

MEKONG CONNECT

DECEMBER 2022

**STATE-BUILDING
EXPERIENCES
FROM THE
MEKONG
REGION:
HOW TO
AVOID FAILED
STATE SCENARIO**

VOLUME 4 | ISSUE 2

EDITORS

Dr Kimly Ngoun
Dr Chheng Kimlong

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Volume 4, Issue 2

**State-building Experiences from the
Mekong Region: How to Avoid Failed
State Scenario**

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CONTACT

The Asian Vision Institute

Address: #24 Street 566, Boeng Kok 2,
Toul Kork, Phnom Penh

Tel: (+855) 99 841 445
(+855) 99 929 323

Email: admin@asianvision.org

Website: www.asianvision.org

Konrad Adenauer Stiftung Cambodia Office

Address: #4 Street 462, Khan Charmkar Mon,
P.O.Box 944, Phnom Penh

Tel: (+855) 23 966 176

Email: office.phnompenh@kas.de

Website: www.kas.de/en/web/kambodscha

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EDITORIAL FOREWORD

Welcome to the December 2022 Issue of the *Mekong Connect Magazine*, a joint publication between the Asian Vision Institute (AVI) and the Konrad Adenauer Stiftung (KAS) Cambodia Office. The magazine publishes two Issues per year, which are funded by the KAS Cambodia Office, to provide access to readers wishing to gain a better understanding of a wide range of issues in the Mekong region, including climate change, trade, food security, poverty, sustainable development, COVID-19, peace and security, foreign policy, and international cooperation. The magazine's digital version is free for download on AVI and KAS Cambodia websites.

This December 2022 Issue comprises eight analytical articles focusing on the theme of "state-building experiences in the Mekong region" to provide insights into the specific contexts, factors, and experiences each country in the Mekong region has gone through in its state-building process.

The first article provided an overview of state building in mainland Southeast Asia from a historical perspective. Countries in the region have experienced state formation and reformation at different historical junctures. The second article discussed the concept and definition of state building and failed state from the political science discipline and explained the key factors affecting the success or failure of state building. The third article provided a case study of Pol Pot's Democratic Kampuchea (DK) as an extreme communist state. The DK regime is an example of a failed state due to its extreme policies and practices and total disregard for the rule of law.

Articles four, five, and six focused on state building in Myanmar, particularly after the military coup in February 2021. Article four illustrated the fragility of state building in Myanmar after the coup and argued that the Myanmar state could collapse if the current political crisis continues. Article five asked a provoking question—whether Myanmar's current problems are the result of a failed state or failed coup? Article six compares different state-building processes in Myanmar by focusing on three political groups: the military junta, opposition groups, and ethnic armies.

Article seven is about the success of the Vietnamese state in combating the COVID-19 pandemic and recovering the economy. How states responded to the pandemic and the post-pandemic socio-economic recovery reveals the strength or weaknesses of those states. The last article illustrates how Cambodia seeks to enhance its state building by implementing hedging foreign policy in the context of the evolving new world order.

We hope these insights will be useful for policymakers, researchers, development partners, and general readers to gain a comparative perspective on the success and failure of different state-building scenarios in the region. In addition to the insights, the authors have provided some practical policy recommendations, which encourage more robust debates and further studies to be conducted to provide more enriched analysis.

We want to acknowledge the intellectual contributions and appreciate the authors' efforts. Our special thanks also go to KAS Cambodia's team, especially Dr Daniel Schmücking and Ms Nuon Monika. We also wish to thank AVI President Dr Chheang Vannarith and the AVI Secretariate team for their support and assistance.

NOTES ON CONTRIBUTORS

Dr Chheang Vannarith is a public policy analyst and government relations strategist. He has over a decade of research experience in geopolitical and political-economic analysis, with a focus on Southeast Asia. He is currently serving as President of the Asian Vision Institute (AVI). He was honoured as a Young Global Leader by the World Economic Forum in 2013 and Southeast Asia Young Leader by the IISS-Shangri-La Dialogue in 2016. He has published over twenty journal articles and policy papers, twenty book chapters, and over fifty op-eds in various newspapers and magazines such as Aljazeera, China Daily, Diplomat, East Asia Forum, and Khmer Times.

Dr Desmond Molloy spent a decade serving as Chief of Disarmament, Demobilisation and Reintegration (DDR) for various UN peacekeeping and peacebuilding operations. He was Senior Program Director for The Nippon Foundation, Myanmar Liaison Office, from 2013 to 2019. Dr Desmond is currently a Professor of International Relations and Director of Pannasastra Institute of Peace at Pannasastra University, Phnom Penh, and Advisor to the Asian Vision Institute (AVI), Cambodia.

Associate Professor Dulyapak Preecharush is a Professor of Asian Studies at the Faculty of Liberal Arts and the Deputy Director of the Institute of East Asian Studies, Thammasat University, Thailand. He completed his doctorate in comparative politics at the University of Hong Kong, with a visiting research fellowship at Cornell University's Southeast Asia Program. He is the author of "The Politics of Federalization in Myanmar" (Routledge, 2023).

Keo Duong is a history lecturer at the History Department, Royal University of Phnom Penh, and a PhD candidate at Bundeswehr University Munich, under funding support from the Gerda Henkel Foundation.

Lim Chhay is currently a Program Manager for Foreign Affairs at the Konrad-Adenauer Stiftung in Cambodia (KAS). He holds a bachelor's degree in International Relations with Honours and Distinction from the Institute of International Studies and Public Policy at the Royal University of Phnom Penh in 2020. Chhay used to serve as an assistant and interpreter to the spokesperson of the Royal Government of Cambodia and later worked for the United Nations Development Programme in charge of communications and knowledge management under the policy and innovation unit. Peking University appointed him as a Representative of the ASEAN Delegation to the China-ASEAN Youth Summit in 2021 and a Cambodian Representative at China Foreign Affairs University's International Youth Program with Best Delegate and Outstanding Delegation awards.

Mai Hải Bình is a junior student majoring in International Relations at the University of Social Sciences and Humanities, Vietnam National University of Ho Chi Minh City. His main research interests are relations between major and middle powers and regional studies of East Asia, Southeast Asia, and the Middle East.

Dr Nguyen Thi Thuy Trang received her master's degree in International Relations from Waseda University, Japan, and a doctoral degree from VNU-University of Social Sciences and Humanities, Hanoi. She is the Head of the Department for International Development Studies, Faculty of International Studies, VNU- University of Social Sciences and Humanities, Hanoi.

Dr Nguyễn Tuấn Khanh is a lecturer at the Faculty of International Relations, University of Social Sciences and Humanities, Vietnam National University of Hochiminh City. He is also Vice-Director of the Division for Ocean and Islands Studies in Southern region of Vietnam and a member of the Association for History Science of Hochiminh. He is also a visiting lecturer at DIS (IFL), now becoming the IISPP of RUPP. He obtained his BA degree in International Relations from the Diplomatic Academy of Vietnam (MOFA), an M.A. degree in International Relations from the International University of Japan (Niigata, Japan), and a PhD degree in International Relations from the Vietnam National University of Hanoi. His research interests focus on IR History, IR Theories, International Security, IR Research Methodology, IR in Southeast Asia, and South China Sea issues.

Professor Patrick Jory teaches Southeast Asian history at the University of Queensland, Australia. His research interests are in the intellectual, cultural, and religious history of Southeast Asia. He is the author of "A History of Manners and Civility in Thailand" (Cambridge University Press, 2021). He was the inaugural president of the Association of Mainland Southeast Asia Scholars (2017–2022).

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STATE BUILDING IN MAINLAND SOUTHEAST ASIA: A Brief Modern History

Patrick Jory

If one surveys the history of the states of mainland Southeast Asia since the late eighteenth century, one cannot help but be struck by the volatility of state formation and reformation in the region. A historical overview of state building and some examples of “failed states” in this region may put present-day discussions of this subject into perspective.

In the fifty years to the early nineteenth century, vigorous new ruling dynasties established themselves in the three most powerful kingdoms in the region: the Konbaung in Myanmar (1752), the Chakri in Siam (1782), and the Nguyen in Vietnam (1802). Each of these new dynasties embarked on expansionary state-building projects. The Burmese kingdom was the most powerful state in Southeast Asia. It had conquered all internal rivals, repelled four Chinese army invasions in the 1760s and destroyed the Siamese royal capital, Ayutthaya, in 1767. From the ashes of the old kingdom, the Siamese quickly established a new one, based in Thonburi -Bangkok. It expanded its authority in all directions, absorbing or destroying older and smaller kingdoms like Chiang Mai to the north and the Sultanate of Patani to the south to create the largest state in Siamese history. In the case of Vietnam, after a protracted civil war, the southern-based Nguyen dynasty unified north and south Vietnam for the first time and extended the kingdom to its greatest point, forming the familiar “S” shaped territory that we know today (Goscha 2017, 44). All three new states had been forged through warfare, and their leaders had all seen military action. All three went on to build new, more effective state administrations, in the case of Vietnam, the most efficient civilian and military bureaucracy in the region (Reid 2015, 225).

The weaker Lao and Cambodian monarchies were drawn into the struggle for hegemony between Siam and Vietnam over central and eastern mainland Southeast Asia. During the eighteenth century, the once powerful Lao kingdom of Lan Xang (or “Lan Sang”) had broken up into three rival royal houses, based in Luang Phrabang, Vientiane, and Champassak. By the end of the century, they had become vassal states of the powerful new Siamese kingdom. A Lao rebellion against Siamese authority in 1826-1828 ended in

disaster. The Siamese routed the Lao forces, destroying the royal city of Vientiane, the former capital of Lan Xang, and depopulating the region. The rebellion's leader, Prince Anouvong (r. 1805–1828), was taken back to Bangkok and publicly executed. In the case of Cambodia, a protracted war between the Siamese and the Vietnamese for control in the 1830s–1840s ended in stalemate, with the Cambodian kingdom, the successor to the once mighty Angkorean empire, now divided into Thai and Vietnamese zones of influence.

These Burmese, Siamese, and Vietnamese state-building projects in mainland Southeast Asia were cut short by the arrival of the European colonial powers during the nineteenth century. Also eclipsed was the centuries-old mechanism that had governed these states' relations with imperial China, the so-called tributary system. All of the formerly independent kingdoms, with the exception of Siam, would eventually come under the authority of the British or French colonial powers. The British and the French embarked on state-building projects of their own to support their colonial objectives. The new colonial states represented a sharp increase in the level of administrative efficiency and degree of political centralisation by comparison to the more personalised, loosely integrated authority of the older kingdoms.

In the case of Myanmar, the British abolished the 1000-year-old Burmese monarchy and politically neutralised the historically dominant and assimilating power in the kingdom, the ethnic Bama (or “Burmans”). At the same time, colonial administrative policies tended to favour the Mon, Shan, Karen, Kayah, Kachin, Chin, and Rakhine, thus sowing the seeds for the sharp ethnic divides and conflict that have bedevilled the Myanmar state since independence in 1948.

The French divided Vietnam's recently unified kingdom into three separate administrative units, Cochinchina in the south, Annam in the centre, and Tonkin in the north. They sidelined the centuries-old Confucian mandarin state, the backbone of the former Vietnamese imperial state, and set up their own colonial bureaucracy. After initial resistance, the Vietnamese emperor became a tool of the French to channel Vietnamese patriotic sentiment towards the French colonial state (Goscha 2016, 91). In 1887, the French combined their Protectorate of Cambodia (created in 1863) and their three Vietnamese territories to form the new state of French Indochina. A decade later, they added the Lao territories of the left bank of the Mekong River, seized from the Siamese in 1893.

It is worth highlighting the contingency of the current map of mainland Southeast Asian nation-states. Had the French not annexed the territories of the left bank of the Mekong River in 1893, those Lao territories may eventually have become part of the Thai nation-state and their inhabitants assimilated into the Thai nation, just as their compatriots across the Mekong have been (Stuart Fox 1997, 18, 27–28). On the other hand, had the French gone further and seized the Lao territories of the right bank of the Mekong as well - what is now northeastern Thailand - they could have laid the foundations for the revival of the former Lan Xang state. As it was, French colonial rule in the territory of “Laos” preserved a truncated Lao state, in effect, a hinterland to French Vietnam, “to be exploited for the benefit and glory of France” (Ibid, 28–29). Nevertheless, these events kept alive the legacy of the great old Lao state of Lan Xang.

In a similar way, had Cambodia not become a French protectorate in 1863, the kingdom could have been absorbed into the kingdoms of Siam and Vietnam. Initially, the French had recognised Siamese sovereignty over the western part of Cambodia, which included the historically significant remains of Angkor in Siem Reap province. But these territories were also returned to the Cambodian kingdom under the Franco-Siamese Treaty of 1907.

In formally independent Siam, from the 1890s, the Thai royal court imitated the European colonial model, setting up a more modern state with clearly defined borders, a rationally organised civil bureaucracy, a centralised religious bureaucracy, a centralised taxation system, and, for the first time, a standing army. In large part, this state fashioned by the absolute monarchy in the late nineteenth century survives in Thailand today. The Chakri rulers neutralised the power of local old ruling houses throughout the kingdom, replacing their authority with a new centralised system of provincial administration overseen by department heads in Bangkok, in many cases the king's own half-brothers. In this way, the Chakri kings emerged as the most powerful monarchs in Southeast Asia.

The Japanese invasion and occupation of mainland Southeast Asia in World War II brought this turbulent yet relatively brief period of European colonial state building to a sudden end. Within a decade, however, a new process of state building took place, this time led by Southeast Asian independence leaders. In fact, these new indigenous rulers took over the governing apparatus left behind by the colonial powers while promoting the concept of national unity to give the

existing state new legitimacy. In the case of Vietnam, two separate state-building projects took place, each of which claimed sovereignty over the entire country: a revolutionary socialist one in north Vietnam (Goscha 2022) and a nationalist one in the south (Tran 2022; McHale 2021).

Non-colonised Siam, the state which had experienced the greatest continuity since the precolonial period, deserves special mention. In many respects, the overthrow of the absolute monarchy in 1932 by a group of Western-educated civil servants and mid-ranking military officers was the corollary of the anti-colonial movements that gained independence for the other mainland Southeast Asian states following World War II. After threatening Siam's last absolute monarch, King Prajadhipok (r. 1925–1935), with a republic, the “People's Party” transformed Siam's absolute monarchy into a constitutional monarchy which legally limited royal power for the first time. In addition, the People's Party embarked on a modernising programme to reform the existing monarchical state in line with their progressive, nationalist aims.

The end of the Second Indochina War in 1975 sparked yet another round of state building, this time by the victorious communist parties in Vietnam, Cambodia, and Laos. Each tried initially to construct a new state along revolutionary socialist lines. In the case of Vietnam, this involved the unification of the Vietnamese state under Vietnamese rule for the first time since the French colonisation of Cochinchina in 1862. Cambodia's experience was the most traumatic but also emblematic of the volatility of state building in mainland Southeast Asia. During the Cold War period, it went from a French Protectorate within French Indochina (1867–1949), to the Associated State of Cambodia within the French Union (1949–1953), to the independent Kingdom of Cambodia (1953–1970), to the Khmer Republic (1970–1975), to Democratic Kampuchea (1975–1979), to the (Vietnamese-occupied) People's Republic of Kampuchea (1979–1989), to the State of Cambodia (1989–1993), and finally back to the restored Kingdom of Cambodia (1993–).

CONCLUSION

By comparison with much of the last two centuries, the three decades since the early 1990s have witnessed a period of relative stability in mainland Southeast Asia. Political regimes that came to power during the Cold War have entrenched their authority. The American-led political and economic order in East Asia during this period has provided a relatively benign international

environment for these regimes, with the partial exception of Myanmar – clearly the least successful of the five states. Yet US hegemony will likely constitute another historical moment in the region's long history. A key question to ask, therefore, is whether China's current challenge to US hegemony in the region may spark yet another reformation of the state system in mainland Southeast Asia.

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FAILED STATE CHARACTERISTICS AND STATE BUILDING IN MEKONG SUBREGION

Nguyễn Tuấn Khanh and Mai Hải Bình

STATE AND FAILED STATE DEFINITION

The Westphalian system of the modern world is mainly characterised by nation-states. A nation-state is a political entity contained in a definite territory and managed by a state with the power to control the communities of nations living within the territory. While the concept of a 'nation' refers to a population or a political community, the concept of a 'state' can be simply understood as a body of jurisdiction. To clarify, states have a monopoly of jurisdictional power which allows them to help people stay in order and escape what Hobbes called the "war of every man against every man". In the modern world, this power of the state was tamed to serve the legitimate ends of its people, and the rule of law also regulates the exercise of power (Fukuyama 2004, 2).

Then there are failed states. This is a new term in political science that only became popular after the 9/11 terrorist attack. Before that, 'failed states' were seen as states that were unable to function as independent entities (Helman and Ratner 1993 as cited in Call 2008, 1492). After the Cold War, the number of failed and weak states surged, appearing in every corner of the world (Fukuyama 2004). A failed state, caused by failing states or fragile states, can have detrimental effects on international security, such as terrorism, pandemics, human trafficking, and genocide.

Despite being commonplace to many actors, the term 'failed state' is inconsistent with how it should be defined. For example, the Dutch Advisory Committee to the Government on Issues of Public International Law considers a state failure due mostly to its loss of the de facto monopoly power to control force. This is the same as the key characteristic of state failure, according to development-focused political scientist Robert H. Bates, a loss of the monopoly over the means of coercion.

In comparison, the United States Institute of Peace chose to describe a failing state by its afterwards consequences, such as global terrorism, the proliferation of weapons of mass destruction, and piracy (Woodward 2017,

13). After the terrorist attack on 9/11, failed states rose to the mainstream discussion of state institutions linked to the notion of state-building (Call 2008, 1493).

FACTORS AFFECTING FAILURE OF STATE BUILDING

State building is believed to be the input for the outcome of a state's success or failure. If a strong state is administratively effective and politically legitimate, state failure is less likely to happen and lead to consequences. Vice versa, a failed state is said to lack the power to control its population and thus needs to be provided with the capacity to do so (Woodward 2017, 52).

According to Lemay-Hébert (2009), contemporary political studies on the state-building process are classified into two approaches: institutional and legitimacy. While the institutional approach puts the emphasis solely on the ability of the institutions to preserve the stable status quo of the nation-states, the legitimacy approach is more inclusive when taking into account not just the governmental institution but also the importance of socio-political cohesion in the population (Lemay-Hébert 2009, 22). There is another critical element contributed to the process of making nation-states, nation-building. Nation-building and state building are different, but they overlap in the whole making of a nation-state (Linz 1993, 355). These two processes can simultaneously or successively take place.

The Unfit Relationship between States and Nations

There is a concern about the hard-to-synchronize relationship between state and nation. In the modern age, state and nation go hand in hand because a state cannot be exclusively understood with an institutional approach, and its existence would be contentious if it cannot operate a social contract that ensures the cohesion of the society it governs (Lemay-Hébert 2009, 29). It is the sentiment, the sense of belonging or the consciousness of identity, nationalism in short, that nation-building will consolidate the social contract of the state and the people. Nationalism is a principle that keeps a nation-state's political and national unit "congruent" (Gellner 1983, 1, as cited in Lemay-Hébert 2009, 29).

On the one hand, a nation may not need organisational characteristics like a state that requires rules, administrative system divisions, or enforcement mechanisms but can generate power to take over the control of a group. On the other hand, although this is far from being called statehood, to some extent, a nation can possess some functions that are the same as a state. States universally surround every people in the world where the jurisdiction of the state governs them. However, the residents in a state can say they do not belong to this state since there is no feeling of connection between them with the state (Linz 1993, 359). Therefore, a successful state-building process cannot be isolated from the nation-building process.

Unfortunately, it is hard to maintain these two processes concurrently, especially in the modern age. Taking the logic of one state – one nation into consideration, however, some states are multinational or at least multi-cultural. This diversity can cause difficulty in uniting the collective nationalistic feelings between people, such as in the case of the Soviet Union.

Another problem for state building to be effective in terms of nationalism is that people perceive their identities differently, which is not exclusive. One can say they have several identities at the same time, and this might lead to a person having multiple senses of nationalism. These multiple perceptions of national identity are somewhat likely to result in a demand for separation (Linz 1993, 364). Primordialism can also be another factor slowing the process of harmonising national identities, which is usually seen in extreme nationalists (Linz 1993, 363). These listed factors can lead to the so-called 'phantom states', which have institutional power but lack social or political legitimacy (Chandler 2006, 9 as cited in Lemay-Hébert 2009, 37).

There are suggestions on how to resolve this problem of nationalism when executing state building and gaining legitimacy. However, the rationality of choosing which solution also varies. One suggestion is destroying primordial nationalism and using policies such as denationalisation, cultural repression, or even coercion to build one nation. However, it seems extremely difficult for people to truly live harmoniously and contentedly after the implementation of those policies (Linz 2003, 364). On the other hand, another viewpoint is to proceed with nation-building in state building without imposing a common national identity on the population who are deeply divided but to organise states in a way to admit the minor groups of the population into their territories and allow them to

live together regardless of differences (Ottaway 2002, 17 as cited in Lemay-Hébert 2009, 34). Nonetheless, this approach seems to let the core problem of conflicts and identity distinction be left unresolved (Lemay-Hébert 2009, 34).

Governance and State Capacity to Govern

The second concern relates to an element contributing to the success or failure of a state-building process is the governance of a state. Researching governance and state capacity is the main problem to be discussed. State capacity can be understood as the capacity to create and maintain order in a territory and to make authoritative decisions widely accepted by the population. The state's legitimacy is the main institution to solve problems and plan for the development of the whole society (Matthews 2012). For Berwick and Christia (2018), state capacity consists of 3 capacities:

1. Extractive capacity: the state's ability to gather and secure resources to carry out other functions.
2. Coordination capacity: the state's ability to organise collective actions or simply the power to impose order.
3. Compliance capacity: the state's ability to secure the compliance of other actors with their goals with different means such as ideology, economic incentives, or coercion.

Neo-Weberian institutionalists see state capacity as a benchmark for a state's governmental effectiveness in two areas: institutional capacity (the ability to plan goals and apply these plans) and legitimacy capacity (the ability to uphold the power to control and govern the people (Hameiri 2007, 136-137). A failed state inherently loses its capacity to fulfil the functions of statehood. As a consequence, conflicts will happen when states have poor capacity.

However, state capacity is a vague concept, difficult to be measured. The concept can only be measured through observable or measurable variables. Before that, this concept is separated into constitutive parts in which measurable variables can be used to measure capacity. Pires and Gomide (2016) presented multiple indicators of state capacity, leading to the first way to measure capacity through government functioning: bureaucratic autonomy, policy instruments, and

governance arrangements. Another way is to measure the outcomes of a state in different fields of state services such as economic growth, taxes, health, and education. (Gomide, Machado, and Pereira 2018, 10).

Territorial Integrity

The third aspect is that a state-building process must ensure its territorial integrity. To the Montevideo Convention, territory is one of the four criteria for a state to be officially recognised. States and territory complement each other's meaning in that states refer to a bare geographical land called a territory, and territories provide a space for states to exercise their power (Storey 2017, 116).

The principle of territorial integrity implies the importance of territorial preservation and sovereignty (Elden 2006, 11). Territorial integrity in the Declaration on principles of International Law proposes that states should not take any action (Vidmar 2013, 111). This description is much more inclusive than Article 2 (4) of the UN Charter, which is only limited to the use of force. This made any encroachment of other states' territory illegal and prohibited.

However, territorial integrity is conflictual with the principle of self-determination, and many debate that people's right to self-determination is not accepted outside the context of colonialism. In other words, international law poorly supports secession as the claim of territorial integrity will disregard the legitimacy of any new state formed by a secession group. Therefore, an establishment of a new state cannot merely be done by just declaration, but it needs to exclude the claim of territorial integrity by the parent state as well (Vidmar 2013, 113).

This territorial integrity principle also contributes to state weakening and socio-political undermining, especially in weak states. This is because, under the norm of territorial integrity, governors of countries are likely to have the incentive to abandon peripheral areas without fear of these areas being taken by other outside forces. In parallel, the absence of losing territories also contributes to the decreasing cohesiveness in the socio-political aspect and the weakening of national identity. Territorial integrity also accommodates the process of identity reformation, reinforcing the distinction between groups and in groups. The rise of other actors within the state will, therefore, weaken the legitimacy and institutional power of the state. Besides, when state building is

poorly invested under the condition of territorial integrity, and the role of supplying public goods is not well-managed, an incident called the proliferation of sovereigns happens to fill the vacuum of power and diminishes the state's legitimacy and institutional strength. Finally, as the void of sovereignty is filled, an institutional multiplicity also takes place in case of a long-term absence of state power execution and a reduction of state legitimacy occurs. Several newly established authorities will appear and challenge the legitimacy of the official formal state (Stathopoulos 2019, 180).

STATE BUILDING IN THE MEKONG REGION

As presented above, state-building processes in the Mekong region also faced similar obstacles. The Mekong region includes six countries: Laos, Cambodia, Vietnam, Thailand, China, and Myanmar. This section examines the three aspects reflecting the general reality of state-building processes in the region.

National Identity

The Mekong region is an area with diverse religions, including Buddhism, Hinduism, Islam, Catholicism, etc. The Mekong riparian countries also have diverse ethnic groups. In general, the diversity of religions and ethnicities somewhat obstructs the process of state building because of the difficulty of identifying shared national identities.

Regarding the group of former three Indochinese states, all seem to have not many problems in the unification of their citizenry despite having a great proportion of recognised ethnic minority groups. In Cambodia, despite only taking a tiny share of 0.1 per cent of the population, the Vietnamese ethnic group was treated with suspicion (see Morales and Ear 2013, 130 as cited in Weiner 2021). Vietnam and Laos have a great number of recognised ethnic groups, with 54 ethnicities and 49 ethnicities, respectively. However, Laos met financial difficulties in supporting its minority groups while Vietnam saw poor improvements in lessening inequalities in living conditions and developmental conditions of its ethnic groups (Morales and Ear 2013, 130–131 as cited in Weiner 2021).

The concern about national identity in the remaining countries in the Mekong region, China, Myanmar, and

Thailand, is more troublesome. In these countries, religion and ethnicity are intertwined and addressed by the states. In China, the Uyghurs in Xinjiang province suffer oppression from the central government, as the Uyghurs minority group is believed to have secessionist agenda, which could affect the territorial integrity of China (Maizland 2022). However, the government's oppression has recently received backlash from the international community because of claims of human rights violations. In Thailand, secessionism happens in the country's southern provinces, where Muslims and Malay-speaking residents demand autonomy. Therefore, the Thai state has sought to make Buddhism not just a national religion but even further as an integral part of the Thai identity (Reumann and He 2021, 102–103 as cited in Weiner 2021).

Myanmar is the country that has the most intense backdrop of conflicts resulting from ethnic and religious problems. This country has been struggling to keep the nation together as many divisions are happening internally between minority groups regarding ethnicities and religions. The vision of uniting the whole country under common religion from the administration of U Nu started to cause more intra-state segregation. Buddhism was chosen to be the religion for unification while Islam and Christianity are upheld by several minority groups (Mukherjee 2021, 113–123, as cited in Weiner 2021). Since the coup d'état of the military junta in 1962, the minority groups such as the Karens, the Chins, the Kachins, and the Rohingyas have faced much discrimination and suffered from deliberate, cruel policies made by the junta to shatter their religious belief and force them to convert to Buddhism. Many tactics are used by the military junta, such as land confiscation, intentional orders of labour on religious special days and festivals, shootings, and raping (Mukherjee 2021, 113–123, as cited in Weiner 2021). In 2021, the military junta conducted a coup overthrowing Aung San Suu Kyi's government, ending the hope of restoring democracy in this country. The military junta has recently resumed its brutal policies, with its armed forces infringing on the human rights of civilians in peripheral areas where minority groups reside.

Governance

In recent years, the countries in the Mekong region have together faced the challenges posed by the COVID-19 pandemic. The states' responses in these hard times reflect the effectiveness of each

government's governance and state capacity. The effectiveness of each state's responses to the pandemic has varied to different degrees. All the countries found it hard to deal with a large influx of patients because of limited capacity of the healthcare systems (Rana 2021, 2). One of the countries that succeeded in managing the pandemic and received recognition regionally and internationally is Vietnam, known for early case detection, fast infection tracing, isolation, and surveillance methods (Amul et al. 2021, 97). In terms of vaccine production, Thailand became a manufacturer of AstraZeneca. It successfully provided vaccines to some neighbouring countries, while Vietnam is developing locally made vaccines, namely Covivac and Nano Covax, but yet to be released for public inoculation (Sari, Halimah, and Zahid 2022, 146–147). Laos, Cambodia, and Myanmar similarly turned to supplies from China or the COVAX vaccine distribution mechanism (Ibid, 140–144).

Corruption is another major problem for most Southeast Asian countries, including Mekong countries, to address. The latest Corruption Perception Index in 2021 showed that none of the six countries in the region scored higher than 45 points out of a scale of 100 points. It means that five countries (except China) in the region are more likely to have corruption than the average worldwide benchmark of 45 points. Corruption is also believed to interrelate with non-democratic regimes of Mekong countries. Water development sectors such as dam building, sand mining, and fisheries are all afflicted by corruption (Sopera 2022, 4).

Territorial Integrity

Territory has always been a critical factor in the Mekong region. The countries in the region all share borders with the others to different extent of lengths. That said, claims of land borders and maritime borders have been overlapping between countries. One of the most noteworthy disputes in the region is the dispute over the South China Sea between China and Vietnam. This dispute is not constrained only to these two countries but also to several other countries, including the Philippines, Malaysia, Indonesia, Brunei, and Taiwan.

The controversial territorial claim by China and its increased military activities in the disputed areas have led to escalating defensive actions from other parties. Vietnam has embarked on building capacity and modernisation of its national military. The country has also recently sought external support and taken

advantage of multilateralism from the international community regarding security cooperation and weapon purchases (Garcia and Breslin 2016, 282).

The Gulf of Thailand is another maritime location with overlapping claims of territorial borders between Vietnam, Cambodia, Thailand, and Malaysia. Besides, states in the region have to deal with disputes with each other over land borders. Specifically, Cambodia, Thailand, and Laos were mired to resolve border disputes. For example, the case of Preah Vihear Temple was one significant dispute between Thailand and Cambodia. Additionally, border demarcation processes between Cambodia and Laos and Cambodia and Vietnam have yet to finish. Vietnam and Laos have 16% and 14% of the borderline left un-demarcated, and both expect to continue their border delimiting processes (Sokhean 2022 and Tuan Dung 2022).

The territorial security of Mekong countries is also challenged by water-related issues such as water resource shortage due to hydroelectricity, growing demand for water consumption and industrial use, and dams construction competition between countries in the upper and lower parts of the Mekong River (European Parliament 2018; Shkara 2018, 20474–20475). In addition, establishing special economic zones in border areas or territories is ambivalent by countries in the region because of the perceived benefits and threats these zones offer (Arnold 2012).

In conclusion, there are multiple issues that Mekong countries need to address for successful state building and nation-building.

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DEMOCRATIC KAMPUCHEA: An Extreme Communist State

Keo Duong

The Democratic Kampuchea (DK) regime (1975–1979) is considered the most tragic period in Cambodian history. It is among the several genocidal regimes in world history, notorious for mass crimes and horrific acts of cruelty. Often, what happened during DK has been compared to the Holocaust, where the Nazi regime attempted premeditated extermination of Jewish people and targeted Roma, Sinti, individuals with disabilities, Jehovah's witnesses, and gay men. The DK period has also been compared to the crimes of genocide committed by the Hutu majority against the Tutsi minority in Rwanda and the killing and raping of Bosniaks in former Yugoslavia (Williams 2021). These comparisons show how DK is viewed as a tragic period of Cambodian and world history. During the three years, eight months and 20 days of DK's rule, between 1.7 and 2.2 million people lost their lives (Tabeau and Kheam 2009) due to forced labour, starvation, inadequate medical treatment, and killing.

Though the statistics of the genocide showing fatalities and negative impacts on a large scale are powerful, memories of survivors are necessary to gain further details about what happened. The common memory of the regime's survivors, numerous academic publications (Kiernan 1996; Chandler 1992, 2000, 2008; Short 2004; Becker 1998; Dy 2007; Nhem 2013), archives and memorial sites, public commemoration days, and the procedure of the Extraordinary Chambers in the Courts of Cambodia (ECCC) all added pieces to a larger mosaic of understanding what had transpired. Regardless of its political tendency or ideology, DK is recognised nationally and internationally as a genocidal regime based on the criteria of international law set forth in the 1948 Geneva Convention. Coupling facts with testimonies and other forms of documentation have proven that DK epitomised a failed state. Deeming the DK as a failed state necessitates critical questions to understand how and why the failures happened.

In this article, I seek to unpack the above questions by relying on my experiences researching the history of DK for more than ten years, during which I have been able to access archival sources, interviews, and secondary sources and have interacted with many experts

in the field. Based on archival sources, I examined the DK policy in revolutionary steps and state-building policy, while secondary data and interviews helped me make a conversation between the policy and practices. First, I present different stages of the revolution. Second, I describe the policy of DK, which I call ‘an extreme policy’, and its extreme practices of the policy, including its extreme nationalist sentiment against Vietnam. Third, I look at the leadership of the Communist Party of Kampuchea (CPK), which was the political party of DK, in the absence of the ‘rule of law’. By examining these aspects, the article explained why state building during the DK regime failed.

DIFFERENT STAGES OF REVOLUTION

During the first victory anniversary on 17 April 1975, the CPK recalled its revolutionary stages. It defined significant steps of its revolution from proclaiming the victory of its *ka tasu prodap avuth* [armed struggle] on 18 January 1968 after its political struggle from 1960 to 1968. The period from 1968 to its victory in 1975 was called *padevat pracheacheat* [national revolution] and *padevat pracheathiptay* [democratic revolution].

National Revolution was the revolutionary stage to liberate the country from a thousand years of colonisation. More specifically, to liberate the country from all imperialist countries, the Democratic Revolution was the revolutionary stage to abolish feudalism, capitalism, and individualism (RF, April 1976).

After the so-called ‘great victory on 17 April 1975’, the CPK entered another revolutionary stage called *padevat sangkhum niyum* [socialist revolution], which consisted of two components: 1) building the country's economy and 2) defending the country against external and internal enemies. During that stage, extreme policies and practices were implemented, and, therefore, tragic events started. At this point, we should ask: how did the Khmer Rouge build the country's economy and defend the country against possible threats?

EXTREME POLICIES AND PRACTICES

The answer to the above question is rooted in DK's extreme policies and practices. The policies of the CPK during DK, with many aspects of extremity leading to

fragility and finally failure, can be identified. Several sources shed light on the inner working of the failed DK state, such as the ‘Revolutionary Flag’ (RF), other policy documents such as the Four-Year Plan in Building Socialism, and other speeches by the party's Secretary on different occasions, specifically after the war against Vietnam broke out.

In addition to these state published materials, Ben Keirnan describes some of those announced during meetings. In his book, *The Pol Pot Regime*, he discusses the 20 May 1975 meeting policy, later known as the eight-point policy, based on interviews with some of the meeting participants (Kiernan 1996, 296–297). The eight-point defector policies are considered extreme policies of the CPK. The policy was about evacuating people from all towns, abolishing all markets, abolishing all currency, defrocking all Buddhist monks, executing all leaders of the Lon Nol regime (see Short 2004, 271), establishing high-level cooperatives, expelling the entire ethnic Vietnamese, and dispatching troops to the borders. Below, I will discuss some of those policies and their practices that contributed to the state's failure during DK.

Forced Evacuation and Abolition of Market and Currency

Even before the policy was announced, the first thing the Khmer Rouge enforced was the forced evacuation of people from all towns. The evacuation responded to the latest stage of the democratic revolution in which the Khmer Rouge wanted only one working class consisting of farmers and workers. Getting rid of inequality for self-sufficiency was also part of the reasoning (See Locard 2005). François Ponchaud, a French missionary who witnessed the evacuation, said that the Khmer Rouge viewed the city as a source of inequality and wanted all people to return to the original society, which was growing rice in the countryside (Ponchaud 2006, 51).

Similarly, abolishing markets and currency would deal with corruption, injustice, and exploitation. Equality was the leading principle in this policy too. Cambodia, during DK, was the only country out of all the communist regimes of that time that abolished currency. During the temporary exhibition at the British Museum titled “The Currency of Communism”, DK currency was exhibited separately from other communist currencies with an explanation that it was the only communist regime that printed its banknotes but never used them (The British Museum 2017).

Next steps: Collectivisation and ‘Three Tons per Hectare’

The Khmer Rouge policy for collectivisation was another extreme policy. A decision was made to establish a *sahakor* [collective] in each village throughout the entire country. The DK regime learnt that idea from the Chinese model of the Dazhai model commune (See Mertha 2014), which China did not apply to the whole country. Cooperatives, in which all private property was collectivised, and people were required to eat, work and live collectively, were set up at different times in different places, starting from as early as mid-1975 to as late as early 1977, with the majority of the cooperatives being established during 1976. The collectivisation was meant to increase agricultural production by building irrigation systems, increasing farmland, and growing crops more than the rainy season.

The document titled, *The Four-Year Plan in Building up the Party's Socialism in All Fields*, was the result of the meeting of CPK leaders in July and August 1976. The purpose of the meeting was to make a four-year plan from 1977 to 1980 (Four-Year Plan 1976). The main objective was to transform Cambodia from an undeveloped to a modern agricultural society (Ibid). The phrase ‘three tons per hectare’ was known to the people and referred to the four-year plan. It meant that the rice production average for the entire country had to be ‘three tons per hectare’. This ambitious production quota further deepened the suffering of the Cambodian people, as it translated into mass irrigation projects, working longer hours in the fields, and eating less food to falsify the report to meet the radical quota (Dy 2007, 26–28, 58).

Extreme Policies Against Vietnam

Another point of its extreme policy that I want to bring to the readers' attention is the policy against both Vietnamese civilians and the armed forces. Just a few months after they took power, the CPK leaders decided to expel approximately 150,000 ethnic Vietnamese to Vietnam. The leaders later claimed that “foreign nationals” had been expelled from the country. The leaders also claimed those foreign nationals (Vietnamese) were politically “poisonous” to the Cambodian people and the country (RF April 1976, 6–8). The remaining Vietnamese living in Cambodia were targeted to be eliminated, and almost the entire

group of ethnic Vietnamese were killed (Thun and Keo 2021).

The CPK leaders viewed the state of Vietnam as a threat to the country and believed that Vietnam would conquer and take control over Cambodia. The idea of attacking the ‘enemy’ was raised, and the Khmer Rouge attacked Vietnam in mid-1977, causing the Vietnamese to counter-attack in late 1977. The war against Vietnam was one of the major reasons for the fall of DK (Keo 2018).

The Khmer Rouge policies and practices were radical because they wanted to quickly reach the goal of future socialism in which society would be equal and prosperous. The CPK leaders claimed that utopian future would be more prosperous than the Angkorian era, which was seen as the golden age of Cambodian history. However, implemented without consideration of its impact on the well-being of people, the CPK leaders turned Cambodian lived realities into catastrophes.

LAWLESS STATE OF ANGKAR

The final point I would like to present is about the DK state in the absence of the ‘rule of law’. The Constitution of DK was promulgated on the 5th of January 1976 and announced publicly through national radio by Hu Nim, the Minister for Information and Propaganda (Chandler 1976). The Constitution was created in an attempt to legitimise the regime. However, the 16 Chapters consisting of 21 articles, appeared to be vague, thus opening the door to different interpretations and allowing the Khmer Rouge leaders to rule as they wanted. Outside the constitution, no other laws or regulations were adopted under DK.

Throughout the entire regime, there were no legal systems, judges, and courts in place to exercise justice (Chandler 1991, 262–263). At the same time, the policy to defend the country was intended to eliminate the so-called ‘enemies’. For example, the Revolutionary Flag published in April 1977 encouraged the public to “search for enemies, identify enemies, analyse enemies, put pressure on enemies, arrest enemies, and destroy enemies” (RF, April 1977, 14–16). The combined impact of the policy to eliminate the ‘enemies’ and the absence of the rule of law turned Cambodia into a mass killing site, in which those considered external and internal enemies were executed without going through court proceedings.

CONCLUSION

When talking about the DK regime, we mainly learn about the past mistakes of the regime's leaders, who led the country to the most tragic period in Cambodia's history. The extremeness of the DK policy and practices was the fundamental reason for the state's failure. Henri Locard presented a realistic interpretation of potential reasons why CPK the leadership chose such extreme approaches. He argues that the CPK leaders aspired to surpass other communist countries to be secure and model communism. The CPK leaders believed that they needed to move the country faster than Vietnam or otherwise Vietnam would catch and swallow Cambodia (see Locard 2005, 122–123). Therefore, they put forward the extreme policy to build Cambodia to be a modern agricultural society in 10 to 15 years (RF June 1976, 47) and to be an industrial country afterwards. They also dreamed of turning Cambodia to be model communist regime (Summers 1987, 5).

It is not wrong to set an ambitious goal, but what the CPK leaders did wrong was to issue and implement the policies without consideration or respect for human rights, people's well-being, and the rule of law. In the absence of the rule of law, the CPK leaders led the country based on their extreme nationalistic views. Executing people who were considered enemies is an example. Thus, the DK regime could be considered a failed state. Successful building of the state is the successful improvement of the quality of people's lives.

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COUP AND FRAGILITY OF STATE BUILDING IN MYANMAR

Chheang Vannarith

State building is defined as the process of state functioning to meet social needs and expectations so that state-society relations and public trust in public institutions can be developed and sustained. State building, therefore, requires inclusive political processes to negotiate and promote state-society relations and social contracts.

State-building depends not only on formal institutional design but also on the social context within which these institutions operate or function. Public institutions need to be rooted in society. Otherwise, they risk being captured by private or patrimonial interests (OECD 2018).

In the case of Myanmar, the military has captured public institutions. The Tatmadaw has dominated the country for most of the period since gaining independence from Britain in 1948. The military's institutional power is sustained by rules, decrees, and constitutional provisions it drafted that could not be amended without its approval. The fourth coup on 1 February 2021 was the latest attempt by the military to maintain its dominant power after a humiliating defeat of the military-backed political party at the 2020 general election (Steinberg 2021a).

After the fourth coup, state building in Myanmar has faced serious issues stemming from the Civil Disobedience Movement, widespread violence, a significant decline of public trust in the state institutions, and a sharp slowdown in socio-economic progress. As a result, some observers argue that Myanmar is "a failing state" (Kurlantzick 2021), "a failed state" (Renshaw 2022) or "a failed state and a failed nation" (Steinberg 2021b). Cambodia Prime Minister Hun Sen even called Myanmar a state on the brink of civil war (Hun 2022).

Four main indicators explain the fragility of state building in post-coup Myanmar. **Firstly, the input legitimacy.** The functional forms of authorisation, representation, and participation are in crisis. The people's will and voices are not respected, and violent suppression of dissent is rampant. After the coup, the Tatmadaw illegally detained President U Win Mying, State Counsellor Daw Aung San Suu Kyi, and other high-level

government officials. Charges were only brought against them after their detention. The military has been carrying out a massive and violent crackdown against popular discontent (Reuters 14 July 2021).

Secondly, output legitimacy. The junta failed to deal with the COVID-19 pandemic. Public trust in the junta's healthcare system is at one of its lowest points. Hospitals were under pressure, as some medics joined the anti-junta Civil Disobedience Movement (World Bank 2022). Moreover, Myanmar has the slowest and lowest vaccination rate in Southeast Asia.

The country's economy has been facing a series of external and internal disruptions, which have hindered the recovery from the 18-per cent contraction in 2021. Without substantial growth— with the GDP in 2022 estimated to be still around 13% lower than in 2019 – people's livelihoods will continue to be severely strained. Approximately 40 per cent of the population lived below the national poverty line in 2022 (World Bank 2022). According to the Asian Development Bank, Myanmar's GDP is projected to grow at 2% in 2022 and 2.6% in 2023 (the lowest growth rate in Southeast Asia) (Asian Development Bank 2022).

In addition to the domestic political crisis and violence and the resulting logistics and financial sector disruptions, Myanmar's economy is affected by a sharp rise in imported items and consumer goods prices, partly attributable to the war in Ukraine.

Third, political violence. Intense internal armed conflicts have resumed after the coup. The National Unity Government (NUG), its military wing, the People's Defense Forces (PDFs), and various armed resistance groups are carrying out guerrilla warfare against the Tatmadaw across the country. In some parts, Myanmar is in a state of civil war. Due to deep political distrust, the NUG and the Tatmadaw do not have the political will to come to the negotiation table.

Moreover, under the current circumstances, Myanmar is highly vulnerable to powerful internal and external forces seeking to dominate the geopolitical landscape in the country (USIP 2022). As a result, the country risks becoming a proxy conflict or war between major powers. A veteran journalist and analyst, Kavi Chongkittavorn, opined, "There is a high risk that some external powers might want to take advantage of the situation inside Myanmar, and this, in the long run, could attract opposing forces and lead to the plight seen in Ukraine." (Kavi 2022)

Fourth, international sanctions and diplomatic isolation. The junta is facing mounting international pressures, sanctions, and diplomatic isolation even within ASEAN. Western countries have imposed a series of targeted sanctions on some senior leaders and state-owned enterprises. In July 2021, the United Nations General Assembly adopted a resolution that "calls upon all member states to prevent the flow of arms into Myanmar" (Arms Control Association 2021).

Western countries, ASEAN and the UN have been putting diplomatic pressures on the junta to weaken its legitimacy by refraining from engaging with or inviting political representatives from the SAC to various multilateral forums (USIP 2022). Besides, Cambodia, the rotating chair of ASEAN in 2022, has consistently and persistently called upon the junta and other key stakeholders in Myanmar to effectively and swiftly implement the Five-Point Consensus reached by the ASEAN leaders in April 2021.

Examining the evolving political crisis in Myanmar, it can be argued that there is a perfect storm that could lead to the collapse of the state in Myanmar. The storm is caused by the combination of several factors, including continued violence and insecurity, a failing economy, a humanitarian crisis, high public distrust in state institutions, the absence of inclusive political dialogue and negotiation, and international sanctions and pressures.

The international community needs to work closely with ASEAN and related stakeholders in Myanmar to restore peace and democracy. Ceasing violence and inclusive political dialogue are necessary conditions for restoring normalcy.

Cambodia's win-win policy experiences can be a source of inspiration for Myanmar. There are three elements in peace negotiation, namely (a) keeping the door open for dialogue and negotiation while promoting political trust through open and frank communication and dialogue, (b) guaranteeing the safety, livelihoods, and well-being of all parties concerned, and (c) ensuring national ownership. The peace process in Myanmar needs to be owned and led by the Myanmar people themselves. The international community, including ASEAN, could only facilitate and create a favourable environment for political dialogue and solutions.

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MYANMAR: Failed State or Failed Coup?

Desmond Molloy

INTRODUCTION

This article explores the concept of state failure and the status of Myanmar in that context. Then, it analyses the implications of state failure for the legitimacy and recognition of the right and capacity of either the junta's State Administrative Council (SAC) or the opposition National Unity Government (NUG) to govern. The concluding section recommends a way forward for ASEAN.

MYANMAR: POST-COUP STATUS

Since the military coup of 1 February 2021, the intractable nature and brutality of the civil conflict in Myanmar and conditions for the people of Myanmar have gone "from bad to worse to horrific," and the international response is grossly inadequate, indeed, "a failed response" (Andrews 2022). The coup was, from the outset, characterised by the ruthless use of military force against a legally elected government and the civilian population. Peaceful protest and the overt implementation of civil disobedience through popular movement were crushed. The military regime arrested or killed unarmed protesters and jailed public representatives, including the beloved leader of the electorally victorious National League for Democracy (NLD), Aung Sang Suu Kyi.

The junta established a State Administrative Council (SAC) to govern the country in the 'transition period' created by the coup. The parties that objected to the coup created the National Unity Government (NUG), largely formed by representatives elected in the General Election of November 2020. The NUG was organised to offer a coherent opposition, including through the creation of a Civil Defence Force (CDF). Initially fragmented, the CDF operating as small independent local units, progressively if tentatively, are coming under the control of the NUG. The NUG has also reached out to amenable ethnic armed groups for collaboration and synergetic cooperation to present a credible armed resistance to the Tatmadaw, the military force of the SAC.

In June 2021, members of the Special Advisory Council for Myanmar (SAC-M), an independent group of international experts, predicted that state failure and descent into “all-out anarchy” in Myanmar could only occur in the absence of international aid (Diplomat 2022). They were expecting a failed coup rather than a failed state. They predicted survival based on the premise that, while the global focus has been on the brutal oppression by the junta against the spontaneously risen Civil Disobedience Movement, the NUG has been developing scope and capacity towards building a democratic and inclusive Myanmar. This is evident in the extraordinarily growing capacity and resilience of the people, who have constructed a functioning ‘almost parallel state’ under the direction of the NUG, offering basic social services, life-saving humanitarian assistance, including for the huge IDP population, and some measure of security in the vacuum created by the coup. The SAC-M called for recognition of representation of the NUG in the United Nations (UN), a move that would offer a degree of overt legitimacy and open doors for material support (Diplomat 2021). Fifteen months later, the call for international engagement or broad recognition continues to fall on deaf ears as the international community offloads responsibility to protect to ASEAN. Despite this, the capacity of the NUG has been growing.

ASEAN, particularly Cambodia, the Chair for 2022, has found little return on its investment in mediating directly with the junta or progress in the implementation of the Five-Point Consensus, designed to de-escalate violence and mitigate the suffering of the population, as agreed by SAC’s Senior General Min Aung Hlaing at the ASEAN Summit in April 2021. ASEAN has responded with extraordinary action, appearing to stretch its mandate by the retaliatory exclusion of political representation from Myanmar at subsequent ASEAN summits.

Indeed, the environment of oppression and the violence against dissent, perceived or otherwise, have hardened with increasing atrocities and brutality, including recent helicopter gunship attacks on a school and the callous execution of four political prisoners. Potential mediators are despondent. With another ASEAN Summit approaching in November, the final one of Prime Minister Hun Sen’s tenure as Chairman, some ASEAN members are calling for stronger action against Myanmar (Kabir 2022).

As 2022 progressed without a solution to the conflict, Renshaw (2022) argued, “Myanmar is on the verge of

collapse.” She cited growing food insecurity; currency devaluation, exiting foreign companies; shootings, bombings, and assassinations; increasing public suffering; and the inevitability of an approaching full-blown civil war as harbingers of a ‘failed state’. Such an occurrence would destabilise both security and the economic environment in the region while damaging the credibility of ASEAN and, indeed, the relevance of the UN that is already on shaky ground. At a super-power level, it would undermine US efforts to “forge an Indo-Pacific strategy capable of balancing China’s deep interest in the region” (Renshaw 2022).

STATE FAILURE AND THE FAILED STATE INDEX

It is not the junta’s brutality that can create a failed state which occurs when the regime is deemed not to have the capacity to govern. Definitions of a ‘failed state’ are varied, lengthy and contested. Longly defined:

A failed state is a government that has become incapable of providing the basic functions and responsibilities of a sovereign nation, such as military defense, law enforcement, justice, education, or economic stability. (Longly 2020)

Longly added, “Even if a state is functioning properly, it can fail if it loses credibility and the trust of the people.” As such, for Longly, state failure is subjective and “is in the eye of the beholder” (Longly 2020). In 2014, the ADB, equating fragility to failure, defined state fragility as referring:

to the state’s failure to perform its function effectively and provide basic social services such as health, education, security; incapacity to uphold the rule of law; and failure to provide sustainable sources of income for the population to get out of poverty. (ADB 2014)

World Population Review, a reputable NGO, in its 2022 report, defines state failure as being predicated on the fact that a government cannot project authority over the people and the territory and cannot protect its boundaries. Such a government cannot control its people or resources or provide adequate public services. Failure can be caused by a “predatory and corrupt government”. It presents us with a failed state index (FSI). With outliers, Yemen is listed as the most

failed with an index of 113.5; Kuwait as the least failed state with an index of 3.2; Myanmar is listed as 22nd with an index of 94.3; and they are bracketed by Mali and Pakistan with indices of 94.5 And 94.5 respectively (WPR 2022). Considering 193 states members of the UN, this places Myanmar in the top 12 per cent of the most likely failed states.

The perception of subjectivity in creating FSI is compounded by the number and range of independent variables that the creators of FSI chose as indicators and the method of calculating relevant coefficients. Null and Lamere (2012) mention that correlation does not necessarily mean causality. They point out that some of the variables used are more of the result of fragility than the cause of it. Other variables would need careful weighting in considering their degree of causality. They list the “strength of state apparatus and legitimacy of government as consistently the highest factors [...] with demographic pressure, disregard for human rights and declining public services” as close behind (Null and Lemere 2012).

Charles T. Call rejects this idea of creating an FSI through an analysis of a subjectivity-collected basket of indicators. He advocates for an alternative process that is objectively reliant on a “gap framework,” the gaps being in a state’s capacity to deliver basic goods and services, security and legitimacy (Call 2011).

MYANMAR: A FAILED STATE OR A FAILED COUP?

The Economist highlights the collapsing economy in Myanmar and the asinine efforts of the junta to address it, with Min Aung Hlaing admonishing the public to eat less in an effort to reduce consumption. As with the SAC’s dealing with the popular uprising, it demonstrates no plan to deal with the gasping economy. It has failed to generate the confidence that recovery needs. The recent installation of financially illiterate senior military officers as Directors of the Central Bank has not helped. Pundits are waiting for the state implosion (Economist 2022).

Min Aung Hlaing’s problems mount. The most recent SAC-M briefing paper asks why ASEAN or anyone should talk to the Tatmadaw. It advises that the NUG has effective control of 52% of Myanmar while the SAC “can only claim to have stable control over 17% of the country’s territory.” Currently, the “trajectory of the conflict favours the resistance,” with

the SAC progressively losing control. Corroborated by the Stimson Center (Stimson 2022), SAC-M said, “Independent ethnic-based rebels are increasingly working together in attacking the Tatmadaw.” (Diplomat 2022)

Armed resistance to the junta has now saturated wide swathes of townships across most states and regions in Myanmar, demonstrating the strength of the populations’ rejection of the military playing any further role in the nation’s politics. (Irrawaddy 22)

Besides, a turning point in ASEAN policy is reflected in a statement by the Chair, Cambodia, that “negotiations with the junta have failed”. Such a statement opens the possibility for direct talks with the NUG. Official delegitimisation of the SAC within ASEAN would open the opportunity for Indonesia, scheduled to take the Chair of ASEAN in 2023, to mediate directly with the NUG in seeking a resolution to the conflict (Irrawaddy 2022). With growing domestic instability and international sanction, it showed that the coup makers not only failed to receive popular support, but they also risk compounding the status of Myanmar as a failed state under the SAC.

CONCLUSION

By any metric, the traditional FSI or Call’s ‘gap framework’, as regard to the legitimacy of the SAC, its capacity to offer security or its management of the economy, Myanmar is already a ‘failed state’. This status occurred at 4 am on 1 February 2021 when the coup was launched. Even if it has taken 20 months for the international community to realise this fact, excuses for continued inaction are moot. Now the international community must take a concrete position and recognise the NUG as the legitimate representative of the people of Myanmar. In acknowledging the status of state failure, while confirming that the Myanmar parties themselves must implement solutions, the international community must offer material support to end the current stream of atrocious violence and to place Myanmar back on track towards democratisation through federal solutions. This has been the objective and aspiration of the people of Myanmar since the initial loosening of military control in 2011.

The SAC has been consistently turning weapons of war, including fighter jets, helicopter gunships, artillery, and missiles on the civilian population in its

perpetration of Crimes Against Humanity. It is time for the international community to reconsider the implementation of a moratorium on the provision of arms to the junta. The primary suppliers of arms to the junta are Russia, China, Serbia, and India (IPIS 2021).

In his meeting with Prime Minister Kishida of Japan in Tokyo on 29th September 2022, Prime Minister Hun Sen stated that despite the challenges in mediation directly with the SAC, he would strive for progress within the framework of ASEAN in the remaining three months of Cambodia's Chairmanship (Sokhean 2022).

Despite many challenges, Cambodia's Chairmanship of ASEAN is marked by its success in maintaining focus on the overarching theme of ASEAN's spirit of 'Togetherness'. Now, as the final ASEAN Summit of its Chairmanship approaches, in the absence of substantial progress with the SAC, the commencement of mediation with the NUG and the advocating for ASEAN to reconsider its position concerning a moratorium on the provision of arms to the SAC could lay solid foundations for progress during Indonesia's Chairmanship of ASEAN. Having expended huge political and personal capital in seeking solutions to the Myanmar's problem will offer a fitting legacy to mark Prime Minister Hun Sen's and Cambodia's tenure as Chair of ASEAN in 2022.

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STATE BUILDING IN POST-COUP MYANMAR POLITICS: A Comparative Analysis of the Military Junta, Opposition Groups, and Ethnic Armies

Dulyapak Preecharush

INTRODUCTION

The state-building process in Myanmar's post-coup politics is complex and fluid due to violent conflict and dynamic power competition among adversaries. The military government seeks to control the state and maintain praetorian power in politics while opposition groups aim to uproot a centralised military dictatorship and establish a democratic federation. Ethnic armed organisations (EAOs) have different stances, ranging from negotiating with the junta to fighting against it and to making no clear decision to side with the junta or opposition groups.

This article compares different state formation processes in contemporary Myanmar by focusing on three political factions: the military junta, opposition groups, and ethnic armies. It argues that pathways for Myanmar's state building depend largely on state imagination of political stakeholders as well as fighting and negotiation modes within the tripartite structure.

MILITARY JUNTA

Senior military leaders view widespread political uprisings, democratic revolutions, and separatist movements as direct threats to their dictatorial regime and entire state security structure. As such, the Tatmadaw (Myanmar armed forces) attempt to crush political opponents and become a centre of gravity in national state-building efforts. The Tatmadaw led massive state-building efforts by waging war on potential enemies and controlling ever-larger territorial portions where it has developed state structure and military administrative functions (Callahan 2005; Egretreau and Mangan 2017, 9). Over the past several decades, soldiers have continuously extended Myanmar's central state institutions and military regional command headquarters to many peripheral mountainous areas.

At least two modes of state building may be found in the Tatmadaw's strategy and tactics: 1) warfare or repression and 2) ceasefire capitalism. The Myanmar military specialises in state building by making war (Callahan 2005;

Tilly 1985, 161–191). It often deploys heavily armed combat battalions and launches powerful weapons to subjugate opponents. It employed a time-honoured ‘four cuts’ counterinsurgency strategy, aiming to block rebel forces from access to four essential commodities: food, funding, intelligence, and recruits. Daytime and night-time raids on communities and detaining of suspected resistance group members are other tactics (International Crisis Group, 2021).

Apart from building a centralised military state through war and repression, the Myanmar military has implemented a ‘ceasefire capitalism’ strategy along the borderlands. According to Wood (2011, 751), this strategy reflects the complex interplay between military force, resource-rich peasant land, and transnational finance capital. The Myanmar military negotiated with national businessmen and ethnic political elites to construct a political-economic frontier landscape increasingly conducive to military state formation within ceasefire spaces. Resource concessions granted by military officials to private parties and ethnic warlords after ceasefire agreements increase the central state’s governance role in peripheral areas (Wood 2011, 749, 751–752).

As a state pattern, Myanmar’s military elites seek to maintain a centralised unitary state system in which the military must play a leadership role in the state governance structure. However, the military may concede just enough in terms of federalism to satisfy political demands by ethnic minorities (Burma News International 2016, 33–34). Originally, the junta perceived federalism as a main cause for the complex political turmoil in Myanmar. Most military leaders maintained that federal arrangements would provide ethnic armed forces with opportunities to break from the central government. Obvious international examples are in the Former Yugoslavia and Former Soviet Union, fragmented into scattered independent states (Sandy 2012). But since 2011, widespread political reform activities and the peace-making process have partly changed the Myanmar military mindset on federalism. They now recognise some merits from a federal arrangement and thus negotiate with other political stakeholders to design federalism. However, they still insist on the principle of non-secession from the union and maintaining authoritarian and unitary state characteristics in Myanmar’s government structure.

OPPOSITION GROUPS

Opposition groups seek to replace the 2008 Constitution with a new charter placing the military under civilian control and developing a new democratic federal state system. After the coup, multiform civil resistance movements, including civil disobedience and armed raids, have emerged nationwide to oppose the junta. Elected lawmakers and pro-democracy politicians formed the National Unity Government (NUG) as a parallel government in exile. The NUG has its own government structure and foreign policy pattern. It has also responded to the Tatmadaw by declaring a ‘people’s defensive war’, calling on civilians across Myanmar to revolt against dictatorship (International Crisis Group 2021, 2–3). The NUG is at the centre stage of a democratic revolution shaped by several political organisations and coalition resistance forces opposing the junta (Special Advisory Council for Myanmar 2022, 2).

Revolution and the creation of an interim government are two compelling modes of state building of this power group. The opposition groups revolted against the military government to provoke sudden fundamental change in national political structure. They rely on revolutionary war principles and asymmetric war tactics such as assassination, ambush, and sabotage of critical infrastructure vital for the military regime. The NUG claims that it is the only legitimate government in Myanmar with authority bestowed by a popular mandate from the democratic election of 2020. This interim government vows to create more space where political parties, ethnic armed revolutionary organisations, and civil society organisations can collaborate to develop federal democracy and eradicate military dictatorship. The NUG has applied a wide range of approaches, including politics, diplomacy, defence, and security to defeat the military junta (National Unity Government 2022).

Combining these two modes of state building, the NUG has made some explicit progress, especially with opposition forces expanding control over more territories and populations. Recently, armed resistance has stretched from northern Kachin state to southern Tanintharyi and from western Chin bordering India to eastern frontier states bordering Thailand. Sporadic attacks by armed resistance forces span areas of longstanding ethnic rebellion and large regions of the Burman majority heartland (Special Advisory Council for Myanmar 2022, 10–11).

For imagining state building, opposition groups believe that a decentralised democratic federal system is a suitable governance model for Myanmar. According to the federal democracy Charter, power shall be divided between the central (federal) government and constituent unit (legislative, judicial, and executive) governments. Responsibilities between central and constituent unit institutions will mostly be allocated on subsidiarity principles, with authority distributed to the lowest governmental tier best able to address a policy issue (International IDEA 2022, 14). Constituent units or subnational governments will have equal rights, suggesting a symmetrical form of federalism (Ibid.). The Charter declares that constituent units shall have their own revenue collection mechanisms, while natural resources shall belong to the people in constituent states, which will manage them. Notably, subnational units will be entitled to their own constitutions. The Charter emphasises that all security sector agencies, including the military, shall abide by principles of civilian control and democratic oversight (Ibid., 14–15).

ETHNIC ARMIES

Ethnic armed forces in post-coup Myanmar may be divided into three groups. The first comprises those who have approached the military junta and joined government peace talks. These include the Democratic Karen Benevolent Army (DKBA), the National Democratic Alliance Army (NDAA/Mongla), the New Mon State Party (NMSP), and Pa-O National Liberation Organization (PNLO). The second comprises those who fight against the junta, support ongoing armed revolution, and coordinate with Burman opposition groups. They include the Chin National Front (CNF), the Kachin Independence Army (KIA), the Karen National Union (KNU), and the Karenni National Progressive Party (KNPP). The final group are more cautious, based on specific political objectives and strategic interests. It is difficult to know whether they side with the military government or the NUG. This group includes the Arakan Army (AA), the National Democratic Alliance Army (NDAA), the Restoration Council of Shan State (RCSS), the Shan State Progressive Party (SSPP), and the United Wa State Army (UWSA) (Preecharush 2022, 73).

Fighting war and making ceasefire agreements are two major modes of state building in this group. Several ethnic armies have employed revolutionary

war principles and guerrilla warfare tactics against the Myanmar military. However, some choose to normalise relations with central authorities, and, in exchange, these ceasefire groups have gained control of economic flow and local administration in delineated territories while eliminating armed anti-governmental secessionist struggle (Egreteau and Mangan 2017, 11). EAOs, following the ceasefire capitalism strategic project, have created special autonomous areas to effectively organise administrations, run lucrative informal economies, exploit local resources, and maintain distinct cultural and educational policies without posing a serious security threat to the central state (Ibid., 15). However, since the coup, ethnic armed rebel forces choosing to side with Burman opposition groups and fight against the junta have attempted to extend the liberated zones to control more territories and populations.

As state imaginaries, the CNF, KIA, KNU, KNPP, NMSP, PNLO and RCSS have spoken explicitly about a federal arrangement. They believe that federalism with an appropriate power-sharing arrangement between the central state and constituent states can resolve protracted conflicts in Myanmar. The DKBA and other small armed groups such as the Arakan Liberation Party (ALP) and Lahu Democratic Union (LDU) have also leaned to federalism. However, the AA has called for confederalism because it aims to empower Rakhine state with highly decentralised state administration. Groups like the NDAA, SSPP, UWSA, the Myanmar National Democratic Alliance (MNDAA/Kokang), and the Ta’ang National Liberation Army (TNLA) seem amenable to high degrees of autonomy within the union (Ong 2022, 90). These ethnic armies have surveyed diverse international government models. For example, the Kokang and Wa political leaders along Sino-Myanmar borderlands might develop autonomous areas by studying China’s Special Administrative Region (SAR) model, applicable to Hong Kong and Macau. Kachin, Karen, Karenni, and Shan political leaders have surveyed Canadian and Swiss models to develop federalism in multi-ethnic and multi-cultural constituent states and complex mountainous territories.

CONCLUSION

Myanmar is at a critical crossroads for state building. Complex state versions and means for crafting states may be learned from three main stakeholders in Myanmar post-coup politics. Due to ongoing conflicts

and military confrontations throughout the country, it is difficult to predict which type of state will be built in Myanmar's governmental system. It is unclear whether Myanmar will become a more decentralised democratic federation or return to a more centralised unitarian state with praetorianism or move into full fragile statehood with strategic stalemating between political adversaries and weak government capabilities in public service delivery and demographic-territorial controls.

Amid this uncertainty, strengthening the national peace process and reconciliation programme is the sole remaining hope for conflict management in this war-torn county. With this limited hope, a systematic comparative study on the state-building process of the tripartite structure might be beneficial. Therefore, this cross-group comparison provided insights into the similarities and interconnected elements in state formation patterns and pathways, useful for helping solve Myanmar's state building challenge.

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APPENDIX

A Comparative Table on State Building in Post-Coup Myanmar

POWER GROUPS	MODES/STRATEGIES OF STATE-BUILDING	TYPES OF STATE/REGIME
Military Junta	Warfare/Repression	Centralized Unitary State with Military Dictatorship
	Ceasefire Capitalism	or Hybrid State and Hybrid Regime (Combination between Federalism and Unitarianism, Democracy and Authoritarianism)
Opposition Groups	Revolution/Uprising	Decentralized Democratic Federal State
	Parallel Government	
Ethnic Armies	Warfare/Insurrection	Decentralized Democratic Federal State
	Ceasefire Capitalism	or Decentralized Democratic Confederal State
		or Other Types (Autonomous Region/ Division/Zone/Area, etc.)



Source: VnExpress/Huu Khoa

STATE-BUILDING EXPERIENCE IN VIETNAM: State-Led Success over COVID-19

Nguyen Thi Thuy Trang

According to several assessments, Vietnam's GDP growth in 2022 and 2023 will be among the highest in Southeast Asia. Its upbeat growth outlook is bucking the slowing trend elsewhere in Asia (Dabla-Norris et al. 2023; VietnamPlus 2022). In 2020 and 2021, as other countries struggled to quell the spread of COVID-19, Vietnam's success in fighting the pandemic came to the world's attention. The Vietnamese government has demonstrated that it could deploy the necessary policies and resources of the state to the strategies it chose, whether in protecting public health during a global pandemic, strengthening governance accountability and transparency to attract foreign investors (Willoughby 2021), or regaining economic growth momentum in difficult circumstances. Inspired by Vietnam's recent success, this article explores Vietnam's state-building experiences, particularly in the context of COVID-19.

STATE BUILDING IN VIETNAM

Thaveeporn (1997) argues that Vietnam has experienced three waves of state building since 1945. The first occurred after the end of the resistance war against France in 1954 during the transition from colonial capitalism to state socialism. The second took place after the reunification of the Democratic Republic of Vietnam and the Republic of Vietnam in 1975 when the Democratic Republic of Vietnam model was imposed on former South Vietnam and when the communist leadership moved to implement its large-scale socialist development plans. The 1990s marked the beginning of the third wave of state building in the country in a process to re-establish hierarchies lost following Vietnam's moving away from central planning in the 1980s towards building a socialist rule-of-law state, which has been actively implemented until the present day.

At the government's first meeting amidst many challenges, President Ho Chi Minh proposed the establishment of a democratic constitution as one of the urgent tasks for Vietnam. He wrote:

Before, we were ruled by an absolute monarchy, then by a no less autocratic colonial regime, so our country does not have a Constitution. [As a result], our people have not enjoyed democratic freedoms. [Therefore], we must have a democratic constitution. (Communist Party of Vietnam 2001, 131)

Under President Ho Chi Minh's leadership, the 1946 Constitution, Vietnam's first Constitution, was formulated and adopted. The provisions of the 1946 Constitution were the first constitutional standards for building a rule-of-law state in Vietnam (Nguyen Duy Quy, 1). After more than seventy years, five Constitutions of 1946, 1959, 1980, 1992, and 2013 have been adopted, corresponding to the development stages of the country. Overcoming all the ups and downs, each Constitution represents an important milestone in building and consolidating the socialist rule-of-law state.

The 1992 Constitution introduced changes in the organisation and operation of the central government (from 70 government agencies before the Đổi Mới to currently 30 agencies). Administrative reforms starting in 1994 have changed procedures to reduce cumbersome interactions between citizens, businesses, and government. In 2001, the first Comprehensive Administrative Reform Program was promulgated, while legislative and judicial reform strategies were introduced in 2005. The 2013 Constitution continues the legislative, executive and judicial reform process and establishes the principle of a socialist state governed by the rule of law, by the people and for the people, which meets the needs for developing the market economy and accelerating industrialisation, modernisation, and international integration. Although the legal framework has not yet given sufficient consideration to people's rights and direct democracy, some laws govern important economic, political, cultural, social and organisational activities. The policymaking and law-making process have been gradually improved towards greater use of evidence and more democratic practices, including consultation with stakeholder groups and greater use of impact assessments (World Bank 2016, 345).

The concept of the socialist rule-of-law state was first raised at the Second Plenary Session of the 7th Central Committee of the Communist Party of Vietnam (CPV) (29 November 1991) and continued to be affirmed at the National Congress of the CPV in 1994 as well as in other documents of the Party. Subsequently, at the 10th and 11th Party Congresses, there was a

qualitative development in the awareness of building a socialist rule-of-law state in the country.

Institutionalising the party's view of building a socialist rule-of-law state, Article 2 of the 2013 Constitution affirms:

The State of the Socialist Republic of Vietnam is a socialist law-governed State of the People, by the People, for the People; The People own the Socialist Republic of Vietnam. All state power belongs to the People whose foundation is the alliance between the working class and the peasantry and the intelligentsia; and State power is the unity with assignment, coordination and control among state agencies in the exercise of legislative, executive and judicial powers. (The National Assembly of Vietnam 2013)

ACHIEVEMENTS

Vietnam's institutional framework has been gradually reformed and has facilitated rapid economic and social development for more than 30 years. The country has transitioned from central planning to a market economy as the primary means of resource allocation. Accomplishing this without a major economic crisis has helped elevate Vietnam in just 25 years from one of the poorest countries in the world to a lower middle-income country.

Over the past three decades, the Vietnamese government has demonstrated its ability to formulate effective policies and achieve many of its objectives. Key outcomes in delivering education, health, power, rural roads, rural electrification, water supply and sanitation services have been impressive. The country's record for sustained economic growth and poverty reduction with narrow income disparities and access to services is typical, especially compared with countries with similar incomes. In addition, government agencies can mobilise the state to achieve specific goals such as rural electrification and vaccination. As a result, maternal mortality and under-5 mortalities have decreased by two-thirds since 2002 (World Bank 2016, 344).

The diplomatic sector has made great strides forward and contributed substantially to the renewal process, international integration, and national defence, thus helping elevate Vietnam's standing in the international arena. Vietnam has actively joined international economic organisations such as ASEAN (1995), the

Asia-Europe Economic Meeting (1996), APEC (1998), and the WTO (2007). It now plays an increasingly important role in ASEAN and the various cooperation mechanisms of ASEAN with its partners.

CHALLENGES

Although many enormous achievements have been made over the past three decades, a large gap still exists between the aspirations of state reform and the actual implementation. Vietnamese state institutions operate in a fragmented manner, adversely affecting the effectiveness and economic efficiency of the state. There are difficulties in reforming the state administrative apparatus to promote economic growth and in controlling the state's coercive apparatus, which now wields great power, but whose corrupt and brutal acts can cause mass unrest and threaten the regime's legitimacy (Tuong Vu 2016). Mechanisms to ensure the accountability of public institutions and the delivery of public services to the people are still underdeveloped. Environmental problems are worsening, and the gap in access to opportunities is becoming wider.

FIGHTING AGAINST COVID-19 AND RECOVERING THE ECONOMY

Vietnam's recent successful fight against the COVID-19 pandemic has prompted an outpouring of discussions about how the country could achieve such a feat and what lessons could be shared with other countries. That success has stemmed from the leadership, policies, and capacity of the CPV and the state in responding to challenges, along with the unique characteristics of the tradition of national unity that has helped Vietnam overcome the global pandemic. Below are some key factors helping the country win the COVID-19 pandemic.

- The Vietnamese state mobilised all resources and the whole political system in the fight against the COVID-19 pandemic. The health sector carried out epidemic prevention and control activities with the participation of the armed forces, the diplomatic sector, the judicial branch, the central and local news agencies, and the press. With the clear goal of upholding the slogan "for the people's health", the guidelines and policies of the party and the government were supported and jointly implemented by the people.

- The state created a legal and institutional framework to deal with the epidemic while emphasising the protection of human rights. Institutionally, a National Steering Committee was established and is considered the highest directing body for the COVID-19 prevention campaign. In addition, the state issued many urgent documents to control the situation, including Decision No. 447/QĐ-TTg, announcing the epidemic nationwide. These documents are defined as legal documents, which are obligatory for everyone to comply with, and are applied nationwide. Those who violate the regulations shall be subject to sanctions under the law.
- All information related to the COVID-19 pandemic and the government's epidemic prevention and control activities has been published and fully updated, making it quickly and easily understandable to people.
- The state promulgated many decisions quickly and decisively, creating fairness in society. In addition to meeting disease prevention and control regulations, Vietnam issued policies to support and ensure social security and support people and businesses in solving economic difficulties.
- The government's actions have aroused a sense of responsibility towards the community from businesses, organisations, individuals, and artists. Therefore, they have voluntarily contributed to reducing the burden on the government's shoulders.

The Vietnamese government knew it could not afford a pandemic due to the risk to financial resources and state legitimacy. With its smart and effective strategy, Vietnam has successfully dealt with the difficult period. As a result, it has become a model for other countries in the fight against the COVID-19 pandemic.

CONCLUSION

After nearly 80 years of state building, the Vietnamese state has gained many achievements in its domestic and foreign policies, despite many challenges. The COVID-19 pandemic, which has lasted for more than two years, is a test of the leadership capacity of the state and its ability to build and maintain the trust

of the Vietnamese people and the international community. In overcoming the challenges like COVID-19, the Vietnamese state has gained more confidence in realising its strategic goals of building a socialist rule-of-law state and affirming its position in the international arena.

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Source: MFAIC, Cambodia.

SMALL STATE'S DIPLOMACY: Cambodia's Foreign Policy in the Context of New World Order

Lim Chhay

A CONCEPTUALISATION OF SMALL STATES

Conceptualising small states' characteristics in International Relations remains problematic. Small states are those independent and sovereign countries whose population size is around one or less than one million (Sutton 2011). In contrast, another definition suggested that the population of small states should be between 10 and 15 million (Armstrong and Read 2002). Some literature goes beyond population size to define small states based on their small economic scale (Kassab 2015). For the case of small states, this means that a state's gross domestic product (GDP) does not exceed 20 billion USD (Jesse and Dreyer 2016). On the other hand, small states should be defined by looking at their inherent vulnerability and limited foreign policy options in international politics. Eventually, small states must adjust a proper responding policy (Cooper and Shaw 2019).

Despite the different definitions, small states are commonly linked to limited foreign policy options, with higher possibilities of being put at risk in the anarchical international system. Due to limited policy options and vulnerabilities during strategic shocks, countries in the Mekong region are not exceptional in this case, as they are defined as small states based on this characteristic.

This article focuses on the case of Cambodia's foreign policy choices in a challenging world order. Cambodia can be a good case to look at for some reasons. First, the country was in a war-torn period from the 1970s until the 1990s, having gone through a devastating civil war and genocidal regime. These dark times in Cambodia's history resulted from being a proxy state during the Cold War era, which is an important lesson learned in today's foreign policy implementation. Second, Cambodia's strategic engagement in regional and global contexts through its open-sky policy with economic pragmatism has allowed the Kingdom access to enormous trade opportunities from bilateral and multilateral platforms. Third, Cambodia has changed from isolation to a strategic re-engagement, thanks to its flexible diplomacy. Flexibility in foreign

affairs implies that Cambodia does not side with one chosen major power like it did in the past. Finally, its historical learnings remind the Kingdom to exercise a hedging foreign policy by offering cooperation to all states, aiming for maximisation of returns and risk mitigation.

This article looks at Cambodia's hedging foreign policy based on Kuik's (2016) framework, with four main components: soft balancing, economic pragmatism, binding engagement, and limited bandwagoning (see table below).

Table 1: Hedging framework in Cambodia's foreign policy case

CAMBODIA'S HEDGING STRATEGY			
Risk-contingency Options		Returns-maximizing Options	
Soft Balancing	Economic Pragmatism	Binding Engagement	Limited Bandwagoning
<i>"To minimize security risks by forging military alignment & increasing armament, but without directly targeting any power, at least not explicitly"</i> (Kuik, 2016)	<i>"To maximize economic benefits by pragmatically forging direct commercial links"</i> Economic Diversification <i>"To maximize economic benefits by diversifying economic partnerships for trade and investment links rather than solely depending on single power"</i>	<i>"A policy designed to maximize diplomatic benefits by engaging and binding a big power in various institutionalized bilateral and multilateral platforms, for the functions of creating channels of communication and increasing the status quo tendency of the power's behavior"</i>	<i>"A policy used to maximize political benefits by selectively giving deference and/or selectively forging foreign policy collaboration."</i>

Source: Adapted from (Kuik 2016).

CAMBODIA'S HEDGING FOREIGN POLICY IN NEW WORLD ORDER

In the existing literature, we often see small states' inherent vulnerability and limited foreign policy options in the international arena. Small states have a less significant role and are not resilient enough to deal with immediate strategic shocks. Therefore, small states' alignment politics were often seen in bandwagoning, balancing, and hedging. Among these three, hedging is preferred by small states and was popularly studied by International Relations scholars, as it is in the middle spectrum between balancing and bandwagoning. Being a popular option in small states' alignment politics, hedging here is defined as a policy choice with ambiguous, mixed, and opposite positioning, and it comes with power acceptance, some forms of selective partnership, collaboration,

or even rejection towards a certain power when a situation requires to do so (Kuik 2016). Cambodia's foreign policy embraces hedging to navigate the country through the challenges in international politics while seizing the opportunities from the international system for national development.

Economic Pragmatism and Diversification

This component can be seen as a practice of neutrality policy, which aims to diversify economic partnerships to minimise the economic risks from over-reliance on a single partner (Kuik 2016). There are three rationales behind Cambodia's adoption of a diversification policy. First, the experience of siding with one major power and being a proxy state during the Cold War

has significantly taught Cambodia the importance of such a policy and the possible exposure to mass destruction as an outcome of taking sides. Second, the uncertainties derived from a more intensified strategic rivalry between Beijing and Washington have greatly pushed small states like Cambodia to perform a flexible policy adjustment to safeguard national interests. Third, Cambodian policymakers truly understand that the strategy of "putting eggs in all baskets" will reap more economic benefits for Cambodia. The country's enthusiasm for economic development is showcased by its official declaration of economic diplomacy as a foreign policy priority in the 21st century.

The starting point of such strategic engagements with the world through diversification shall be traced back to the end of the 1990s and the early 2000s. Cambodia's accession to the Association of Southeast Asian Nations (ASEAN) in 1999 and the World Trade Organization (WTO) in 2004 gave the country a window of opportunity for trading. The multilateral frameworks through the ASEAN-led mechanisms bring Cambodia closer to global economic powerhouses, such as the United States, the European Union, Japan, China, South Korea, Australia, India, etc. The launch of the negotiation on the Regional Comprehensive Economic Partnership (RCEP) in 2012 under Cambodia's ASEAN Chairmanship was interpreted as the Kingdom's ambition towards regional trade integration, which could be the cornerstone to access wider market opportunities, both bilaterally with the members of the bloc or multilaterally through the implementation of the framework (Sarith 2013). Ten years later, the RCEP entered into force under Cambodia's ASEAN Chairmanship 2022. Besides the RCEP, Cambodia is expected to gain economic benefits from bilateral Free Trade Agreements with other countries, which will not only create more jobs but also spur the influx of foreign direct investment, technological transfer, innovation, and economic competitiveness (Khmer Times, April 7, 2020). Currently, two FTAs with the Asian economic powerhouses, China and South Korea, are expected to help boost the Kingdom's trade and investment flows, especially the market access for Cambodia's footwear, travel products, electrical components, rubber, pharmaceuticals, and agricultural products (Vanyuth 2022).

Cambodia's economic diversification policy is also seen through its embracing of all major economies. With China being the country's top investor and soft loan provider, promoting Japan's role as a balancer is vitally important. Cambodia's only deep-water seaport in Sihanoukville is under the operation of Japanese

companies. However, Chinese construction has recently transformed this once-sleeping coastal city into a regional financial and industrial hub. Shifting away from the overreliance on China, Cambodia's trade with the US accounted for 43% of the total exports or \$5.69 billion, resuming the US's role as Cambodia's largest exporting market (Mathew 2022).

Soft Balancing (Indirect Balancing)

Indirect balancing is a policy "to minimize security risks by forging military alignment and increasing armament, but without directly targeting any power, at least not explicitly" (Kuik 2016). To a certain extent, this policy might not be exclusively applicable to the Cambodian context, especially with a view to indirect balancing. This evidence is palpable in Cambodia's omitted internal military modernisation, a policy related to counterbalancing either Beijing's or Washington's regional aspirations. Cambodia's soft-balancing/indirect balancing act mostly comes in the form of strong-worded diplomatic responses rather than forging military forces against a certain power.

The Cambodian government's act of balancing with the United States mostly comes when there is a threat to its legitimacy. The diplomatic flashpoints since the 2013 national elections have led to the cancellation of the Angkor Sentinel US-Cambodia Joint Military Exercise in 2017. Postponement of US-Cambodia Joint Military Exercise was followed by closer military cooperation between Phnom Penh and Beijing. Repetitive, unwanted responses from Washington caused a trust deficit in the US relations with Phnom Penh, and soft-balancing was used as a counter-response.

Binding Engagement

Binding engagement aims to maintain a state's independence and increase its capacity to openly accept an alliance or avoid an unwanted alliance. It tends to create communication channels in various institutionalised bilateral and multilateral platforms. This part argues that Cambodia binds both China and the US with the expectation not to upset anyone. Such a strategy is implemented through inter-governmental channels, bilateral dialogues, and maintaining good communication with them. Meanwhile, Cambodia has been trying to engage other external powers like Japan as a balancer when caught in the hardship of the US-China rivalry. Moreover, to tap the full potential

of multilateralism and increase its voice on the international stage, ASEAN is set to be an important cornerstone in Cambodia's foreign policy.

Cambodia binds the US, exemplified by President Joe Biden's visit to Phnom Penh during the ASEAN Summit and related Summits in November 2022. The president's visit has indicated that the US is committed to collaborating with the region, while the bilateral talk with Cambodia is expected to improve the recently deteriorated relationship. Working on good communication with the US is still on the agenda of the Cambodian government.

Cambodia binds China, with both enjoying a comprehensive strategic partnership since 2010. Both countries have continued a frequent exchange of high-level visits, with the commitment to building a "community of shared future" with strategic significance. By bonding with China, despite the criticism of being a proxy state, Cambodia truly benefits in terms of its socio-economic development in recent years. Cambodia has kept Japan in the loop as a counterbalancing strategic partner when facing uncertainties in US-China relations. Prime Minister Hun Sen's government tries to maintain good relationships with Japan in all situations. One good example was the controversial national election in Cambodia in 2018 when major donors like the US and the EU cut off their financial and technical assistance to the National Election Committee, but Japan was not only unwilling to criticise the CPP-led Royal Government of Cambodia but also continued its aid, which amounted to 7.5 million USD, despite legitimacy concerns (Mech and Nachemson 2018).

Cambodia fully embraces multilateral platforms like ASEAN. Engaging all superpowers at the ASEAN table has always been on Phnom Penh's agenda, especially through its turns as the rotating Chair of ASEAN. Its Chairmanship in 2022 was applauded for its astute leadership in navigating through major power rivalries, bringing all parties together to discuss solutions to critical regional and global challenges and advancing ASEAN Community building efforts. Ukraine acceded to the ASEAN-led Treaty of Amity and Cooperation (TAC) amidst the Russian invasion. At the same time, the US, China, and Russia attended the East Asia Summit despite their ongoing tension.

Limited Bandwagoning

It is a "policy used to maximize political benefits by selectively giving deference and/or selectively forging foreign policy collaboration". Bandwagoning is strategy by a small state willing to accommodate a bigger state's illegitimate acts by providing any possible support (Murphy 2017). For small states, bandwagoning is very costly, yet limited bandwagoning is feasible to have 'returns maximization'. There are some examples when Phnom Penh has made concessions to please Beijing and Washington on particular issues, but only to a certain extent. However, it is important to notice that Phnom Penh has set its limitation on making concessions, greatly avoiding the pure alignment with any single power that may result in historical repetition.

Cambodia is often seen as the most enthusiastic state in the region to offer full support to Beijing's policies. Cambodia's adherence to the 'One China Policy' and non-interference in China's sensitive domestic issues has always been very much appreciated by its Chinese counterparts. The 'One-China Policy' is a red-line Beijing sets out when designing its foreign relations. This implies that when engaging with Beijing, all states must recognise Taiwan as an integral part of China, resulting in the choice between either 'carrot' or 'stick'. Moreover, Cambodia has always demonstrated its positive views on China's BRI projects, in contrast to Western's view of debt-trap diplomacy or diplomacy with political strings attached.

With a view to the United States, the General Preference System (GSP) is an economic opportunity Phnom Penh cannot afford to lose. The Cambodian government's strategy is to maintain good communication, enhance dialogue, promote mutual understanding, and, most importantly, implement some democratic reforms at the national and sub-national levels. These are at least the strategic considerations Washington wishes to see. Phnom Penh keeps an open-door policy towards Washington and is keen to improve relations with the US.

CONCLUSION

Cambodia's hedging foreign policy reflects the limited policy options small states possess due to their inherent vulnerability in responding to the uncertainty of geopolitical challenges. As a popular form of alignment politics, hedging has four components:

economic pragmatism/diversification, soft-balancing, binding engagement, and limited bandwagoning. The intensifying US-China strategic competition is a new feature in international politics, with such contestation creating more pressure on small states in the region and beyond. Given its spectrum, hedging combines risk-contingency and return-maximisation options that help small states like Cambodia navigate uncertainties linked to emerging risks.

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