action against the new junta there has been limited response.[36] Whilst both the UNSC and UNSG released further statements condemning the violence, neither promoted the use of punitive action against the new regime or support for the ousted government.[37] When sanctions

34 Reuters, "UK and Canada Impose Sanctions on Myanmar Generals after Coup," *Reuters,* February 18, 2021, Online edition, sec. Middle East & Africa, https://www.reuters.com/article/myanmar-politics-int-idUSKBN2AI043; UNSC, "Statement by the President of the Security Council," Statement (UNSC, March 10, 2021), https://documents-dds-ny.un.org/doc/UNDOC/GEN/N21/063/38/pdf/N2106338.pdf?OpenElement.

35 Reuters, "U.S. and Allies Vow to Restore Democracy in Myanmar as Violence Mounts," *Reuters,* March 12, 2021, Online edition, sec. Emerging Markets, https://www.reuters.com/article/us-myanmar-politics-idUSKBN2B409L.

36 Richard Roth, Kristina Sgueglia, and Zamira Rahim, "Myanmar's UN Ambassador Pleads for Immediate Global Action to Help Overturn Coup - CNN," CNN, February 26, 2021, Online edition, https://edition.cnn.com/2021/02/26/asia/myanmar-military-coup-ambassador-un-intl/index.html.

37 UNSC, "Issuing Presidential Statement, Security Council Expresses Deep Concern about Developments in Myanmar | Meetings Coverage and Press Releases," Press Release (UNSC, March 10, 2021), https://www.un.org/press/en/2021/sc14462.doc.htm.

were tabled at the UNSC in April, they were blocked by China and Russia.[38] Though there have been continuing discussions and international outcry in response to the coup, these have been focused predominantly on the violence rather than in response to the coup itself.

Despite the lack of wider support, norm promoting states have continued to pressurize and punish Myanmar's military regime. The U.S. has continued to impose harsher sanctions since the coup that affect military leadership, their families, junta related businesses, core trading industries and businesses connected to the new regime.[39] The UK and Canada have also developed a broad sanctions programme against the regime, aimed at individual companies and the core funding streams of the junta.[40] The EU has passed four rounds of sanctions against the regime and regime related businesses.[41] In February 2022 Biden's administration extended the categorization of "national emergency" in Myanmar, which allows the U.S. to continue to impose increasing harsher sanctions where required.[42] It is clear that norm promoting states have not been dissuaded from their support of the anti-coup norm in the year since the coup, rather they have sought increasingly strident measures to pressure the new junta into capitulation.

The condemnation of the regime, alongside the increasingly widespread sanctions programme being pushed by norm promoters has had a major impact on Myanmar. Numerous large corporations and businesses have ceased to operate in Myanmar including the World Bank, Coca-Cola and McKinsey.[43] Domestically, the impact has been clear with the Kyat hitting its lowest ever foreign exchange rate in May and again in

38 France 24, "UN Security Council Condemns Myanmar Junta's Use of Violence against Peaceful Protesters," *France 24*, April 1, 2021, English edition, sec. asia-/-pacific, 24, https://www.france24.com/en/asia-pacific/20210401-un-security-council-condemns-deadly-myanmar-crackdown-after-tense-deliberations.

39 "Treasury Sanctions Key Timber and Pearl Enterprises in Burma," Press Release (Washington: U.S. Department of the Treasury, April 21, 2021), https://home.treasury.gov/news/press-releases/jy0138.

40 Global Affairs Canada, "Additional Myanmar Sanctions," Backgrounders (Canada: Government of Canada, May 17, 2021), https://www.canada.ca/en/global-affairs/news/2021/05/additional-myanmar-sanctions.html; FCDO, "UK Announces Sanctions on Gemstone Company Linked to the Military Regime in Myanmar," Press Release (United Kingdom: FCDO, May 17, 2021), https://www.gov.uk/government/news/uk-announces-sanctions-on-gemstone-company-linked-to-the-military-regime-in-myanmar.

41 EU, "Myanmar/Burma: EU Imposes Restrictive Measures on 22 Individuals and 4 Entities in Fourth Round of Sanctions," Press Release (Council of the EU, February 21, 2021), https://www.consilium.europa.eu/en/press/press-releases/2022/02/21/myanmar-burma-eu-imposes-restrictive-measures-on-22-individuals-and-4-entities-in-fourth-round-of-sanctions/.

42 President Joseph R. Biden, "Notice on the Continuation of the National Emergency With Respect to the Situation in and in Relation to Burma," Presidential Actions, Press Briefings (USA: The White House, United States of America, February 7, 2022), https://www.whitehouse.gov/briefing-room/presidential-actions/2022/02/07/continuation-of-the-national-emergency-with-respect-to-the-situation-in-and-in-relation-to-burma/.

43 BBC, "Myanmar Coup: Firms Quit Office Block with Military Ties," *BBC News*, May 12, 2021, Online edition, sec. Business, https://www.bbc.com/news/business-57066915.

September 2021.[44] Moreover the regime has demonstrated increasing concerns over the financial sustainability of the crisis, and in March 2021 the new regime notified banks that if they did not reopen they would be hit with penalties and employees would be blacklisted.[45] By August 2021 it was clear Myanmar was experiencing a banking crisis with the economy retracting by 18% and reports outline significant mismanagement of resources by the new regime.[46] The impact of the pressure from norm promoters is stark. However, Myanmar's junta has nonetheless been able to consolidate its position. An essential determinant of the regime's sustainability in the face of mounting pressure has been the support from norm resisters throughout the period that have both protected and financially supported the regime. As we outline below, the support from norm resisters has effectively undercut the measures taken by norm promoting states, helping to sustain the post-coup regime and undermining the anti-coup norm.

The Response of Anti-Coup Norm Resisters

Though there has been strong support for the anti-coup norm from the norm promotion camp, there has been equally strong support for the regime from the norm resisters camp. Several autocratic regimes have not only failed to condemn the coup, but have actively supported and aided the consolidation of the new regime. These norm resisters, or antipreneurs, have typically shown concern for loss of life but have relied on the norms of sovereignty and non-intervention to defend and protect the new regime.

In particular, China and Russia have continued to act as protectors to the new regime on the international stage. China and Russia both blocked the UN Security Council from taking action on both the 1st and 30th of April and cautioned against the use of strong condemnation of the new regime within the UNSC press releases from these meetings.[47] Rather the two regimes released a joint statement that voiced concerns over the ongoing violence and called for a domestic solution to the crisis.[48] Though the statement

44 Nikkei Asia, "Myanmar Currency Hits Record Low as Economy Fails to Normalize," *Nikkei Asia*, May 10, 2021, English edition, https://asia.nikkei.com/Spotlight/Myanmar-Crisis/Myanmar-currency-hits-record-low-as-economy-fails-to-normalize.

45 The Irrawaddy, "Myanmar Regime Threatens Banks That Fail to Reopen With Fines," *The Irrawaddy*, March 26, 2021, English edition, https://www.irrawaddy.com/news/burma/myanmar-regime-threatens-banks-fail-reopen-fines.html.

46 The Irrawaddy, "Myanmar's Economy to Contract by 18% This Year: World Bank," *The Irrawaddy,* July 26, 2021, English edition, https://www.irrawaddy.com/news/burma/myanmars-economy-to-contract-by-18-this-year-world-bank.html; Myanmar Now, "Expert Economists: Military's Management of Myanmar's Banking System Is Catastrophic and Incompetent," Media, Myanmar NOW, August 18, 2021, https://www.myanmar-now.org/en/news/expert-economists-militarys-management-of-myanmars-banking-system-is-catastrophic-and.

47 AFP, "UN Fails to Agree on Myanmar Statement, Diplomats Blame China, Russia," *Mizzima Myanmar News and Insight,* May 1, 2021, English edition, https://mizzima.com/article/un-fails-agree-myanmar-statement-diplomats-blame-china-russia.

48 The Irrawaddy, "China and Russia Express 'Deep Concern' as Myanmar's Protest Death Toll Mounts," *The Irrawaddy,* March 24, 2021, English edition, https://www.irrawaddy.com/news/burma/china-russia-express-deep-concern-myanmars-protest-death-toll-mounts.html.

demonstrated clear concerns about the increasing violence within Myanmar, it did not directly criticize the post-coup regime or call for a return to democracy. This demonstrates a clear departure from the norm promoters, who have consistently called for the return of the legitimately elected government.

China and Russia have also directly contributed to the consolidation of the military regime in Myanmar, although in quite different ways. While China has focused on stability and protecting its own interests, Russia has increased its diplomatic and economic ties to the new regime. We outline the varied patterns of support offered by these core norm resisters, illustrating the impact norm resisters can have in undermining the punitive enforcement by norm promoters.

Myanmar is an important economic and strategic ally to China. Myanmar offers access to the Indian Ocean which is essential for several Belt and Road Initiative (BRI) projects including gas pipelines to China's landlocked west. As Myanmar has become more open to foreign investment, China has engaged in large-scale projects across the country, from ports, to railways, mining and timber operations, and notably a controversial damming project to supply electricity to China.[49] These close ties have influenced China's focus on stability in the region, with China's statements focusing on "friendship and cooperation," and diplomatic engagements by China focusing on the protection of its investment projects.[50] The decision by China to pursue a strategy of continued normal relations has bolstered the regime with much needed financing and investments, such as a $2.5 billion natural gas project which began in May 2021.[51] Moreover, as China has managed to maintain its economic and diplomatic ties, it has demonstrated increasing support for the new regime. China has supported Myanmar's engagement on the international stage, supporting its active role in ASEAN and the 2021 China-ASEAN conference.[52] Further, China was the first state to officially recognize Min Aung Hlaing as the leader of Myanmar in June 2021.[53] China's engagement with Myanmar has been to maintain normal diplomatic relations which has included high levels of investment in the country. This has provided essential economic and diplomatic backing to the new regime, providing protection and financing which have been essential for the consolidation of the junta within Myanmar.

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49 Lucas Myers, "The China-Myanmar Economic Corridor and China's Determination to See It Through | Wilson Center," *Wilson Centre: Asia Dispatches* (blog), May 26, 2020, https://www.wilsoncenter.org/blog-post/china-myanmar-economic-corridor-and-chinas-determination-see-it-through.

50 The Irrawaddy, "China Again Seeks Myanmar Regime's Assurances on Oil, Gas Pipelines Security," *The Irrawaddy*, April 2, 2021, English edition, https://www.irrawaddy.com/news/burma/china-seeks-myanmar-regimes-assurances-oil-gas-pipelines-security.html.

51 The Irrawaddy, "Myanmar Junta Approves 15 Investments, Including US$2.5-Billion Power Project," *The Irrawaddy*, May 8, 2021, English edition, https://www.irrawaddy.com/news/burma/162007.html.

52 The Irrawaddy, "China Supports ASEAN's Engagement with Myanmar Junta," *The Irrawaddy*, June 6, 2021, English edition, https://www.irrawaddy.com/news/burma/china-supports-aseans-engagement-with-myanmar-junta.html.

53 Chinese Embassy in Myanmar – Posts (facebook.com)

Russia has pursued an increasingly close relationship with Myanmar since the coup and has provided diplomatic, economic and military support to the new regime. Despite initial statements of concern about rising levels of violence in Myanmar, Russia has facilitated not only the consolidation but the advancement of repressive authority within Myanmar. In June 2021, a military delegation from Myanmar visited Russia to purchase a Pantsir anti-aircraft artillery system and later in the month a delegation of Russian arms exporters visited Myanmar. Russia also invited Min Aung Hlaing for his first official international trip abroad to Russia to meet with the secretary of Russia's Security Council and attend an international military technology and arms expo. Furthermore, as the SAC has faced increasing challenges to its fiscal freedoms, Russia has offered the regime access to Russia's banking services. There has also been the provision of military training alongside the provision of new military equipment to the new regime. On the international stage Russia has also pushed for increasing humanitarian and financial support for the country due to the concerns over the humanitarian crisis.

The actions of states within the norm resisters camp have thus undermined the enforcement of the anti-coup norm. They have restricted the criticism on the international stage using their positions within the P5 to veto UN sanctioned engagement. They have provided financial assistance and investment to the new regime, offsetting the costs of the sanctions enforced by norm promoters. Norm resisters have also developed diplomatic ties and provided technical assistance that has undercut the loss of international trade and limited the sidelining of the regime on the international stage. As such, it is evident that the struggle for the anti-coup norm remains. Whilst norm promoters have effectively enforced the anti-coup norm, the resisters have established robust methods for undercutting and minimizing the impact on the post-coup government within Myanmar. As this contestation continues, the role and importance of norm waverers has become increasingly important to both camps.

ASEAN as a Norm Waverer

As discussed above, regional organizations have often been at the forefront of norm promotion over the anti-coup norm. However, the Association of Southeast Asian Nations has avoided assuming a similar role and acting as a democracy promoter in the region. It has traditionally espoused (although not always followed) a policy of non-intervention in the domestic affairs of its member states, and it has eschewed the formal embrace of liberal norms that many other regional organizations have adopted.[54]

54 Jonas Tallberg et al., "Why International Organizations Commit to Liberal Norms," *International Studies Quarterly* 64, no. 3 (2020): 626–40; Kerstin Schembera, "Understanding ASEAN's Approach to Sanctions against Norm Breakers," *International Political Science Review* 42, no. 4 (September 1, 2021): 531–45, https://doi.org/10.1177/0192512120972583.

Several of its member states are consolidated authoritarian regimes, and it has generally made little effort to undermine authoritarianism within those states or taken steps to protect democracy where it has been under threat. For example, it offered only a limited response to the 2014 coup in Thailand and has said little about the further consolidation of single party authoritarianism within Cambodia in recent years.

However, the case of Myanmar has created challenges for ASEAN and it has been torn between competing pressures, both from within the ranks of its member states and by external actors. Myanmar has been a member of ASEAN since 1997, and the 2021 coup was not the first time that the country created significant political problems for the organization. In the 1990s, for example, the European Union repeatedly pushed ASEAN to take a firmer line on condemning authoritarian politics within Myanmar, and the EU ultimately sanctioned ASEAN after it admitted Myanmar as a member in 1997.[55] International pressures contributed to ASEAN taking a firmer line with Myanmar and departing from its purported policy of non-intervention, although internal divisions within ASEAN limited the extent of its efforts.[56]

In the wake of the 2021 coup, ASEAN once again found itself in the intense glare of international scrutiny as it haltingly developed a Myanmar strategy. In the early post-coup period, ASEAN showed little indication of supporting, let alone enforcing, the anti-coup norm. The new military regime in Myanmar met with representatives from Thailand and Indonesia, and Malaysia deported over 1,000 Myanmar nationals that fled the coup back to Myanmar in late February. Despite the call from several ASEAN members to see Aung San Suu Kyi released, the coup leader Min Aung Hlaing was able to join ASEAN's virtual meetings in March 2021 and many of the ASEAN states attended Myanmar's Armed Forces Day celebrations the same month. Over the first few months after the coup, ASEAN leaders met with several of the coup-government's representatives and ministers. This willingness to engage in diplomatic relations with the military government suggested, in keeping with the historical trend, that ASEAN was not inclined to play any role in promoting the anti-coup norm.

However, as conditions worsened within Myanmar amid a post-coup wave of brutal repression, international attention and pressure mounted not just on the military regime within Myanmar, but also on ASEAN itself. At a regional summit in April 2021, ASEAN and Myanmar's new military leadership agreed on a Five Point Consensus that called for an immediate cessation in violence and a peaceful solution through constructive dialogue with all parties. The agreement also committed ASEAN to provide

55 Lee Jones, ASEAN, *Sovereignty and Intervention in Southeast Asia* (Springer, 2012), 190.

56 Acharya, "How Ideas Spread"; Jones, ASEAN, *Sovereignty and Intervention in Southeast Asia*.

humanitarian assistance and appoint a special envoy, who was tasked with visiting Myanmar to meet all parties. This agreement was heralded by the U.S., EU, China, Russia and several UN actors as a significant step forward in resolving the Myanmar Crisis. However, it fell well short of reflecting a commitment to the anti-coup norm, and any references to democracy or the return to power of civilian leaders were conspicuous by their absence.[57]

In the subsequent months, there was little further progress. The military junta in Myanmar continued its repressive practices and for its part ASEAN took more than three months to appoint its special envoy. International pressure began to mount on ASEAN to do more. The UN Secretary General pushed ASEAN to use its leverage to pressure the military regime.[58] In May 2021, the U.S. pointedly urged ASEAN to hold the military junta to accountable to the Five Point Consensus that had been agreed the previous month.[59] In August, senior U.S. officials made an off-the-record call for ASEAN to "step up its effort" and engage more with the Myanmar issue, as the military regime continued to renege on its commitments in the Five-Point Consensus and postponed elections that it had promised to hold.[60] Pressure also mounted from pro-democracy groups from Myanmar, who called on ASEAN to support their efforts to restore civilian rule.

The international and regional pressure increased as ASEAN's efforts faltered. The ASEAN Special Envoy, named as Brunei's Foreign Minister, was invited to visit Myanmar but was officially banned from contacting opposition groups by the junta and was refused access to Aung San Suu Kyi. Furthermore, despite pressure from ASEAN members, as well as international partners, there was little evidence of a cessation in violence by the regime.

In response to the intransigence of the military regime and the mounting international pressure, ASEAN stepped up its efforts against Myanmar in ways that significantly departed from its previous approach. Rather than continuing with its approach of diplomatic cooperation, in October 2021 ASEAN opted to disinvite Myanmar's new leadership to upcoming official ASEAN Summits, effectively cutting diplomatic ties with

57 ASEAN, Five Point Consensus, 24 April 2021. Available at: https://asean.org/wp-content/uploads/Chairmans-Statement-on-ALM-Five-Point-Consensus-24-April-2021-FINAL-a-1.pdf

58 "EU Sanctions Myanmar Generals as UN Urges ASEAN Action," accessed March 25, 2022, https://www.aljazeera.com/news/2021/4/20/eu-sanctions-myanmar-generals-as-un-urges-asean-action.

59 "US Presses ASEAN Chair to Hold Myanmar Junta Accountable to Agreed Consensus," Radio Free Asia, accessed March 25, 2022, https://www.rfa.org/english/news/myanmar/junta-05032021164824.html.

60 "US Accuses Myanmar Generals of 'Stalling', Urges ASEAN Pressure," accessed February 15, 2022, https://www.aljazeera.com/news/2021/8/3/us-dismisses-myanmar-election-plan-urges-asean-pressure.

the coup plotters and denying them high-level access to ASEAN. In place of the regime leadership, ASEAN invited a non-political actor not tied to the regime. The move marked a serious change in ASEAN policy, and it suggested a new willingness to enforce the anti-coup norm against one of its own member states. Far from pursuing a policy of non-intervention, ASEAN was actively deploying diplomatic sanctions against a member state on the basis of that state's domestic policies and behavior. The decision to act, implement and punish a member state in relation to coup behavior demonstrated a notable shift in ASEAN's engagement with the anti-coup norm.

The new policy was controversial, however, and also created a backlash that put ASEAN under international pressure of a different sort. Myanmar objected that ASEAN's new stance was adopted under international pressure, and had weakened the organization's principle of non-interference.[61] The regime refused to send any representative to the Summit. A Reuters report also suggested that China was seeking to counteract Western pressure on ASEAN and use its own leverage to shape ASEAN policy in line with its own preferences. According to the report, several ASEAN states (including Brunei, Indonesia, Malaysia and Singapore) wanted to maintain the ban on Min Aung Hlaing from attending the China-ASEAN meeting scheduled for 22 November. In response, China lobbied Singapore and Brunei in the hope that they would lift the ban, without success. ASEAN has thus been at the center of competing international efforts to shape its Myanmar policy.

Ultimately, the impact of international pressure appears contributed to a shift in ASEAN's approach, but fell short of bringing about a fulsome embrace of the anti-coup norm. The limited extent of ASEAN's genuine commitment to the norm is illustrated by the organization's statement in October 2021 when it announced its new policy to exclude Myanmar's leadership from its Summits. The statement acknowledged "the importance of upholding the principles enshrined in the ASEAN Charter," but pointed to the implications of the situation for "regional security as well as the unity, credibility and centrality of ASEAN as a rules-based organisation."[62] Several ASEAN member states made similar statements at the time, making clear that much of the concern within the organization was with ASEAN's credibility as an international actor. Singapore's foreign ministry described the adoption of the new policy as a "difficult but necessary decision to uphold ASEAN's credibility."[63] The Prime Minister of Thailand, Prayuth Chan-ocha,

61 Reported on Twitter by the BBC's Southeast Asia Correspondent, October 16 2021: https://twitter.com/pakhead/status/1449336501901295616

62 ASEAN, 'Statement of the Chair of the ASEAN Foreign Ministers' Meeting', 15 October 2021.

63 "ASEAN Excludes Myanmar's Junta Chief from Upcoming Regional Summit," France 24, October 16, 2021, https://www.france24.com/en/asia-pacific/20211016-asean-excludes-myanmar-s-junta-chief-from-upcoming-regional-summit.

framed the decision in similar terms, suggesting that ASEAN's Myanmar policy was crucial for its reputation as a regional organization and that "our action on this matter shall have a bearing on ASEAN's credibility in the eyes of the international community."[64]

The framing and language used in the official ASEAN statement, as well as accompanying statements by individual member states, reflected the mix of internal politics and external pressure that buffeted the organization. Internally, ASEAN's member states held divergent positions on how firm the organization should be in its policy towards Myanmar. Since the late 1990s, several of ASEAN's more democratic member states such as Indonesia and the Philippines had been pushing the organization to take a stronger role in promoting democratic norms, especially in Myanmar, yet its more authoritarian members were resistant to adopting new normative commitments.[65] In 2021, member states again struggled to reach consensus on how to respond to a crisis in Myanmar. The most vocal advocates of suspending Myanmar from ASEAN summits included the bloc's most democratic states, including Indonesia and Malaysia, while Thailand, Cambodia, and Laos aligned themselves more closely with the junta in Myanmar.[66] The lack of consensus raised the risk that ASEAN would fail to adopt a common policy on the issue at a time of international scrutiny, thus undermining its position as a central regional organization. The language in the October 2021 policy announcement strongly suggests that ASEAN's new position was less a reflection of a new or enhanced commitment to the anti-coup norm among its member states, and more a response to external political pressures and its own desire to avoid institutional irrelevance. In the absence of a normative consensus within the organization, but in the presence of international pressure, ASEAN needed a policy that could show it was at least responding "as one" to the situation and that its internal divisions were not paralysing the organization.

64 "ASEAN Summit Begins without Myanmar after Top General Barred," accessed March 25, 2022, https://www.aljazeera.com/news/2021/10/26/asean-summit-begins-without-myanmar-after-top-generals-exclusion.

65 Mathew Davies, "The Perils of Incoherence: ASEAN, Myanmar and the Avoidable Failures of Human Rights Socialization?," *Contemporary Southeast Asia: A Journal of International and Strategic Affairs* 34, no. 1 (2012): 1–22; Jürgen Rüland, "The Limits of Democratizing Interest Representation: ASEAN's Regional Corporatism and Normative Challenges," *European Journal of International Relations* 20, no. 1 (2014): 237–61.

66 Aaron Connelly, "Why ASEAN's Rebuke of Myanmar's Top General Matters," IISS, October 21, 2021, https://www.iiss.org/blogs/analysis/2021/10/why-aseans-rebuke-of-myanmars-top-general-matters; Barry Desker, "ASEAN's Myanmar Snub - a Necessary First Step," *The Straits Times*, October 19, 2021, https://www.straitstimes.com/opinion/aseans-myanmar-snub-a-necessary-first-step.

This approach reflected a long-standing pattern in which ASEAN's response to events in Myanmar was framed in terms of protecting its credibility and managing its international reputation. In 2003, Malaysian Prime Minister Mahathir Mohamad stated that, "We don't criticise member states unless what one state does embarrasses us, causes a problem for us. We are thinking about ourselves as ASEAN... what they have done has affected us, our credibility."[67] In 2007, after Myanmar violently suppressed peaceful protests, the Chair of ASEAN declared the organization's "revulsion" over the events but also expressed concern to Myanmar that the developments were having "a serious impact on the reputation and credibility of ASEAN."[68] Concern about maintaining international credibility was a significant and consistent driver of ASEAN policies towards Myanmar in the early 2000s, and that instrumental logic remained a potent force after the 2021 coup.[69]

In sum, ASEAN acted as a norm waverer in the wake of the coup in Myanmar, and came under intense pressure to change its stance from international actors within both the norm promoting and norm resisting camps. While it initially sought to maintain a limited and non-committal policy, by October 2021 it deemed that its position as a waverer was no longer fully tenable, and it took a clear step towards the norm promoter camp. However, explicit statements about its own credibility and unity as an international actor suggest the move had more to do with easing pressure on itself than it had with a concern with restoring democracy in Myanmar. Norm-wavering opened ASEAN up to international pressure and condemnation, which in turn threatened ASEAN's sense of relevance and credibility as a regional actor. Its response should thus be seen in large part as a step towards institutional self-preservation rather than a fundamental normative conversion to the anti-coup norm position.

67 Quoted in Jones, *ASEAN, Sovereignty and Intervention in Southeast Asia*, 199.

68 "ASEAN Voices 'revulsion' at Myanmar Violence | Reuters," accessed May 26, 2022, https://www.reuters.com/article/idUSN27379289.

69 Mely Caballero-Anthony, "The ASEAN Charter: An Opportunity Missed or One That Cannot Be Missed?," *Southeast Asian Affairs*, 2008, 71–85; Jones, *ASEAN, Sovereignty and Intervention in Southeast Asia*; Davies, "The Perils of Incoherence"; Avery Poole, "' The World Is Outraged': Legitimacy in the Making of the ASEAN Human Rights Body," *Contemporary Southeast Asia*, 2015, 355–80.

Conclusion

This paper has analysed the continued struggle of the anti-coup norm. Building on the norm contestation literature, we have examined the role of contestation between norm promoters and norm resisters, and illustrated the competing efforts to undermine or support the new military regime in Myanmar. We have also identified a new group of actors within the contestation matrix—that of international norm waverers. Unlike norm entrepreneurs who promote the anti-coup norm, or norm antripeneurs who resist this enforcement in favor of the status quo, norm waverers do not necessarily respond directly to norm violating states. They do not sit within either of the hardline camps who react in the aftermath of a violation, and do not necessarily have a clear commitment to either position. However, when there is heightened contestation between these two camps, norm waverers can find themselves under pressure from both camps to respond to the violating behavior.

International pressure on ASEAN contributed to the development and implementation of the Five Point Consensus, as well as the new ASEAN policy to exclude Mynamar's military leadership from ASEAN Summits. These were substantial developments, but fell short of full commitment to the anti-coup norm. For example, while the Five Point Consensus promotes a resolution to the coup that seeks to involve all parties, it failed to mention democracy and the implementation process thus far has demonstrated how limited ASEAN's leverage in Myanmar has been. Similarly, ASEAN's commitment to exclude the new junta from ASEAN Summits appears to reflect a desire for institutional self-preservation in the face of international criticism, rather than a renewed normative commitment. Concern with institutional unity and credibility in the face of intense international and regional pressure appears to have driven ASEAN's most important policy changes, highlighting the risk that norm waverers may actually undermine normative standards through shallow or self-interested enforcement that may lack long-term follow-through.

Our analysis also illustrated the more well-known challenge of promoting normative standards in the face of stiff resistance from antipreneurs. An essential determinant to the success of the junta has been the support offered by autocratic leaders, in particular Russia and China. These states have provided protection on the international stage, signalled support through building diplomatic ties and provided economic and military assistance and investment. In the year since the coup, Myanmar's new junta has been able to consolidate its position despite the implementation of an increasingly harsh sanctions programme against it.

Further research is now needed on the role and impact of norm waverers. As evidence from the ASEAN's response demonstrates, the inclusion and engagement of norm waverers can offer a new opportunity for enforcement, however there is a considerable

risk that their engagement may undermine the central aspects of the norm itself. More research is needed into how both norm promoters and norm resisters engage with and pressure norm waverers and why they choose such states or organizations to pressurize. The role of regional organizations within the implementation of the anti-coup norm made ASEAN a clear target within this case but in other instances of norm contestation such criteria may not be so evident.

The complex patterns of norm contestation have resulted in an undermined and asymmetrical enforcement of the anti-coup norm in the case of Myanmar. Since 2021, the SAC has consolidated its position both domestically and internationally. Though the country has faced major economic constraints due to the programme of sanctions imposed by norm promoters, the regime has continued to redevelop the country's institutions and legal frameworks to its own advantage. Internationally, the SAC is increasing its ties with a range of autocratic actors, not only Russia and China, but also Belarus, North Korea, and Iran, as it faces broader and deeper sanctions from democratic countries. If ASEAN's Five Point Consensus is to achieve any resolution or rebalancing, then it will require support from both of these camps rather than becoming the focus of contestation between them.

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