Walking a Tightrope: Democracy versus Sovereignty in ASEAN's Illiberal Peace

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Abstract Since 1967, ASEAN has established intramural relations that forsake war as a means for resolving conflict. While this is a remarkable achievement for the region, it must be balanced against a concomitant hindrance of democratic reform. I argue in this paper that ASEAN’s nascent security community must be seen as an ‘illiberal peace’. Underlying ASEAN’s peaceful community are the same principles that support illiberalism in the region, namely sovereignty and non-interference. While sovereignty has historically been a cherished norm for developing countries, ASEAN lags behind other regions, particularly Latin America, in attempting to reconcile tensions between democratic norms and the respect for sovereignty. This tension is most evident in ASEAN’s relations with Myanmar. Recent events indicate that ASEAN’s non-interference norm may no longer be sacrosanct, but the association is a long way from shunning illiberal politics for the sake of democratic values.

Keywords ASEAN; Myanmar; democracy; sovereignty; illiberal peace; security community.

…the days have passed when we can say that the troubles of one country can be isolated and that the internal affairs of one country are no concern of its neighbors…

(Aung San Suu Kyi)¹

Millions of people including this country, including myself, we share the sentiment and concerns of Aung San Suu Kyi… But sentiment is one

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thing . . . to try to persuade ASEAN to intervene in domestic affairs of a fellow ASEAN member to promote the cause of democracy is quite another all together.

(Sukhumbhand Paribatra)²

Why should ASEAN press for change in Burma? First and foremost because it is in their own self-interest.

(Kim Dae-jung 1995)

Introduction

Since the year of its founding in 1967, no states in the Association of Southeast Asian Nations (ASEAN) have waged war against each other. This is a major achievement for a region that endured Konfrontasi between Indonesia and Malaysia in the 1960s, has been intermittently shaken by Philippine claims of sovereignty over Malaysian Sabah, and has recently weathered tense spats between Singapore and Malaysia. Compared to other regions in the developing world, Southeast Asia stands out as one of the most stable and peaceful.

ASEAN is in the process of creating a ‘zone of peace’ that on the surface would appear to share shades of Michael Doyle’s vision of a liberal democratic peace and Karl Deutsch’s idea of a pluralistic security community (Deutsch 1961, 1968; Doyle 1986). ASEAN’s historical trajectory, however, sharply contradicts the liberal vision for securing peace articulated by Doyle and Deutsch. Instead of championing liberal democracy as the fountain of peace, ASEAN puts forth an illiberal worldview in which concerns over political stability, regime security, and state sovereignty provide the foundations for peaceful inter-state relations. A peaceful security community in ASEAN has been sustained on the shoulders of illiberal states largely because such states have shared in common a desire to protect their boundaries and to maintain their hold on power. The pivotal norm that has upheld such interests is the respect for sovereignty and its corollary doctrine of non-interference.³

When examined at closer range, ASEAN’s zone of peace has brought in its wake a dark undercurrent: the abnegation of democratic values. This is in large part a direct consequence of the fact that ASEAN has long been made up primarily of illiberal regimes. But to equate ASEAN’s behavioral effects with the regime-type of its constituent members is only part of the story.

Transcending the illiberal nature of most ASEAN regimes is the emphasis on sovereignty. In the same way that respect for sovereignty has ensured peace, it has also tipped the balance of ASEAN towards supporting illiberal values. Emphasizing the paramount value of sovereignty is crucial to maintaining political stability and regime security in the region. It is these two concerns that are ultimately of greatest interest to the region’s leaders. Even democratic regimes in Southeast Asia, although at times uncomfortable with
the implications that sovereignty implies, have been willing to uphold this norm, cognizant of its historical roots and of the need for maintaining consensus within the association.

ASEAN’s intense preoccupation with sovereignty should be understood within the context of state formation in the post-colonial world. The anxieties that pervade the ruling elites of Southeast Asia are echoed across the developing world. Indeed, as Christopher Clapham (1999: 100) notes: ‘The post-colonial states have, since their independence in the decades following the Second World War, emerged as the most strident defenders of Westphalian sovereignty in the international order.’ With colonialism as a backdrop and with the instabilities of the post-war period convulsing much of the developing world, the recourse to sovereignty as the ultimate legitimizing shield for vulnerable states would appear to have been inevitable.

When forced to make a choice between promoting democracy within the region and maintaining sovereignty and regime security, ASEAN as a collective structure has taken the latter path. This has been painfully evident in the case of Myanmar. ASEAN has ensured that inter-state violence would become an unlikely means for conflict resolution but, at the same time, has created a situation where political reform in terms of human rights and democracy is given short shrift. Although not championed directly, the outcome of such choices has been a preference for illiberalism over liberal, democratic aspirations. ASEAN’s security community, I argue, should thus be conceived of as an illiberal peace. Its success in forging a zone of peace must be balanced by its inability to pursue democratic norms among its members.

This article intends to build on the growing literature that conceptualizes ASEAN as a security community but it intends to do so by taking a different perspective on the merits of such a community. The literature so far has charted the process by which ASEAN has become a nascent security community, but it has not fully grappled with the implications of such a community for democracy in the region. The central point I seek to make in this article is that the normative underpinnings of ASEAN’s security community are deeply illiberal and therefore the community can be appropriately termed an illiberal peace.

While it is true that in the past two decades key ASEAN states have become democratic—the Philippines in 1986, Thailand in 1988, and Indonesia in 1999—this positive trend must also be balanced by the inclusion within ASEAN of intransigent authoritarian regimes, notably Vietnam, Laos, Myanmar, and Cambodia. On a purely numerical level, illiberal regimes outnumber democratic ones.

More significant, however, is the normative consensus that symbolizes ASEAN’s values. This consensus is one of defending the sovereignty of its members and therefore of shielding illiberalism. While the degree to which states within ASEAN should be granted absolute sovereignty is perennially debated, the default position of the association ultimately falls back on the
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defense of sovereignty precisely because regime security and political stability are prioritized above all else.

Before proceeding further, I want to make very clear that the scope of the thesis being pursued here should be qualified in at least three ways. First, it bears emphasizing that I am not arguing that ASEAN directly champions authoritarianism. Rather, my claim is more indirect: ASEAN has pursued a policy of benign neglect towards democratic movements and in the process has strengthened authoritarianism. The central issue is ASEAN’s decision not to interfere in support of democratic forces that challenge an incumbent government. By not interfering, either rhetorically or institutionally, ASEAN has denied democratic groups moral support and political legitimacy. The impact of ASEAN therefore has been one of hindering democratic aspirations rather than of actively supporting authoritarian persistence.

Second, the claim that ASEAN has acted with benign neglect towards democratic aspirations is not a static one. ASEAN’s adherence to the principles of sovereignty and non-interference has fluctuated both over time and within the association. In recent years, an increasing number of ASEAN countries have openly expressed discomfort with the principle of non-interference. Some ASEAN states have also shifted positions on non-interference. Thailand, for example, advocated a more interventionist position under the Chuan Leekpai government, but reversed course under Thaksin Shinawatra. The tensions underlying ASEAN’s non-interference norm are an important aspect of ASEAN’s illiberal peace. While this tension must be acknowledged, so far the default position – non-interference – has remained intact. This is also due in part to one of ASEAN’s cherished norms: that of consensus.

The third and final point to be made in delineating the scope of this article’s argument is its empirical focus. The country where such normative tensions are most evident is Myanmar. For no other country in the region has ASEAN’s non-interference principle been so critical. ASEAN’s reluctance to support the democratic aspirations in Myanmar compounds the already weak position of the opposition. The association’s benign neglect of other democratic movements, such as in the Philippines in 1986 and in Thailand in 1992, may have been less consequential because of the relative capacities of civil society in both countries. But in a country that has been isolated for almost three decades, where an assertive middle class has yet to emerge, and where centrifugal forces gnaw at the nation-state, the chances for democracy to gain ground based solely upon domestic factors are much more constricted. Given the limited capacities of the domestic environment, international forces have an important role to play. Aung San Suu Kyi herself made this point clear: ‘We believe that support from ASEAN . . . is crucial to our quest for democracy’ (Aung San Suu Kyi 1999).

The remainder of this article is organized as follows. In the next section I address ASEAN’s evolution as a security community. In the third section I examine the importance of sovereignty for ASEAN and, more generally, for
developing countries. Here I also compare the significance of the norm of sovereignty in ASEAN with other regional associations. The fourth section assesses how ASEAN’s concern with sovereignty has upheld illiberalism in Myanmar. The fifth section addresses current tensions over the policy of non-interference, looking particularly at ASEAN’s response to the May 2003 attack on Suu Kyi’s convoy and to Myanmar’s slated chairmanship of the association in 2006. The sixth section concludes.

**ASEAN as a security community**

Recent work by Emmanuel Adler and Michael Barnett (1998a) has reinvigorated the concept of security communities at a theoretical level, building heavily on Deutsch’s seminal writings. For Southeast Asia, Amitav Acharya (1998, 2001) has made fundamental contributions to the study of ASEAN as a security community. It is beyond the purview of this article to provide a full analysis of the emergence of ASEAN as a security community. I will instead summarize the main arguments that justify conceptualizing ASEAN as a nascent security community.

The concept of security communities can be traced to the work of Deutsch and his associates on political integration in the North Atlantic. Deutsch (1961: 98) defines integration as ‘the process that creates unifying habits and institutions …[of] stable expectations of peace’ and security communities as ‘the territories and populations among which such integration has taken place’. Deutsch (1961: 99) makes clear that the importance of durable expectations of peace is key to a security community: ‘[t]he attainment of a security community thus can be tested operationally in terms of the absence or presence of significant organized preparations for war or large-scale violence among its members …’

For security communities to cohere together Deutsch (1961: 100–1) hypothesizes four different processes: the psychological development of a ‘we-feeling’ among members; mutual responsiveness, in which states are cognizant of their neighbors’ ‘sensitive spots’ and behave with those concerns in mind; assimilation of culture, language, and political and economic institutions; and mutual interdependence through the division of labor among states. Deutsch emphasizes the importance of an increased number of transactions across states, rather than the nature of the transactions, as the building blocks for a shared collective identity and ultimately for dependable expectations of peaceful change.

Within ASEAN, two processes stand out as relevant among those that Deutsch has articulated: the development of a ‘we-feeling’ and mutual responsiveness. Through shared norms, ASEAN states have gradually developed a sense of collective identity that has enabled them to respond to each others’ sensitive spots, or, put another way, their core interests. Over 200 meetings per year have brought ASEAN states into greater contact with each other. But what Deutsch has neglected to address has been crucial to
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ASEAN’s security community: the very qualitative character of its identity. It is not simply increased interaction and interdependence that matters in shaping a collective identity, but the very nature of that interaction is equally, if not more, crucial.

Adler and Barnett (1998b: 40) take this next step in their work on security communities by emphasizing the qualitative nature of transactions. They attempt to identify ‘the cognitive structures that facilitate practices that are tied to the development of mutual trust and identity’. In other words, what is the nature of the bonds that hold security communities together? Their answer hinges upon liberal values. This, they argue, is because liberalism is: (1) likely to create a shared transnational civic culture, and (2) is more capable of ensuring the development of vibrant societies (Adler 1997: 250; Adler and Barnett 1998b: 40). Adler (1997: 258) writes that:

practical shared knowledge of the peaceful resolution of conflicts goes a long way in explaining why the majority of existing security communities developed out of liberal community-regions. Liberal community-regions became security communities because of intersubjective understandings among people, their shared sense of identity, and their common notion that they inhabit a non-territorial region where they can feel safe.

Although Deutsch (1961: 103, 1968: 244) also hinted at liberal democracies as a prerequisite for security communities, he held a more general position, arguing for the ‘compatibility of political values’. Whilst accepting that liberalism is the most important norm that strengthens integration, Deutsch nevertheless appears to allow more room for norms that lie beyond the liberal sphere.

While Adler (1997) presents a strong position in favor of liberalism as the normative or cognitive basis for security communities, Adler and Barnett (1998b) entertain a somewhat more qualified argument. Although their focus is on liberalism as a defining value, they point out that other shared ideas and norms, such as a developmental ideology, may serve as a bond for security communities. This point remains under-theorized, and it is Acharya who fully articulates a distinct perspective on the normative character of security communities.

Acharya (2001: 25) argues that legal-rational norms and socio-cultural norms form the basis of ASEAN’s collective identity. The legal-rational norms that matter are Westphalian in origin: sovereignty, non-interference, non-use of force in inter-state relations, and pacific settlement of disputes. The socio-cultural norms, dubbed the ‘ASEAN Way’, that are unique to the region include: informality, consultations, and consensus (Acharya 2001: 26). It is this mix of legal-rational and socio-cultural norms that provides the glue binding the ASEAN states together. Liberalism is conspicuously absent in the building blocks of ASEAN’s security community.
Although it is still early to pronounce ASEAN as a ‘mature’ security community, it is clear that its normative pillars have played an important role in mitigating violent outcomes. At least three conflicts within ASEAN attest to the relevance of the organization as a nascent security community: the dispute between the Philippines and Malaysia over Sabah; tension between Malaysia and Singapore over the rights to disputed land, water, and islands; and strained relations between the Philippines and Singapore over the execution of a Filipino maid.

The dispute over Sabah came closest to violent conflict. In 1968, the Philippine government had gone as far as to train guerrillas on Corregidor Island for an impending attack on Sabah. More recently, Malaysia and Singapore continue to be at odds over economic issues and boundary disputes. Though some may argue that such tensions are unlikely to lead to war, Singapore’s high state of military readiness belies such views. These conflicts between fellow ASEAN states have the potential to spiral into violent outcomes, yet ASEAN has been able to hold its conflicts within peaceful bounds.

Although difficult to measure, one cannot deny that a pattern of informal consultations and respect for sovereignty have been crucial in shaping the character of conflict resolution. Michael Leifer may have felt that ASEAN did not fully deserve the accolade of being termed a security community – no matter how early in the process of community development – because ASEAN’s conflicts were not so grave as to lead to war. However, explaining the absence of war by arguing that war would not have resulted anyway begs the question as to why it would not have happened in the first place. It is precisely because of the ubiquity of these rational-legal and socio-cultural norms that ASEAN has held violence at bay.

The post-colonial predicament and the imperative of sovereignty

Since the 1967 Bangkok Declaration, ASEAN’s key treaties have all emphasized the importance of sovereignty and non-interference. The Bangkok Declaration affirms that ‘...the countries of Southeast Asia ... are determined to ensure their stability and security from external interference in any form or manifestation ... ’ The Zone of Peace, Freedom, and Neutrality Declaration (1971) states that every country has the right ‘to lead its national existence free from outside interference in its internal affairs as this interference will adversely affect its freedom, independence, and integrity’. The first three clauses of Article 2 of the Treaty of Amity and Cooperation (1976) are all concerned with sovereignty and non-interference. In theory and in practice, ASEAN has relentlessly underscored the belief that stability and progress in the region can only be built upon the legitimacy of state boundaries.

ASEAN’s fixation on sovereignty has paid off in establishing a framework for peaceful resolution of conflict. In the process it has unequivocally
supported the interests of the ruling elites. Seen, however, from the perspective of civil society or, more specifically, of democratic forces, adherence to sovereignty has not had a progressive effect. Indeed, the concept of sovereignty is best understood as a deeply contested norm. Robert Jackson (1999b: 1–8) notes that sovereignty should be seen in terms of a value continuum. At the conservative end, sovereignty upholds independence and political order, but at the progressive end ‘it is seen as denying justice to countless individuals, organizations, and identities that cannot fit into the territorial logic of sovereignty and are burdened by it’.

The concern with sovereignty in the post-war period has arguably been one of the defining features of developing countries. This is in contrast with post-war Europe, where the overriding preoccupation has been one of superseding the nation-state. One European scholar has sought to define the European Union as exemplifying ‘postmodern sovereignty’ (Sorensen 1999: 180). By this it is meant that identities are no longer tied primarily to the nation-state and that states are characterized by integrated, global economies. In this situation, Westphalian sovereignty no longer holds court. Rather, supranational institutions dictate policy to Member States. Non-intervention as the guiding principle of sovereignty has therefore been trumped in the European Union.

It is worth noting, however, that the use of sovereignty for securing order and power in the developing world is not that different from its use in early modern Europe. As Clapham (1999: 103) writes: ‘The doctrine of sovereignty enabled rulers to protect their territories against external threats . . . and what went in respect for Henry VIII or Louis XIV applies equally well to Sukarno or Nkrumah.’ Furthermore, sovereignty in early modern Europe, just like in the developing world, was not linked to democracy even if it was often associated with mass nationalism (Clapham 1999: 104).

For developing countries, the use of sovereignty is deeply tied to the late process of state formation and the weakness of state structures. It is a tool of weak states to assert their authority vis-à-vis powerful states in the international system as well as in relation to domestic forces: ‘since states are profoundly unequal in power the rule is obviously far more constraining for powerful states and far more liberating for weak states’ (Jackson 1990: 6). Ruling elites are particularly fearful that without recourse to the legitimizing principle of sovereignty they may be overwhelmed by insurgent forces. In contrast to the Western focus of international relations theory, the security dilemma in developing countries is primarily internal – and for that reason sovereignty becomes an overriding priority (Ayoob 1991). Westphalian sovereignty in the developing world is especially important not only to maintain authority but also to exert control over centrifugal forces.

The use of sovereignty as a means of protecting one’s regime against external interference and domestic opposition is reflected in the normative agenda not only of ASEAN but also of various regional associations in the developing world. The Organization of African Unity (OAU), the League of
Arab States, and the Organization of American States (OAS) have all made sovereignty one of the central principles of intramural relations. Among these regional organizations, the OAS has made the greatest effort to balance democratic concerns with respect for sovereignty. All of these organizations have been driven by anxieties inherent in the post-colonial state. From Africa to Southeast Asia, ruling elites have been similarly preoccupied with maintaining political stability, eliminating domestic insurgency, and ensuring the legitimacy of national boundaries.

The OAU, formed in 1963, stipulated sovereign equality as one of its founding principles. The Charter emphasized non-intervention in states’ internal affairs; respect for the sovereignty and territorial integrity of each state; the right to independence; the peaceful settlement of disputes; and condemnation of subversive activities carried out by one state against the other (Clapham 1999: 101). The League of Arab States has also articulated a strong position in favor of sovereignty and non-interference. While the organization recognized Arab unity as a central principle, this took a back seat to the upholding of the status quo and protecting the independence of current states (Zacher 1979: 164–5). The Pact of the Arab States, the founding document of the league, emphasizes state sovereignty and independence as its core values. The Pact also seeks to limit the likelihood of intervention. Should the organization endorse intervention unanimously, the decision ‘would not be binding if it concerned a state’s “independence, sovereignty, and territorial integrity”’ (Zacher 1979: 165).

The OAS stands out among regional associations in the developing world due to its greater emphasis on democracy and human rights. While the Charter of the OAS articulates the importance of state sovereignty, it notably highlights democratic norms in the preamble: ‘the future significance of American solidarity and good neighborliness can only mean the consolidation on this continent, within the framework of democratic institutions, of a system of individual liberty and social justice based on respect for the essential rights of man’ (Munoz 1993: 74). The OAS is also considered to have one of the most elaborate human rights regimes, virtually on a par with Europe (Forsythe 1991). However, for much of its history the liberal orientation of the OAS has been primarily rhetorical. It was only in the 1980s, when democratization began to sweep back through the continent and the Cold War drew to a close, that the OAS began to move beyond rhetorical flourishes.

In 1985, the OAS Charter was amended to state that the organization’s purpose was ‘to consolidate representative democracy, with due respect to the principle of non-intervention’ (Munoz 1993: 76). In 1990, the OAS created the Unit for the Promotion of Democracy (recently renamed the Department for Democratization and Political Affairs). This agency turned out to be surprisingly influential, quite notably by putting the spotlight on the contested 2000 Peruvian elections (Cooper and Legler 2001: 107). In 1991, the OAS adopted Resolution 1080. This resolution institutionalized a strong
democratic current within the OAS by explicitly committing it to the defense and promotion of democracy. And in 1992, the OAS went even further down the democratic pathway by adopting a resolution that would suspend a member country whose democratic government had been overthrown by force. It acted on its democratic agenda after Aristide was overthrown in Haiti in 1991.

The OAU has recently also taken some important steps towards balancing sovereignty with democracy and human rights. In 2002, the African Union (AU) replaced the OAU. The AU makes a marked departure from its predecessor by asserting a strong democratic voice. Its principles include: ‘respect for democratic principles, human rights, the rule of law and good governance’; and ‘the right of the Union to intervene in a Member State pursuant to a decision of the Assembly in respect of grave circumstances, namely war crimes, genocide, and crimes against humanity’. In May 2004, the AU Peace and Security Commission representative stated that the organization was replacing ‘the principle of non-interference with the principle of non-indifference’.

At first glance, ASEAN’s concern with sovereignty appears not to be unusual in the developing world. Nor is it unusual in relation to early modern Europe. However, even if ASEAN does share with other developing regions common structural constraints, it is arguably unique in its reluctance to change its normative underpinnings in the face of systemic political change. Underscoring this point, the *Bangkok Post* (7 August 2002) commented that:

...other regions have taken pro-active measures to cope with new situations. The African Union, Mercosur, the Central American Common Market, the Andean Pact have all adopted new approaches to boost their organizations’ authority over their membership. ASEAN is still concerned with the principle of non-interference and national sovereignty.

While the OAS stands at the vanguard of democratic values in the developing world, ASEAN continues to waver over its commitment to political reform in the region. The failure to establish an ASEAN Human Rights Commission indicates how far behind the association lags in respect to the OAS.7 To get a more detailed understanding of ASEAN’s normative calculus, it is now important to turn to a case study of Myanmar.

**Legitimizing illiberalism: Myanmar and ASEAN since 1997**

In July 1997, at the Thirtieth Annual Ministerial Meeting in Kuala Lumpur, Myanmar and Laos formally became members of ASEAN. This was a crucial step in fulfilling ASEAN’s vision of ‘One Southeast Asia’ – a vision articulated since the 1967 founding of the organization. Cambodia was scheduled
to have acceded to membership along with Laos and Myanmar, but a coup by Hun Sen in early July scuttled ASEAN’s plans for a full house.

The process leading up to Myanmar’s accession to ASEAN was fraught with intense diplomatic sparring. The United States and the European Union were adamant that Myanmar should not be granted any form of international legitimacy after its violent annulment of the 1990 elections. At the Ninth ASEAN–EU Ministerial Meeting in Luxembourg in 1991, the European Union for the first time expressed strong criticism of ASEAN’s policy towards Myanmar (Chongkittavorn 2005). Since then, it has maintained a firm position against any form of ASEAN rapprochement with the junta.8

ASEAN has long argued that its policy of ‘constructive engagement’ presents the best means to coax the Myanmar junta towards democratization. Constructive engagement in the context of ASEAN entails a subtle, behind-closed-doors prodding towards political reform. Malaysian Prime Minister Mohammad Mahathir was particularly adamant that ASEAN should not be influenced by outside pressure in its decision to bring Myanmar into the fold and that only through this process of institutionalization could political reforms take place.

Within Southeast Asia, civil society groups were extremely vocal in their opposition to Myanmar’s membership. Notably, the ASEAN–ISIS think tanks dissented from their governments and called for an exception to the non-interference policy. Jusuf Wanandi, chair of the Center for Strategic and International Studies in Jakarta, argued that ASEAN should look beyond its non-interference policy and not admit Myanmar (Wanandi 1997).

By July 1998—one year after Myanmar had joined ASEAN—it was clear that political reform in Myanmar has not occurred. By all indicators, the record had actually worsened. The only mildly positive steps that could be pointed to were Philippine Foreign Minister Domingo Siazon’s meeting with Aung San Suu Kyi in October 1997 and Malaysian Foreign Minister Abdullah Badawi’s meeting in March 1998. Beyond these diplomatic meetings, ASEAN had very little to show for its policy of constructive engagement.

At the Thirty-first Annual Ministerial Meeting in Manila, ASEAN admitted that no progress had been made in the areas of human rights and democracy. Criticism of ASEAN’s policy of constructive engagement was fierce. Debbie Stothard, coordinator for the Alternative ASEAN Network on Myanmar cited increased assaults on members and officials of the democratic movement, attacks on ethnic minorities, repression of civil freedoms, continued closures of universities, and increased drug production (Deutsche Presse-Agentur 1998a). Senator Aquilino Pimentel of the Philippines called for the expulsion of Myanmar from ASEAN: ‘Perhaps it is now time to seek a review and revision of our country’s support of Myanmar into ASEAN and probably even move for the expulsion of Myanmar from ASEAN’ (Deutsche Presse-Agentur 1998b).

At the meeting in Manila, Surin Pitsuwan, the Thai Foreign Minister, took a bold step in an effort to move beyond ASEAN’s long-standing principle
of non-interference. Surin circulated a policy paper that advocated ‘flexible engagement’ as a new policy framework through which members of ASEAN would relate to each other. This in effect would end the long-standing policy of non-interference. Only Domingo Siazon of the Philippines supported Thailand’s proposed shift in policy. ASEAN as a whole accepted a more minimal interventionist stance on issues of economics and the environment, but drew a sharp line on democracy and human rights. Indonesian Foreign Minister Ali Alatas put forth the term ‘enhanced interaction’ as a compromise with Surin’s proposal. Alatas made clear how far ASEAN was willing to go: ‘…if the proposition is, within ASEAN, we should be more frank in discussing views that may originate in one country but have an impact on the other ASEAN countries, then let’s do it …[but] using fancy names like flexible engagement and constructive intervention – that we cannot accept’ (Far Eastern Economic Review, 6 August 1998).

At the end of July and again in August 1998, tension between the democratic and military forces in Myanmar increased sharply. Testing the government’s claim that she was free to travel through the country, Suu Kyi was twice prevented from going upcountry. In July, the standoff ended after six days. In August, the confrontation lasted thirteen days, after which Suu Kyi was forcibly taken home in an ambulance.

Following these standoffs, in October 1998, the most serious international effort to date was made to forge a solution to the deadlock. A closed-door conference was held at Chilston Park, England, where the ambassadors of the Philippines, United States, Australia, Japan, and United Kingdom pressured the National League for Democracy (NLD) and the junta to begin some form of dialogue. They also convinced both sides to allow the United Nations Special Envoy, Assistant Secretary General Alvaro de Soto, to visit Myanmar (The Nation, 30 October 1998).

At the Thirty-second Annual Ministerial Meeting in Singapore, ASEAN foreign ministers engaged in discussion over human rights, governance, and civil society – a slow but noticeable development since the introduction of Surin’s proposal (Far Eastern Economic Review, 5 August 1999). Yet, two full years after Myanmar had gained membership in ASEAN, the Bangkok Post (11 July 1999) articulated a vehement repudiation of ASEAN’s policy of constructive engagement:

The policy of engaging Burma in discussions of democracy, human rights, and international responsibility have failed – totally and spectacularly. The only important changes in Burma in the two years as a full ASEAN member have been for the worse. Two years ago, Burma’s senior dictator Khin Nyunt had opened exploratory talks with the nation’s only independent democratic force, The National League for Democracy of Aung San Suu Kyi; today, the regime will not talk to any democrat …Two years ago, Burmese cabinet ministers promised to investigate cases of forced labor; last month, the dictatorship claimed
Burmese love to volunteer their labor for the glory of the Tatmadaw, Burma’s army.

By the end of 2000, however, there were indications that some change was creeping in. In December, the European Union finally held high-level talks with ASEAN that had been suspended since 1997 in protest over Myanmar’s presence. The talks in Vientiane, Laos, were important as they produced some concrete results: Myanmar decided to accept an EU troika mission in January 2001 (AFP 2000). More critically, news began to filter out that Suu Kyi had been engaged in secret dialogues with the military junta since October 2000.

In April 2000, Kofi Annan appointed Razali Ismail as UN Special Envoy to Myanmar. A retired career diplomat from Malaysia with close ties to Mahathir, Razali quickly emerged as a pivotal player in reaching out to, and gaining the confidence of, both sides. After five visits to Myanmar, Razali was able to produce a fundamental breakthrough. On 6 May 2002, Suu Kyi was released unconditionally from house arrest as the international community hailed a ‘new dawn’ in Myanmar (Financial Times, 7 May 2002).

This ‘new dawn’ turned out in the end to be a false start. Once Suu Kyi was released, she resumed her popular trips across Myanmar. The acclaim Suu Kyi received greatly perturbed the junta, particularly its top leader, General Tan Shwe. The military once again began harassing Suu Kyi’s convoy, eventually climaxing in a violent outburst in northern Myanmar on the night of 30 May 2003. Here, pro-government thugs attacked Suu Kyi’s convoy with sharpened bamboo poles and killed an estimated seventy to eighty people, both locals and members of the National League for Democracy. Survivors from this ambush report that drug-induced thugs charged at the convoy mercilessly and that Suu Kyi only survived because numerous NLD members piled on top of her to protect her. After this attack, Suu Kyi was placed in solitary confinement until her transfer back into house arrest at the end of September.

It is important now to ask two critical questions: (1) what has Myanmar gained from accession to ASEAN? And (2) what has ASEAN gained from bringing Myanmar into the association? First, it should be recognized that Myanmar’s entry into ASEAN has served to legitimize its regime through the cover of an important regional institution. While the Burmese junta has obviously not gained any added legitimacy from Western governments, membership in ASEAN has brought with it greater prestige for the Burmese generals through their interaction with ASEAN leaders. Prestige is admittedly difficult to measure, but one can at least point to the numerous ASEAN meetings to which the Burmese generals can now partake. This in itself confers legitimacy on the regime and provides it with extensive contacts for extending its political and economic interests.

Second, membership in ASEAN has strengthened the military’s hold on power. Since Myanmar joined ASEAN in 1997, human rights abuses have
increased, dialogue between the junta and the National League for Democracy has stalled, and, most disturbingly, repression of Suu Kyi has reached an unprecedented level. As a full-fledged member of ASEAN, the junta now wraps itself in the mantra of non-interference. Furthermore, the Myanmar generals have little political incentive to reform their autocratic behavior now that they have achieved their goal of membership in ASEAN. David Steinberg (1998: 183) thus writes: ‘There seems little question that in the near term, entry into ASEAN will strengthen Myanmar internationally and prompt little in the way of significant political or economic changes in the Myanmar system.’

It is important to clarify that accession to ASEAN has not been the paramount factor that has helped the junta stay in power. This is not the claim being made. Clearly, numerous factors have helped consolidate authoritarianism in Myanmar. It is worth emphasizing, however, that with ASEAN’s stamp of legitimacy it becomes easier for the junta to brush aside criticism from the West and therefore to be unfazed by threats of diplomatic and economic sanctions. Even more importantly, with ASEAN support Myanmar has access to regional markets that can sustain the regime’s interests. Compared to the apartheid regime of South Africa, Myanmar is far from being economically and politically encircled. The South African regime finally gave way to democracy in part due to sustained international pressure and in particular the application of sanctions among its immediate neighbors. The Myanmar junta is by no means constrained within its immediate environment and that itself is an important factor strengthening its grip on power.10

ASEAN’s actions have arguably been even more significant in the way they have weakened and isolated the democratic opposition rather than in their net effect of strengthening the junta. This is because ASEAN’s non-interference principle has always been meant to protect governing regimes – whether democratic or authoritarian. Those opposing the incumbent government naturally fall out of favor in ASEAN’s normative framework. As Acharya (2001: 114) points out, ASEAN’s policy of constructive engagement contradicts its non-interference norm since it implies ‘a particular kind of interference in support of the regime . . . It is hard to believe that the decision to admit Myanmar would not strengthen the domestic position of SLORC vis-à-vis the democratic opposition.’

It bears emphasizing that ASEAN’s policy of non-interference has a greater impact on Myanmar’s democratic movement compared to other countries, such as the Philippines and Thailand. Civil society in Myanmar does not have the depth and breadth of its neighbors, in part due to lower levels of economic development. Nor do countervailing institutions such as the monarchy or the Catholic Church play a prominent role.

Perhaps even more importantly, Myanmar’s history lacks a deep sense of democratic consciousness, whereby elites in the government or in the military might be able to conceive of alternative paths to military dictatorship.
Although Myanmar did have a period of parliamentary democracy in the 1950s, this has been stamped out by the long period of military rule and political isolation under General Ne Win. What distinguishes Myanmar’s colonial and post-colonial history is perennial violence and coercion (Callahan 2004). ASEAN’s normative principles thus do not fall upon its member states in equal measure. Rather, they are filtered through the historical and domestic layers of particular nation-states. Their impact, though nuanced and often indirect, is nonetheless far-reaching.

On the other side of the ledger, what has ASEAN sought to gain from Myanmar’s accession? Beyond the broad vision of a united ASEAN-10, Myanmar’s membership was meant to mitigate China’s creeping influence with the military generals. Since the late 1980s, ASEAN has been nervously watching China penetrate Myanmar’s borders and forge deep into its island possessions. Although Myanmar has historically kept a neutral stance—sandwiched as it is between the two giants of Asia—under SLORC it has moved solidly into China’s orbit. This rapprochement stems from the two countries’ shared sense of a siege mentality following the Tiananmen crackdown and the August 1988 massacre in Myanmar. China’s moral support for the junta is especially valued given the condemnation it perennially receives from the West.

The ties between Myanmar and China cut across military and economic sectors. Visits by high-level Myanmar delegations in 1989 led to an arms deal worth between $1.2 billion and $1.4 billion. Myanmar has reportedly purchased F-6 and F-7 jets, tanks, armored personnel carriers, radars, missiles, anti-aircraft guns, small arms, and trucks (Seekins 1997). Surface deliveries of arms came through Chengdu regional military headquarters.

More disturbing for ASEAN is the suspicion that China is attempting to gain a naval foothold in Southeast Asia through its Myanmar connection (Ott 1998). In 1992, US satellites discovered a new antenna for signals intelligence at the naval base in Coco Island. Intelligence reports also indicate that the Chinese navy is attempting to gain access to several strategic islands along Myanmar’s coast, including Zadetkyi Kyun or St. Matthew’s Island, located by the northern entrance of the Strait of Malacca (Lintner 1994). In 2000, Myanmar and China carried out joint naval exercises between Tavoy and Mergui. China’s deepening position near the Strait of Malacca is being followed in ASEAN with intense consternation.

Myanmar also serves as the gateway for goods from southern China. Compared to China’s eastern provinces, goods from southwestern China are unable to compete internationally. Myanmar therefore provides vital market access for this particular region of China (Steinberg 2001: 226–7). In the past decade cross-border trade has skyrocketed. In 1988, trade between China and Myanmar was $15 million, but by 2001 it had grown to over $660 million (Seekins 1997; Tin Maung Maung Than 2003). China has also been actively engaged in building infrastructure that will run from northern Myanmar to the Indian Ocean. A passageway between southern China...
and the Indian Ocean is of immeasurable strategic value for the Chinese government.

The irony of ASEAN’s calculus that China might be contained with a Myanmar embedded in ASEAN is that it has completely failed. China continues to barrel through its military and economic goals in Myanmar. There is no indication that Myanmar’s membership in ASEAN has minimized the junta’s reliance on China. Constructive engagement’s two goals in Myanmar – coaxing political reform and reducing Chinese impending hegemony – would appear to have both come to naught. Although ASEAN has fulfilled its vision of an ASEAN-10, it is not clear how beneficial such de jure unity will be.

The shifting sands of non-interference

In the past decade, the non-interference principle has come under severe scrutiny. At a global level, sovereignty has come under fire from organizations such as the United Nations, which argue that states can only have a legitimate claim to sovereign statehood if they can carry out basic functions that serve the needs of society. In Southeast Asia, the emergence of stable, democratic regimes has added weight to supporters of human rights and liberal values. In the 1990s, leaders across the region were less reluctant to criticize their neighbors for acts against domestic opposition. In 1998, Indonesia and the Philippines were highly critical of Mahathir’s treatment of Anwar Ibrahim.

The attack on Suu Kyi’s convoy in May 2003 brought forth the strongest condemnation of the Myanmar junta. At the foreign ministers’ meeting in Phnom Penh in June, ASEAN issued a statement calling for Suu Kyi’s release. Although several foreign ministers claimed that this was not interference, since Myanmar accepted ASEAN’s statement at the meeting, this was a clear break in ASEAN’s generally soporific attitude towards political crises in the region (The Nation, 18 June 2003a). A month later, Mahathir warned that Myanmar could be expelled from ASEAN if it did not reform its behavior. This was a stunning reversal for Mahathir, who had been the most forceful advocate of Myanmar’s entry into ASEAN in 1997. In September, Indonesia sent former Foreign Minister Ali Alatas as a special envoy to Myanmar. It is worth pointing out that Alatas has been one of the strongest opponents to Surin’s idea of ‘flexible engagement’. The day after he left, Thai Foreign Minister Surakiart Sathiarthai visited the junta. With the Bali Summit upcoming in October 2003, ASEAN had hoped to reduce the spotlight on the crisis in Myanmar. All of these remonstrations led nowhere, as the junta refused to release Suu Kyi.

More recently, ASEAN surprised the international community by openly challenging Myanmar’s right to chair the association in 2006. Parliamentarians from Malaysia, Singapore, Thailand, Indonesia, and the Philippines voiced severe displeasure at the prospect of Myanmar holding court for
ASEAN. In Indonesia, the parliament’s Commission on Defense and Foreign Affairs called on the government to boycott ASEAN if Myanmar took the chairmanship. The Philippine Senate passed a motion calling on ASEAN to deny Myanmar the chairmanship, and in Thailand seventy-seven senators signed a petition calling on the government to adopt a tougher position towards Myanmar (The Nation, 10 May 2005).

In Malaysia, a group of parliamentarians from the governing coalition filed a motion calling on the government to deny Myanmar the chairmanship of ASEAN if it did not release Suu Kyi as well as thousands of political prisoners. One of the sponsors of the bill, Nazri Abdul Aziz, minister in the prime minister’s department and the leader of government business in the Malaysian parliament, commented that: ‘There must be a time for constructive engagement, it cannot go on and on forever’ (Reuters 2005). The bill was eventually shelved, although the commotion surrounding the bill allowed Malaysian parliamentarians openly to vent their dissatisfaction with political change in Myanmar (Malaysiakini.com 2005). Malaysia’s vehement rhetoric against Myanmar was noteworthy since the Malaysian government had earlier been the chief backer of the junta. Furthermore, the fact that Nazri Abdul Aziz was championing a tougher stance vis-à-vis Myanmar was seen as de facto coming from the prime minister himself.

At the Annual Ministerial Meeting in Vientiane in July 2005, Myanmar decided to postpone its chairmanship of ASEAN. This came as a huge relief to the region’s leaders. Indeed, US Secretary of State Condoleezza Rice’s decision not to attend the ASEAN Regional Forum – the first time that a US secretary of state had missed an ASEAN meeting – was seen as a foretaste of things to come had Myanmar taken over ASEAN’s chairmanship. ASEAN appears to have weathered the storm for now and appeased Western critics who had made very clear that they would not attend ASEAN’s meetings with Myanmar as the chair. Although this latest move may indicate a shift in ASEAN’s normative priorities, it is much too early to predict how this will affect Myanmar’s political development, and, more importantly, whether ASEAN will sustain its rather mild criticism of the junta.

It is important to recall that in 1997 ASEAN had stressed that its policy of constructive engagement, rather than isolation and sanctions, was more likely to usher in political reform in Myanmar. More than eight years after Myanmar’s accession to ASEAN, the policy of constructive engagement appears to have had virtually no effect on the junta. Furthermore, the arrest and subsequent sentencing of Khin Nyunt in July 2005, the only general who was willing to have a dialogue with Suu Kyi, bodes a particularly ominous note for future relations with the junta. In the past few years, the junta has stamped out any potential niches of dissent within the military.

While the doctrine of non-interference may be increasingly breached by ASEAN members, this does not indicate that ASEAN is moving towards prioritizing democracy and human rights. On both occasions when ASEAN decided to take a more critical stand towards Myanmar, significant pressure...
from the West was crucial. The real issue that troubles ASEAN is the fear of losing face and of an association that may become irrelevant on the world stage. ASEAN Secretary General Ong Keng Yong’s comments reflect this anxiety: ‘there is a negative image and rather adverse kind of remarks passed about ASEAN [because of the situation in Myanmar] . . . we want to minimize the adverse impact on our organization as a whole’ (Financial Times, 6 October 2003).

Conclusion

In the aftermath of the attack on Suu Kyi’s convoy in northern Myanmar, Kavi Chongkittavorn, a journalist and astute observer of ASEAN, argued that ‘while analysts have credited ASEAN for growing openness this year, it is too premature to conclude ASEAN is changing towards democratization’ (The Nation, 23 June 2003b). Despite all the hoopla over Myanmar’s postponement of the ASEAN chairmanship, this statement remains true today. The few times that ASEAN has broken from its doctrine of non-interference, it has been under great pressure by Western nations. Its main concern continues to be its own self-preservation rather than political reform.

Self-preservation has, one must remember, been of great use to the region, as it has enabled states to establish a security community where expectations of peaceful change are now routine. But in a region characterized by economic dynamism and political change, more is being expected from ASEAN. That the Singaporean and Malaysian governments – two of the early backers of Myanmar’s entry into ASEAN – are now openly frustrated with the junta’s recalcitrant behavior is an indication that ASEAN may find itself shackled by its own norms of consensus and non-interference. Expanding membership to countries such as Laos and Vietnam has complicated matters for ASEAN’s core members. Even more, China’s increasing influence over Myanmar and its clear gesture of sympathy with the junta at the Vientiane ASEAN Regional Forum has denied ASEAN any benefits from Myanmar’s membership.

The tensions that ASEAN faces in balancing norms of sovereignty and of democracy are difficult to surmount. They are difficult to surmount on one level because vested interests are at stake. But, on another level, ASEAN is forced to confront a structural reality that severely limits its room for maneuver. ASEAN may wish to signal to the international community that it is open to political reform, but the weight of its own history – a history of peace and security – constrains its reach.

Sukhumbhand Paribatra, the former deputy minister of foreign affairs for Thailand, perhaps best articulated this structural tension. A diplomat and former academic, Sukhumbhand has shown deep concern for human rights. But in responding to Suu Kyi’s call in The Nation for ASEAN to do more to help Myanmar, Sukhumbhand defended historical precedent in ASEAN (Aung San Suu Kyi 1999; Paribatra 1999).
There are dreams. There are hopes, desires, and expectations. There are also realities. All dreams, hopes, desires, and expectations ultimately must be subjected to reality tests. One reality is that ASEAN was created as and remains a framework and mechanism for cooperation in a region of great political, social, cultural, and economic diversity. It was never intended to be a collective security regime, which has a collective vision of what is right, just, and moral in all things and can impose changes at will upon its member countries in accordance to this vision. From the beginning, the principle of non-interference, along with perceptions and conceptions of common interests, has been the glue keeping ASEAN together. All principles can of course be modified through changing time and circumstances... But modification is one thing, abandonment quite another. We believe that the principle of non-interference should be adapted to suit the changing times and circumstances. But to abandon it is to tear ASEAN asunder. The reality is that ASEAN cannot be a proactive promoter of changes in the existing political arrangement of any member country. To advocate such a role is to misinterpret the genesis and nature of ASEAN in a very fundamental way...

Caught between the strident demands of the West, its own penchant for moderation and restraint, and its impotency against China’s growing influence, ASEAN finds itself at a narrow crossroads that holds long-term implications for its organization. For ASEAN’s own self-preservation, as much as for its prestige and legitimacy in international forums, ultimately it will have to decide whether to persist in jettisoning the doctrine of non-interference at opportune moments or to decisively consign it to history.

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Notes

1 Associated Press, 22 July 2000.
2 Agence France-Presse, 26 July 1999.
3 Jackson (1990c: 27) argues that in developing countries sovereignty is defined in negative terms – that is, as ‘freedom from outside interference’.
4 Throughout this paper, I use the term ‘Myanmar,’ although I use ‘Burma’ for quotations or publications that employ the latter term.
5 These documents are available at http://www.aseansec.org/
6 Jackson (1990) argues that sovereignty in the developing world is generally linked to the process of decolonization and self-determination. However, Acharya (2003) notes that the norm of sovereignty and of non-interference should be seen from the perspective of developing countries’ own internal debates, rather than simply as a process by which Western ideas were absorbed by the developing world. In this perspective, the Bandung Conference of 1955 emerged as a pivotal moment in which nationalist elites debated the scope and merits of sovereignty and non-interference.
7 ASEAN adopted a Declaration of Human Rights in 2003, but has not gone beyond this.
8 This firmly antagonistic position may be undergoing some degree of rethinking. See, for example, the report prepared for the European Commission by Taylor and Pedersen (2005). This report calls for closer relations between the European Union and the Burmese government, specifically through regular high-level visits, revising the use of sanctions, and lifting political constraints on aid.
10 For a balanced report that analyzes the merit of sanctions in Myanmar, see International Crisis Group (2004).
11 Singaporean ambassador Chan Heng Chee commented at a conference on Burma that ASEAN was intent on preventing an alliance between China and Myanmar. Speech at the School of Advanced International Studies, Johns Hopkins University, 22 November 2002.
12 Government statistics on bilateral trade between Myanmar and China differ from those of the International Monetary Fund, but there is a clear trend of increasing imports into Myanmar in the 1990s. See Tin Maung Maung Than (2003: 201).
13 See, for example, the Report of the International Commission on Intervention and State Sovereignty (2001).
14 See Lim Kit Siang (2005).

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