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Date November 15, 2001
ABSTRACT

Intrastate security problems are abundant in the post-Cold War international political environment, and a growing number of states have demonstrated a willingness to interfere in the sovereign affairs of other states in situations of humanitarian crisis. In September 1999, Indonesian military and militia punished the population of East Timor for voting to become independent from Indonesia. Southeast Asia’s regional security organization, the Association of Southeast Asian Nations (ASEAN), failed to react effectively to the crisis. ASEAN operates under a set of norms that strictly prohibits members from interfering in each other’s affairs, and this hinders regional security cooperation. As a result, outside powers stepped in to protect the East Timorese. This violated another of ASEAN’s norms, namely that of finding regional solutions to regional problems. ASEAN’s non-interference principles leave the members vulnerable to extra-regional interference.

A constructivist theoretical perspective on international relations is used in this paper to examine a challenge to ASEAN non-interference norms that has developed since 1997. The 1997 Asian economic crisis exposed the weakness of a regional organization that does not communicate transparently. Also that year, ASEAN expanded to include highly authoritarian Myanmar. This widened the gap within the Association between democratizing states such as Thailand and the Philippines that are amenable to incremental changes to non-interference provisions, and states such as Myanmar, Laos, Vietnam and Cambodia that advocate strict observation of state sovereignty. The result is a normative stalemate.

The East Timor crisis strengthens the case of those who advocate a change within ASEAN toward a position of sovereignty-neutrality, under which member governments have the regular protections of sovereignty, but can no longer expect to act with impunity within their borders if human rights are at stake. Arguments for the reevaluation of non-interference are strengthened as ASEAN leaders become increasingly aware that problems developing in one country can affect others in the region. Many obstacles to change remain, though, and support for normative evolution has yet to penetrate deeply into ASEAN’s inner circles of power.
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CHAPTER I - INTRODUCTION

The ten members of the regional Association of Southeast Asian Nations (ASEAN) have begun to debate tentatively the appropriateness of the organization’s traditional perspective on state sovereignty. Although the forces for change have been outweighed by the status quo, the mere existence of this debate is noteworthy, because for the first three decades of its existence ASEAN members demonstrated a remarkable level of consensus on the topic. Since the birth of the organization in 1967, ASEAN member states have followed a strict set of non-interference norms that prohibit their unsolicited involvement in each other’s sovereign affairs. ASEAN is a sovereignty-enhancing institution. Its rules have stretched beyond the prohibition against interstate interference common to all groups of states, also working to enhance the ability of each ASEAN member government to protect state sovereignty and regime stability. Acceptance of these norms has been a fundamental condition of ASEAN membership. Why, then, is there a debate now?

Since 1997, ASEAN has changed in ways that render it difficult to maintain the same level of agreement. First, the Association completed an ambitious enlargement project, encompassing all ten Southeast Asian nations as members. ASEAN was founded in 1967 by Indonesia, Malaysia, the Philippines, Singapore and Thailand. In 1984, Brunei entered the group, followed by Vietnam in 1995 and Laos and Myanmar in 1997. Cambodia was the last to join, in 1999. The rapid expansion of membership in the late 1990s was undertaken to secure for ASEAN members the diplomatic benefits of speaking with a collective voice. It did not, however, come without costs. The inclusion of highly authoritarian members with checkered human rights records has caused friction with extra-regional states that condemn the domestic behavior of the new members. More importantly, expansion also diluted the ability to attain consensus during ASEAN deliberations by broadening the range of views within the institution. The four latter members are new to the process of collective growth and socialization that the founding nations have shared over the previous three decades, and that Brunei shared since 1984.

Second, the diversity of views within an expanded ASEAN is amplified further by the continuing democratization of Thailand and the Philippines. These regimes place a greater emphasis on human rights and their more liberal nature gives a louder voice to the citizenry. There has been increasing domestic pressure in these countries to protect the human rights of other people in the region. This is challenging for leaders who wish to acknowledge the desires of voters, but face institutionalized hurdles to attempts at influencing the behavior of other states.

Third, ASEAN has faced a series of profound challenges since 1997. ASEAN’s troubles began in earnest with the Asian economic crisis of 1997, which debilitated the economies of many Southeast Asian nations and destabilized several governments in the region, most notably that of ASEAN’s de facto leader, Indonesia. Other problems, such as critical levels of regional air pollution caused by logging and agricultural practices in Indonesia, elevated regional tension. Such issues highlight the fact that problems originating in one country often have negative effects in others. They expose ASEAN’s limited ability to cooperate on transnational issues, a problem exacerbated by growing levels of regional interdependence. This has placed the relevance and effectiveness of the organization in dispute.

These changes have occurred contemporaneously with the intensified global contemplation of one of the most pressing questions in international relations today, namely

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1 The terms “interference” and “intervention” are used synonymously here.
whether states should be able to interfere in the sovereign affairs of other states if they judge there to be compelling humanitarian reasons for doing so. As all states are drawn together by the forces of globalization, the interdependence of political systems and peoples is illuminated. There is a growing awareness of the negative externalities of domestic problems, and the traditional distinction between domestic and international politics is blurred as statespeople and citizens call for transnational solutions to the discontents of globalization. International responses to patterns of conflict in which civilians become the victims or targets of aggression are a closely related phenomenon stimulated by the incipient globalization of ideas concerning the relation of state and citizen.

The post-Cold War international political climate exerts pressures on ASEAN members to reconsider their strict interpretation of state sovereignty. The United Nations has adopted the stance that human rights ought to take precedence over state sovereignty in cases of humanitarian crisis. Perhaps more importantly, a selection of relatively powerful, mostly Western states support this stance and have in recent years interfered militarily without explicit UN approval in the internal affairs of states whose actions or inabilities seriously threaten human rights. This has generated heated controversy internationally, because many other states fear that such interference will undermine global order by eroding the international prohibition on the use of force, thereby reducing the constraints on powerful states acting aggressively to promote their own interests. As a regional organization, ASEAN is struggling to reconcile the sovereignty-enhancing argument made by most of its member states and the competing perspective arising internationally that sovereignty is not inviolate in situations characterized by high levels of human insecurity.

The following chapters examine how these competing pressures manifest themselves within the Association of Southeast Asian Nations. This path of inquiry is valuable, because regional organizations are assuming increasingly the responsibility for international security, and as one of the developing world’s most successful regional organization, ASEAN’s responses to challenges can help comprehend the stresses on other regional groupings.

Embedded regional patterns of interaction may shield evolution within ASEAN in the near future, but significant trends will produce eventual change. There are compelling reasons for the group to rethink its sovereignty-enhancing tradition, and it has begun to take concrete, yet small and ambiguous, steps toward change. This is prompted by the fact that a selection of influential Southeast Asians are taking a stand against a status quo they consider suboptimal given evolving

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3 The clearest example is the 1999 North Atlantic Treaty Organization (NATO) intervention in the Federal Republic of Yugoslavia province of Kosovo to protect Albanian Kosovars from ethnic cleansing coordinated by the regime in Belgrade, which sought to rid Kosovo of its majority Albanian Kosovo population.

4 Throughout this paper, the term “normative” is used to mean “pertaining to norms and/or the study of norms.” Unless made explicit, the term should not be understood in the common sense of “pertaining to moral and ethical questions.” As far as standards of international behavior (norms) are based on moral evaluations of good and bad actions, the two senses of the word are inextricable, but this topic will not be examined here.
global realities. Revisionist pressures in Southeast Asia will eventually begin to overcome their
status quo competitors.

This will not result directly from international pressure on individual Southeast Asian
states, but rather will be mediated regionally by indigenous norms. International interventionist
forces threaten ASEAN non-interference policies, but they also threaten another fundamental
ASEAN notion, namely that of the value of regional autonomy. ASEAN states are coming to
understand that if they refuse to strengthen intramural cooperation, and are ineffective in the face
of humanitarian crisis, then other powers may intervene in the region. This entails a conflict
between the ASEAN principles of non-intervention and regional autonomy. ASEAN regional
autonomy norms may be compromised if adherence to non-interference principles leads to
regional inaction during crises, prompting external powers to engage in regional affairs. The
current tension between the two sets of norms leaves ASEAN vulnerable to outside intervention,
and members will examine this vulnerability and its implications for regional autonomy. They may
consider potential international interference more threatening than carefully controlled regional
change, but before any change is made, ASEAN members must break the normative stalemate
within the organization that prevents them from cooperating effectively. This is their main
challenge.

Strong support for the status quo within ASEAN will ensure changes are gradual and
incremental. Nevertheless, ASEAN will assume a less sovereignty-enhancing stance. This does
not mean that ASEAN will become interventionist. Instead, it will become sovereignty-neutral,
preserving the essence of its non-intervention viewpoint, but no longer providing member states
with unconditional protection from interference.

Mainstream theories of international relations do not capture fully the regional situation in
Southeast Asia. Materialist theories such as neorealism and neoliberalism, based primarily on
rationalist self-interest and power-balancing considerations, can explain much of the regional
interaction, but there are elements present that require other methods of analysis. A combination
of material and ideational scrutiny is necessary to grasp the nuances of the intervention debate.
ASEAN integration has progressed to a point at which the group’s activities cannot be reduced to
terms of self-interest and balance-of-power. Therefore, the problems ASEAN faces are not
amenable to analysis based on notions of states acting individually in strict accordance with
narrowly defined national interests. Constructivist international relations theory is helpful in
illuminating critical ideational processes at work within ASEAN, and their impact upon state
identities and the acceptable patterns of interstate behavior linked with those identities.

This paper employs a Southeast Asian case study to examine details of the contentious
political environment shared by ASEAN members. On 30 August 1999, the United Nations
sponsored a vote in Indonesian-controlled East Timor, in which the East Timorese were asked to
choose between autonomy within Indonesia or independence. The UN announced on 4 September
that the overwhelming majority favored independence. Before, during and after the vote, the East
Timorese were intimidated, dislocated and killed. The atrocities were conducted by armed militias
variously ignored and supported by the Indonesian army. ASEAN was paralyzed and took no
collective action. On 20 September, an Australian-led multinational force approved by the United
Nations landed in East Timor.

Events in East Timor provide valuable case material for research on ASEAN, because they
closely address issues surrounding security cooperation and intervention in Southeast Asia. The
response from various ASEAN members showcased simultaneously the ideational struggle within
the organization, the hindrance this struggle places on conflict resolution and the divergence
between international and Southeast Asian regional perspectives regarding intervention. It provides a clear example of the way international pressures can shape responses to crisis situations, in some cases more influentially than the parties most closely involved. Careful analysis of the East Timor situation enables speculation as to what path ASEAN will follow in the attempt to avoid or resolve similar situations in the future.

The time line for this paper was selected to encompass a number of fundamental events that will be critical to the future of the ASEAN intervention debate. It begins 15 July 1997, when then Malaysian Deputy Prime Minister Anwar Ibrahim created controversy by suggesting a new approach for ASEAN that would allow members greater leeway in interaction. The critical events in East Timor happened just over two years later. The time line ends 17 February 2001, when Thai Foreign Minister Surin Pitsuwan, one of Southeast Asia's greatest supporters of ASEAN evolution, is replaced. A variety of sources are utilized in the pages to follow, most drawn from this time period. Primary documents from ASEAN and international organizations are one main source, valuable as an accurate record of ASEAN proceedings. These include meeting statements from officials, as well as speeches and press releases. Dependable regional media sources and political magazines and journals are also used.

The most widely used source is information from the track two, or non-governmental, Asian security community. This group contains important academic, official and business players who have the potential to influence ASEAN decision makers. Track two organizations frequently examine policy-relevant issues and provide information and recommendations to governments and multilateral fora. Track two activities are not hindered by the same constraints as the track one, or official, community, and are consequently important sources of fresh ideas on security. This is especially true in the Southeast Asian context, in which intergovernmental deliberations are hindered by highly divergent security perspectives. Track two events are populated by non-governmental actors, or governmental actors acting in a less restrictive capacity; during second track proceedings, government officials participate in their private capacities. Although some argue that an official can, or will, never set aside officialdom, Evans explains that "the fiction of private capacity is essential," because "[i]t has permitted mid and senior officials plus political leaders including foreign ministers to pursue some ideas with a little more flexibility and creativity." Second track fora allow for deliberation on topics that may be too sensitive or divisive inter-governmentally, and are consequently often at the centre of debate over regional norms in the Asia Pacific. Norm advocacy thrives in the second track, because its activities are dominated by the ideas of individuals, rather than of nations. Evans has described track two activities as the "backbone of multilateralism in the region."

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5 Surin Pitsuwan's Democratic Party lost the 6 January 2001 election, and he was replaced by the more conservative Surakiart Sathirathai of the newly ruling Thai Rak Thai party.


7 Evans, "Possibilities for Security Cooperation ..." 2.

8 Evans, "Possibilities for Security Cooperation ..." 2.
Three main chapters develop the argument in this paper. Chapter One supplies the theoretical underpinnings necessary to evaluate the research question. It explores theories of constructivism, regionalism and humanitarian intervention in international politics. Chapter Two explains in detail the non-intervention debate within ASEAN and the competing perspectives that influence its evolution. Chapter Three discusses the crisis in East Timor, illuminating problems ASEAN faces as a regional organization with no clear mandate in a crisis situation. It also contains an analysis of the ongoing evolution of ideas within ASEAN, and makes predictions with respect to the future of the organization.

The situation in Southeast Asia has only begun to evolve, and the paper concludes with predictions concerning the path of ASEAN’s development in the near future. It highlights elements that must receive attention as the study of the role of ideas within ASEAN continues.
CHAPTER II - CONSTRUCTIVISM AND EVOLVING INTERNATIONAL NORMS

"... while Westphalian norms of sovereignty, territoriality and non-intervention have remained in principle the cornerstones of the international order, in practice they have been and will continue to be eroded."

Brian Job

2.1 Chapter Overview

Chapter One contains theoretical and empirical information necessary to contextualize the research question. The chapter begins with an explanation of the constructivist approach to the study of international relations, examining how it is applied at the regional level of political interaction.

Next, the chapter outlines empirical and ideational trends in international relations after the Cold War, focusing on patterns in the way governments, international organizations and civil society groups across the globe view state sovereignty and interstate intervention. Globalization has prompted intense international debate concerning the relationship of the individual to the state and the state to regional and global orders. Notions of strict adherence to state sovereignty have been contested increasingly in a post-Cold War political environment replete with intrastate conflict and humanitarian crisis.

In this context, new ideas related to international security have proliferated, and a review of two of the most controversial and potentially transformative - human security and humanitarian intervention - help understand the sources of ideational pressure on ASEAN.

2.2 Constructivism in International Relations

Constructivism is the theoretical perspective on international relations used in this paper, chosen because it addresses important weaknesses of other perspectives. Neorealism is a widely studied framework of international politics, and it is useful to begin a description of constructivism via a comparison with the neorealist perspective. In fact, many constructivists share a number of assumptions with neorealists. Each believe that the realm of international politics is anarchical, comprised of rational states with offensive capabilities and uncertainties regarding the intentions of other states. Like neorealists, many constructivists engage in theorizing at the systemic level, and are structuralists. Constructivists, however, criticize the microeconomic assumptions of neorealism, because the latter limits structural effects to state behaviors, missing the manner in which state identities and interests are also structurally constituted. As Wendt explains, "Constructivists think that state interests are in important part constructed by systemic structures, not exogenous to them; this leads to a sociological rather than micro-economic

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structuralism."\(^3\)

A crucial difference between neorealists and constructivists, then, is ontological; they differ in their conceptions concerning the composition of the structure of international relations. "Neorealists think it is made only of a distribution of material capabilities, whereas constructivists think it is also made of social relationships."\(^4\) Material factors, rather than being the ultimate foundation of the international structure as neorealists postulate, instead contribute to the development of social relationships. Constructivists operate within an ideational, not materialist, ontology.

Integral components of any social structure, including that of the international system, are shared knowledge, understandings and expectations. These factors determine who the actors in a given situation are, how they relate to each other and whether their relationship is prone to conflict or cooperation. Ideas that make up the international structure are social due to their shared nature, or intersubjectivity.\(^5\) Constructivists define the international security dilemma, therefore, as "a social structure composed of intersubjective understandings in which states are so distrustful that they make worst case assumptions about each others' intentions, and as a result define their interests in self-help terms."\(^6\) States need not necessarily be entangled in this dilemma, and can potentially initiate other types of relations through their interaction, such as that of a "security community" in which states do not anticipate the resolution of disputes by force.

Social structures also include material resources, but constructivists look beyond basic material qualities and capabilities, arguing that "material resources only acquire meaning for human action through the structure of shared knowledge in which they are embedded."\(^7\) A state, for example, views the same weapons quite differently depending on whether they are possessed by an ally or an enemy. This is a significant problem for neorealists, because their materialist ontology leads them to consider the effects of weapons possession as reducible to the capabilities of those weapons, and not shared understandings concerning the weapons.

A further aspect of social structures as seen by constructivists is that they come into existence not in individual actors' minds or in material capabilities, but only as a result of process. Social structures have an objective existence that results from practice, Wendt explains. "They are collective phenomena that confront individuals as externally existing social facts."\(^8\)

Wendt summarizes his ideational ontology of international relations as follows: "Ideas always matter, since power and interest do not have effects apart from the shared knowledge that constitutes them as such."\(^9\) Understanding the constructivist ontology is a necessary but not a sufficient step toward comprehension of the constructivist perspective on international relations. How do constructivists explain the effects of an ideational ontology in practice?

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3 Wendt, “Constructing International Politics” 73.
4 Wendt, “Constructing International Politics” 73.
5 Wendt, “Constructing International Politics” 73.
6 Wendt, “Constructing International Politics” 73.
7 Wendt, “Constructing International Politics” 73.
8 Wendt, “Constructing International Politics” 75.
9 Wendt, “Constructing International Politics” 74.
An understanding of the term “norm” is the point of departure for much of constructivist analysis. Finnemore and Sikkink explain that there is a general consensus on the definition of “norm” as “a standard of appropriate behavior for actors with a given identity.” Job contributes to the definition, writing that norms “reflect the shared understandings among members of a given collective that establish the ideational framework and purposes of their interaction.” It is important to note that there are meaningful differences with the related term “institution,” which is the aggregate term for a collection of norms. In other words, “the norm definition isolates single standards of behavior, whereas institutions emphasize the way in which behavioral rules [norms] are structured together and interrelate ....” Put simply, an institution is a collection of norms. One must be careful to distinguish between norms and institutions in order to preserve a clear perspective on the political realm. Finnemore and Sikkink explain that “political scientists tend to slip into discussions of ‘sovereignty’ or ‘slavery’ as if they were norms, when in fact they are (or were) collections of norms and the mix of rules and practices that structure these institutions has varied significantly over time.” A valuable insight here is that individual component norms of an institution (for example, non-intervention) can evolve over time while the overarching institution remains intact (for example, sovereignty).

Finnemore and Sikkink distinguish two normative categories that will be particularly useful here. Regulative norms “order and constrain behavior,” while constitutive norms “create new actors, interests, or categories of action.” Job utilizes Finnemore and Sikkink’s framework, but reworks their definitions into a clearer phraseology. Constitutive norms “define actor identities,” and regulative norms “define standards of behavior,” he writes.

Norms have a three-stage life cycle, according to Finnemore and Sikkink: “norm emergence,” “norm cascade,” and “internalization.” The norm emergence stage is characterized by the attempts of “norm entrepreneurs” to promote new norms. If the norm influence begun in the emergence stage passes a “tipping point” marked by the adoption of a norm by a “critical mass” of actors, the process proceeds to the next stage. Norm cascading is “characterized ... by a dynamic of imitation as the norm leaders attempt to socialize other states to become norm followers.” Toward the end of a norm cascade lies internalization, the point at which a norm is commonly accepted and hence ceases to be the focus of widespread debate. The life cycle may be

12 Finnemore and Sikkink 891.
13 Finnemore and Sikkink 891.
14 A third norm category, “evaluative” or “prescriptive” norms, signify the quality of “oughtness” in behavior, but these have received limited attention in international relations and fall outside the parameters of this paper. For a discussion, see Martha Finnemore and Kathryn Sikkink, “International Norm Dynamics and Political Change,” International Organization 52.4 (Autumn 1998): 891-892.
15 Finnemore and Sikkink 891.
17 Finnemore and Sikkink 895.
interrupted at any point, particularly the first stage or the initial stages of cascading, meaning that attempts at norm change fail frequently. If the life cycle completes, the new norms become the accepted standard.

“Norm entrepreneurs” are individuals or groups with ideational commitments who actively advocate normative change. They contest the appropriateness of embedded norms. Finnemore and Sikkink explain that “[t]hey must take what is seen as natural or appropriate and convert it into something perceived as wrong or inappropriate.” This can be accomplished through reason, or emotion, or both. The goal of the norm entrepreneur is to persuade enough relevant actors to adopt the challenging norm for it to reach the threshold, or tipping, point. It is difficult to quantify a tipping point, but Finnemore and Sikkink suggest that reaching it is a result not just of the number of actors or states convinced, but also of what particular actors adopt the norm. “What constitutes a ‘critical state’ will vary from issue to issue, but one criterion is that critical states are those without which the achievement of the substantive norm goal is compromised.” Not all critical states or actors must adopt the new norm for it to continue in its life cycle, but some must.

Finnemore’s conception of the relationship between norms, interests and actions helps to understand the relationship between material and ideational forces in international affairs. In general, norms shape interests, and interests shape action, but this conceptualization is oversimplified and non-determinative. Interests may be shaped by elements other than norms, and different sets of norms often compete in forming state interests in a particular issue area. Furthermore, it is not only patterns of state interest that inform state actions, the most obvious exception being material, or power, factors. Consequently, “the connection assumed ... between norms and action is one in which norms create permissive conditions for action but do not determine action.” It cannot be assumed that state interest in an outcome will lead necessarily to the pursuit of that outcome in all cases. Again in Finnemore’s words, “New or changed norms enable new or different behaviors; they do not ensure such behaviors.” This would be consistent with a situation in which norms are changing although behavior among certain parties lags behind. These ideas are important during the investigation of the incremental steps toward ASEAN’s normative evolution in subsequent chapters.

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18 Finnemore and Sikkink 895.
19 Finnemore and Sikkink 900.
20 Finnemore and Sikkink 901.
21 Finnemore and Sikkink 900-901.
23 Finnemore 158.
24 Finnemore 158.
25 The constructivist approach to the exploration of international relations avoids the omissions of rationalist, materialist analysis. Executed carefully, it can be a powerful descriptive tool, and it is valuable to consider ways in which to maximize the utility of the strategy while simultaneously defending it from common critiques. In a series of personal conversations, Paul Evans explained that due to constructivism’s foundation in
As Finnemore and Sikkink make clear, normative evolution entails the contestation of ideas, and in any ideational contestation, there are methods with which the ideational entrepreneurs involved can maximize their likelihood of success. A fundamental method of predicting the degree to which interventionist influences in the Southeast Asian region may eventually prove effective is to evaluate how skilled the entrepreneurs are not only at promoting their viewpoints, but also the degree to which they exploit situations that may serve to weaken the status quo normative consensus. In this vein, subsequent sections describe the criticisms leveled against current ASEAN norms, as well as examples of their breach that could foretell change. The forces for change to norms already operative may be referred to as catalysts of norm “erosion.”

2.3 Measuring Norms

Finnemore explains the manner in which the existence of, and change to, norms can be detected. She utilizes the justifications given by statespeople for their actions as a primary indicator of the norms operative in their decision making processes, but avoids the naive perspective that equates motivation and justification. Finnemore is aware that states will continue to use justifications of a humanitarian or otherwise seemingly meritorious nature to mask self-interested motivations. Additionally, international relations are rarely so simple that humanitarian motivations could stand alone without coexisting factors affecting the calculus that influences action. Justifications are, nevertheless, illustrative of normative context:

social interaction, special requirements face those who examine international relations topics through a constructivist lens. Such analysts have two main goals. First, they seek to discover from an “outsider” perspective what those of another culture or institution are thinking and why. Second, they attempt to avoid the imposition of bias by an “outside” analyst, especially one from another culture.

Evans says that scholars who study Southeast Asian security, but who are not part of the actual Southeast Asian decision making process - particularly if they also do not reside in the region - face a special challenge in comprehending accurately the indigenous processes of social learning and interaction. However, distance from a situation encourages a balanced perspective, and careful research based upon indigenous sources can overcome the hurdle of externality.

The following rule, then, serves as a necessary foundation for the properly executed constructivist analysis of international affairs: political institutions must be judged by the criteria set for them by those who participate in their construction and operation, and the degree to which these criteria are effective in promoting the goals of the organization. The optimal method of critically analyzing the operation of the ASEAN grouping, therefore, is to highlight any inconsistencies in its own norms or between its norms, interests and activities. In other words, analysts ask whether the norms of behavior conflict with each other and whether they do, indeed, achieve the goals for which they were intended. This method of critique reduces vulnerability to accusations of ideational imperialism, which is the notion that criticism from outside an organization may be an attempt to impose external ideas on states whose domestic and regional context may not be conducive to the changes, and would benefit more from ideas that arise indigenously.

In the context of prioritizing indigenous viewpoints, it is also crucial to remember what ASEAN “is not.” Generally, ASEAN leaders profess that the organization is not currently, nor is it likely to become in the near future, a supranational institution such as the European Union (EU). This means that comparisons between ASEAN and the EU, for example, are valuable for strictly comparative purposes, but should not be extended to an argument in favor of the normative convergence of the two organizations, unless accompanied by the caveat that ASEAN founders and current members do not aspire to such convergence. More on this will follow in Chapter Two.

26 Finnemore 158-159.
When states justify their interventions, they are drawing on and articulating shared values and expectations held by other decision makers and other publics in other states. It is literally an attempt to connect one's actions to standards of justice or, perhaps more generically, to standards of appropriate and acceptable behavior. Thus through an examination of justifications we can begin to piece together what those internationally held standards are and how they may change over time.27

It must be noted that norms discourse can be evoked to provide justification between different levels of political behavior. For example, international human rights norms can be used by domestic players to influence national governments.

With Sikkink, Finnemore explains that norm analysis involves intersubjective and evaluative elements, because norms by definition delineate what is considered to be appropriate and proper. Norms arise as the result of a “shared moral assessment,” though, and as such must not be attributed qualities such as “good” or “bad,” except as viewed by the group to which the norms are relevant. The sole manner of judging appropriateness is to inspect the viewpoints of a group of people within a specific normative arena such as a particular society or region (or internationally).28 “We recognize norm-breaking behavior because it generates disapproval or stigma and norm-conforming behavior either because it produces praise, or, in the case of a highly internalized norm, because it is so taken for granted that it provokes no reaction whatsoever.”29

The presence of a norm, Finnemore and Sikkink note, must be detected indirectly, as must the presence of other political motivations like interests and threats. They point to the most effective manner of gathering evidence of the presence of norms: “because norms by definition embody a quality of ‘oughtness’ and shared moral assessment, norms prompt justifications for action and leave an extensive trail of communication among actors that we can study.”30 This method can be used to detect both established norms and norms that are in the process of evolution. An established norm is detectable largely due to the lack of justification and communication that it creates. A state would be unlikely, for example, to prepare a justification meant to convince others that it acted appropriately by taking action to protect its borders in the interest of ensuring that no unwarranted entries of people or materials such as weaponry or illegal trade items took place. Such activities require little or no justification, because the norm associated with a state possessing control over its territory is largely unquestioned. On the other hand, if the same state were to employ landmines in border protection, it would in all likelihood be prepared to defend this decision, because there is a growing norm against the use of landmines.31

Potential new norms (ideas that challenge embedded norms), generate the greatest degree of communication and contention according to this model, because they threaten the status quo and elicit debate from a broad spectrum of actors. They jeopardize the vested interests of certain

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27 Finnemore 159. Using justifications to examine the role of norms within the constructivist framework has the additional benefit of being an approach that prioritizes indigenous discourses, as opposed to external conceptions of interest formation.

28 Finnemore and Sikkink 891-892.

29 Finnemore and Sikkink 892.

30 Finnemore and Sikkink 892.

31 Finnemore and Sikkink 892.
actors and offer hope to others. The stronger the challenge, the greater will be the defense, and the easier norm evolution is to detect through justifications.

Goertz and Diehl highlight another important aspect of norm measurement, explaining that norm-based behavior can be detected through actions that do not appear to correspond to narrow definitions of national interest. In their first methodological principle for studying norms, they state that “comparing only behavior to norms works only to show the irrelevance of norms, but cannot unambiguously demonstrate their positive impact.” This is because “positive evidence is always subject to the counterargument that self-interested behavior corresponded to the norm.” National or regime interest must be controlled for to demonstrate the positive impact of a norm. Goertz and Diehl’s principle raises the possibility that factors such as value placed upon membership in a regional organization can lead to norm-based behavior that does not appear to conform to national interest.

As it is a regional organization upon which this examination is focused, it is imperative to consider distinctive aspects of sovereignty norms at this level of interaction. The following section attempts this in abstract terms, while Chapter Two addresses ASEAN specifically.

2.4 A Constructivist Approach to Norms At The Regional Level

The course of regional development has altered dramatically over the last decade as a result of the dissolution of the bipolar international system and the rapid escalation of globalization. Both economic and political regionalism have undergone a noteworthy series of adaptations now that regional-level leadership is no longer “overwhelmed by the geopolitics of the Cold War,” and efforts toward regional integration in all parts of the globe have been undertaken as an increasingly salient element of the pursuit of peaceful relations.

Studies of norms in international relations have to this point conformed predominantly to a bifurcation between the national and international levels of interaction typical of most literature in the field. Analysts have prioritized the scrutiny of how normative contingencies at the systemic and unit levels affect each other, but this approach disregards the importance of the intermediary, regional level. The middle level of the “tri-level” (national, regional, international) system remains undertheorized.

Interaction within specific regions stimulates the sociopolitical evolution of specific

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34 Throughout this paper, the term “international” is used synonymously with the term “global.” In general, however, “international” relations, as with “transnational” relations, can be bilateral and the terms do not necessarily imply that all states are involved. “Global” relations, on the other hand, implies the broadest political relationship. All interstate relations are international, but not all international relations are global. The context of the passages should make clear the cases in which “international” is being used merely with its “interstate” connotation.

regional identities and interests. The fact that ASEAN is not adopting the same norms as other regional organizations such as the European Union does not justify the claim that ASEAN members are acting inappropriately. Following Wendt, Job explains that "regional orders are what states make of them." He reminds us that "[t]hey reflect the limits and possibilities of what can be socially constructed by regional actors at any given time, functioning on the basis of their accepted norms of identity ... and preferred norms of interstate interaction."

Katzenstein sees benefits in conceiving of regions as social constructs, whether they have emerged spontaneously or as the result of deliberate political machination. Although it may be prima facie counterintuitive in an era characterized by globalization, global regions will continue to exhibit a significant diversity of interstate norms, in his opinion. The argument extends to a point at which he suggests that different regions will demonstrate variation in norms related to sovereignty. He argues that "[d]ifferent world regions ... embody different substantive domestic purposes that shape state sovereignty," and that "regions are part of a global system that, in turn, is affecting them differently."

The salience of the fact that global regions are anticipated to continue to differ normatively is enhanced by the fact that the regional level of interaction has become more influential in global affairs since the end of the Cold War. Although the global and national levels of interaction will retain much of their centrality, Katzenstein predicts that contingencies at the regional level will frequently supercede those of the other levels in the years to come.

This paper is, in part, an evaluation of Katzenstein's claim that "regional diversity not global homogeneity will define world politics" in the upcoming decades. To what extent will the Southeast Asian region be able to (and wish to) insulate itself from international homogenizing

36 Studying a regional organization such as ASEAN from a constructivist viewpoint is a departure from the body of political science literature currently available. Although there has been a considerable amount written on ideational interaction between the state and international levels, few have contemplated the role of the regional level of interaction in the Southeast Asian security problématique. This may be due to a tacit assumption that regional organizations are merely the "sum of their parts," or that regional organizations represent the minimal level of cooperation that is possible when a number of states, all with different goals, attempt to cooperate, each in accordance with self-interest.

This perspective does not, however, account for the possibility that a regional organization can achieve, by design or by chance, a shared identity that transcends (or perhaps operates alongside) the individualistic interests of its component states. Constructivists believe it is possible that interaction among member states will lead to a situation in which members identify with the collective in a manner that varies from what might be expected if the states were each acting only in accordance with narrowly conceived, economistically-derived interests. The identities of ASEAN states - some more than others - cannot be separated completely from their membership within the collective, and their behaviors will reflect this.


40 Katzenstein 2.

41 Katzenstein 4.

42 Katzenstein 1.
pressures that may reconstruct notions of sovereignty, the most fundamental and closely guarded norm of international society?

2.5 Contesting Sovereignty in the Post-Cold War Era

The early post-Cold War period abounded with speculation that the end of bipolar confrontation would initiate a new, relatively stable and peaceful era in which international attention could turn to issues of underdevelopment, poverty and environmental degradation. This would soon change, however, with the realization that new security problems had risen to prominence. Incidences of armed interstate conflict have decreased in the last quarter of a century, but intrastate conflict remains unabated. Canada’s Department of Foreign Affairs and International Trade (DFAIT) indicates that as of the year 2000, 101 of 108 armed conflicts occurring since the end of the Cold War have been internal, rather than international. DFAIT argues of the post-Cold War era that, “If the security of the world’s states has improved, the security of its peoples has declined.” The victims, and often the targets, of conflicts have become primarily civilian.

The problem arises in large part from the fact that contemporary states frequently enjoy international rights of sovereignty while failing to fulfill domestic responsibilities. Numerous formerly colonized states, for example, have lost the ability or the will to protect their citizens or particular groups of citizens. It has frequently been only the regime in power and its associates that have been protected by the state apparatus. Where state control has dwindled past the point where even this is possible, the domestic situation has commonly descended into an Hobbesian chaos.

Domestic crises highlight the notion that the national level of interaction may not be the

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44 Department of Foreign Affairs and International Trade 3.

45 For a detailed discussion on this topic, see Robert H. Jackson, Quasi-States: Sovereignty, International Relations, and the Third World (Cambridge: Cambridge University Press, 1990) 26-31. Jackson employs conceptions of “positive and negative sovereignty” to discuss the rights and responsibilities of states. Negative sovereignty is a “formal-legal,” or juridical, entitlement conferred by international society. It can be defined as “freedom from outside interference,” meaning it is inextricably linked with non-intervention. Problems arise, however, when this concept stands alone, because the population or specific populations within a state may not benefit from state autonomy, depending on how the government is willing, or able, to treat them. As Jackson notes, states are “Janus-faced;” they have both internal and international responsibilities. Consequently, “an independent government who is responsible to other sovereigns can still harm his subjects either deliberately or through negligence or incompetence.” (Page 28) Positive sovereignty, or “empirical statehood,” is a substantive, rather than a juridical concept. As defined by Jackson, “[a] positively sovereign government is one which not only enjoys rights of non-intervention and other international immunities but also possesses the wherewithal to provide political goods for its citizens.” (Page 29) Positive sovereignty, based on the amorphous abilities and desires of rulers, changes with time, and there are wide variations within and between states in levels of positive sovereignty. Negative sovereignty, in contrast, is a relatively static concept that applies similarly to all states. All states possess negative sovereignty under international law, but not all leaders of those states utilize this to provide benefits to citizens in a just and egalitarian manner. Levels of the protection of citizens’ human rights and provision of socioeconomic welfare varies dramatically. (Page 29)
appropriate level at which to seek security solutions. Although this does not threaten the continuation of the institution of state sovereignty, it has catalysed a rethinking of the norms associated with sovereignty, particularly the norm of non-interference. Intrastate conflicts are difficult to address effectively from within the strict framework of international sovereignty. Consequently, international human rights law seeks to supercede sovereignty in particular instances. There has been a broadening of the ambit of international security considerations beyond the defense of state sovereignty and states’ rights under international law.

Critics, for example, assert that the UN Charter cannot be understood unquestioningly in the spirit in which it was created, as a document that protects states from international intervention, thereby allowing them to express the collective desires of their citizenship in a pluralistic international realm. Rather, it appears to some as a “tyrant’s Charter,” protecting brutal regimes from interference even as they oppress or murder the people they were intended to protect. These new realities reveal an important tension between human rights and sovereignty clauses in the UN Charter. In certain situations, the two cannot be reconciled.

Norm entrepreneurs have begun to advocate approaches at the international level based on the protection of individuals. It is not a novel idea, building on a tradition of thought encapsulated in human rights documents such as the UN Charter, the Universal Declaration of Human Rights and the 1949 Geneva Conventions (and Additional Protocols). Each of these were adopted at the end of the Second World War, and are premised on “the idea that the protection of people is at least as important as the protection of states ....” The ideas embedded within these documents were, however, forced into dormancy by bipolar competition during the Cold War, which overshadowed their importance as the superpowers took the measures they viewed necessary to perpetuate their ideologies, often regardless of the human cost.

Katzenstein captures the current amorphous nature of international relations and sovereignty and the shift away from a monolithic perspective on state sovereignty to a broader, more multi-faceted perspective:

Today there exists no general threat to the state system as the basic organizing principle of international politics. Everywhere states retain minimal sovereignty. But an increasing number of agenda-setting and legitimacy-creating polities are organized on a global scale. This is one step in the direction that Hedley Bull has called the “neo-Medievalism of contemporary world politics: a move, more or less halting in different regional settings, toward multiple, nested centers of collective authority and identity.”

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46 Jackson 28.

47 For a discussion of the fact that a sovereignty-based state system is not an immutable component of international affairs, see Peter J. Katzenstein, “Norms of International Relations in a World of Regions: Asia and Europe.” Paper presented at the 14th Asia Pacific Roundtable, Kuala Lumpur, 3-7 June 2000: 3.


49 Department of Foreign Affairs and International Trade 2.

50 Katzenstein 2-3.
There are few who predict that the trends noted in this section will cease in the foreseeable future, and the norms of international relations are evolving accordingly.

2.6 Humanitarian Intervention and Human Security

Responses to the evolving global state of affairs have generally been the most vociferous in developed, Western states and within international organizations. Arguably, the most innovative and potentially transformative sets of ideas to have arisen in the post-Cold War ideational milieu are those of "human security" and "humanitarian intervention." These conceptions and related standards of interstate behavior are the foundation of the increasingly interventionist, or counter-restrictionist, approach to international affairs as demonstrated by a growing number of nations.\(^{51}\)

The term "human security" was popularized by the United Nations Development Programme's 1994 *Human Development Report* as "freedom from fear" and "freedom from want."\(^{52}\) Canada's Department of Foreign Affairs and International Trade (DFAIT), under Foreign Minister Lloyd Axworthy from 1996 to the end of 2000, was a global leader in the promotion of human security ideals. The Canadian stance came to focus on the "freedom from fear" component of the equation, developed as a response to the fact that states are often unable or unwilling to preserve the physical security of their own citizens. It alters the referent of security (what is meant to be secured) from the traditional state-centric view to one based on people. According to DFAIT, "Canada's contribution through its foreign policy has been to focus the concept of human security on protecting people from violence and to define an international agenda that follows from this objective."\(^{53}\) Axworthy stated:

Canada's human security agenda responds to new global realities. Its goal is to ensure that people can live in freedom from fear. This means building a world where universal humanitarian standards and the rule of law effectively protect all people, where those who violate these standards and laws are held accountable; and where our global, regional and bilateral institutions are equipped to defend and enforce these standards.\(^{54}\)

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\(^{51}\) It will be helpful to borrow a term from Wheeler and refer to those who argue against humanitarian intervention, and for our purposes intervention in general, as "restrictionists." "Counter-restrictionists," then, advocate, or at least support, intervention. Restrictionists may found their views in moral or instrumental premises that refer to the possible negative effects that an erosion of sovereignty could have on international order. They may also base their argument in international law, citing the prohibition on the use of force in international affairs as specified in Article 2(4) of the United Nations Charter to establish the illegality of forcible humanitarian intervention. Counter-restrictionists cite sections of the UN Charter that protect human rights. Restrictionism and counter-restrictionism are ends of a continuum. See Nicholas J. Wheeler, "Humanitarian Intervention and World Politics," *The Globalization of World Politics: An Introduction to International Relations*, eds. John Baylis and Steve Smith (New York: Oxford University Press, 1997) 391-407.


\(^{53}\) Department of Foreign Affairs and International Trade 1-2.

\(^{54}\) Department of Foreign Affairs and International Trade 3.
Because human security proponents advocate that sovereignty be bypassed in the interest of threatened individuals, the concept raises complex non-intervention issues.

DFAIT points out the relationship between the promotion of new norms and the human security agenda:

Fundamentally, addressing the challenge of human security requires building new international norms. By establishing the safety of people as an essential, integral element of global peace and security, human security is revolutionary in its implications. It reminds us that sovereignty as a concept has no defensible meaning unless it is grounded in the state’s responsibility and accountability to its people. To be sure, the development of new norms will in some cases be controversial; however, it will be essential if the international community is to confront new security realities and respond in an effective and principled way.  

There are countless steps that can be taken in the interest of human security, but at the margins, it is meaningless to discuss it in the absence of conflict resolution or peacemaking mechanisms. Preserving human security will, at times, require a resort to armed force. Military actions undertaken in the interest of human security are known broadly as “humanitarian intervention.” If human security ideals are the most innovative in the post-Cold War milieu, they are also among the most controversial due in large part to their relationship with the act of humanitarian intervention. Both have been sources of debate comparable to no others in the recent international ideational environment. 

Following the end of the Cold War, the pressures on states to intervene militarily in situations of humanitarian crisis have increased and have, indeed, led to intervention on behalf of citizens foreign to the intervening states. Interventions in Iraq, Somalia, Cambodia and Bosnia provide examples of military action with the primary goal of promoting humanitarian, rather than territorial or strategic, ends. Such interventions are difficult to explain from within neorealist or neoliberal frameworks, because “[t]he interests that these theories impute to states are geostrategic and/or economic, yet many or most of these interventions occur in states of negligible geostrategic or economic importance to the interveners.” Hence, the challenge is to discern what national interest or set of interests may be operative in the decision to intervene.

In the constructivist vein, Finnemore contends that acts of humanitarian intervention are inexplicable without reference to the evolving normative context in which they occur and the ability of that context to shape interests. She shows that “shifts in intervention behavior correspond with changes in normative standards articulated by states concerning appropriate ends and means of military intervention.” Rational choice perspectives and their exogenous treatment

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55 Department of Foreign Affairs and International Trade 18.

56 Finnemore 153.

57 Finnemore 153. Finnemore counters the possible argument from classical or Kantian liberals that intervening states have a stake in the promotion of democracy and liberal values in general. She illustrates the strict adherence to humanitarian, rather than democratizing, actions in many of the cases examined.

58 Finnemore 155.
of interests cannot explain humanitarian intervention nor changes in the latter over time. But, a “constructivist perspective that attends to the role of international norms can remedy this by allowing us to problematize interests and their change over time.”

The convictions of United Nations Secretary-General, Kofi Annan represent well the evolving counter-restrictionist perspective adopted by the United Nations and related bodies. For Annan, the 1994 Rwandan genocide clearly illustrated the horrific consequences of failing to act in situations of grave human insecurity, whereas the 1999 North Atlantic Treaty Organization (NATO) intervention in Kosovo highlighted the need to examine the ramifications of international intervention in the absence of the legal authority imbued by United Nations endorsement. Annan asserts:

Neither of these precedents is satisfactory as a model for the new millennium. Just as we have learnt that the world cannot stand aside when gross and systematic violations of human rights are taking place, we have also learnt that, if it is to enjoy the sustained support of the world’s peoples, intervention must be based on legitimate and universal principles. We need to adapt our international system better to a world with new actors, new responsibilities, and new possibilities for peace and progress.

Four aspects of humanitarian intervention require special attention from the international community, according to the Secretary-General. First, humanitarian intervention must be seen as applicable well before crisis is active or imminent; a commitment to addressing nascent conflict could save countless lives and vast sums of money. Second, humanitarian intervention is often thwarted not only by adherence to sovereignty norms, but also by a narrow definition of state interests that fails to recognize the profound challenges of global interdependence. The distinction between national and collective interest is becoming increasingly blurred. Third, the UN Security Council must find a way to avoid paralysis and division in crisis situations, thereby acting more effectively in the interest of common humanity and minimizing the tendency for ad hoc coalitions (“coalitions of the willing”) to take charge of the situation. Fourth, states must develop a consensus concerning the importance of post-crisis humanitarian action, because human insecurity often remains intense after the fighting has stopped.

Annan advocates action in the interest of a common humanity based on a universal set of principles yet to be agreed upon. As his views are espoused here, it appears that regardless of the urgency of a humanitarian crisis, intervention is advisable only under the auspices of the United Nations if both order and justice in the international sphere are to be maintained. This certainly does not eliminate a role for regional organizations, however. The idea of a partnership between the UN and regional organizations is gaining currency as UN resources are stretched and

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59 Finnemore 154-155.

60 Finnemore 155.


62 Annan I.
perceptions that the United States will not serve as a global policeman.63 These ideas are not new; Chapter Eight of the 1945 United Nations Charter encourages regional organizations to address security issues.64

The most interventionist perspective that has gained popularity in the post-Cold War era may be referred to as the “Western approach.” It was this train of thought that was evident during the Serbia-opposed and non-UN-approved NATO intervention in Kosovo, which was a Serbian province under international law. Those who share this outlook argue that the moral imperative of protecting the innocent from humanitarian disaster outweighs the potential negative implications for loss of stability in the international order that may result from intervention that does not receive the explicit approval of the UN. Those opposed to this stance calculate that the risk that self-interested interventions pose to undermining the sovereign order could stimulate a situation of international chaos.65

2.7 Conclusion

Chapter One has defined constructivism and surveyed the current international empirical and normative context. With this as a background, the remainder of the paper centers on the ASEAN situation and the manner in which it is evolving. It is ideas such as those above to which ASEAN leaders must react as they justify their non-interventionist stance. Southeast Asian counter-restrictionist norm entrepreneurs will utilize fully the strength of these opinions and stress the legitimacy of their origins, but to what effect remains to be seen. The pressures noted in this chapter play a role, but not a simple, direct, nor entirely persuasive one. ASEAN’s institutional makeup causes it to resist strongly evolution to its norms of interaction. Nevertheless, there is evidence that a degree of change is occurring. ASEAN norms and the realities that threaten them are examined in Chapter Two.

63 Caballero-Anthony 3.

64 See United Nations, Department of Public Information, United Nations Charter (New York: United Nations). Chapter Eight of the Charter approves “regional arrangements or agencies” to deal “with such matters relating to the maintenance of international peace and security as are appropriate for regional action ....” Furthermore, “such agencies shall make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council.”

CHAPTER III - ASEAN NORMS AND COUNTER-RESTRICTIONIST ENTREPRENEURIALISM

"Why have we found little to say to each other on peace and security issues at the very time when new forms of security challenges are presenting themselves?"

United Nations Secretary-General Kofi Annan, addressing ASEAN leaders at the 2000 ASEAN-UN Summit 1

3.1 Chapter Overview

Chapter Two places the Southeast Asian regional normative situation within the broader international context. It asks how the Association of Southeast Asian Nations can begin to reconcile its restrictionist stance with the desire of the members to find regional solutions to regional problems and to have a voice in international affairs more broadly. The increasingly interventionist international landscape has worked alongside regional factors to foster a climate within ASEAN that makes transformation to a less restrictionist standpoint all but inevitable.

Sovereignty-contesting conceptions of humanitarian intervention and human security have penetrated the international discourse, and the measures some states are prepared to take in defense of these ideas has captured the attention of individual states and regional organizations around the globe. National leaders in the interventionist post-Cold War political landscape will become increasingly apprehensive that if their own state or regional organization cannot effectively address a crisis, then outsiders will attempt to assume control of the situation. It is unlikely that ASEAN can continue to adhere consistently to both non-intervention and regional autonomy norms, because the restrictionist viewpoint hinders meaningful regional security cooperation. ASEAN may choose to dilute its strict interpretation of sovereignty, accepting more intervention regionally in order to boost cooperation and help prevent intervention from outside. Traditionally, states have relied on international norms of non-intervention to defend national sovereignty when they face internal problems, but evolving international norms make this a less tenable approach.

It must be made clear that the debate within ASEAN at this point is not about human security or humanitarian intervention as such, but rather their ideational predecessors. There is a significant gulf between any sort of formal regional humanitarian intervention agreement and the steps ASEAN is likely to take in the near future. Human security concepts are used to frame the discussion here, because their achievement is one ultimate goal of the international security agenda, but the concepts are rarely discussed explicitly at the official level in Southeast Asia. The focus of this paper is more accurately described as incremental steps away from a sovereignty-enhancement regime. Humanitarian terminology is appropriate, though, because these steps are moves toward human security.

Chapter Two is divided into three main components. First, it explains the norms that ASEAN leaders traditionally follow in regional interactions. Included is an inquiry into the level of development of ASEAN regional identity. Second, the chapter investigates the circumstances that

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currently make ASEAN vulnerable to normative debate. This involves an examination of ASEAN’s internal pressures, such as the normative disagreement within the organization, as well as external pressures on the membership. Third, and most vital, is a description of the current status of the ideational debate in the Southeast Asian regional security setting. This includes an investigation of the parameters of the ASEAN debate, an explanation of the normative inconsistency between regional autonomy and non-interference faced by the Association, and speculation regarding short-term responses to this situation. It is at this point that the concept of a transition from sovereignty-enhancement to sovereignty-neutrality within ASEAN is examined in detail.

3.2 Traditional ASEAN Norms - 1967 to 1997

ASEAN’s normative history is tripartite. The first two periods, “norm development” and the “halcyon days,” will be covered in this section. These represent the phases in which ASEAN norms were created and then solidified by the apparent success of the organization in promoting regional cooperation in Southeast Asia, the broader East Asia, and beyond. ASEAN-centered optimism expanded as these stages progressed, perhaps the most striking example of which is Acharya’s claim that the ten members are on the brink of having forged a regional identity so strong that the thought of war between them is unthinkable. The third stage of ASEAN evolution, marked by dramatic challenges to ASEAN’s relevance beginning in 1997, is examined in following sections.

In coalescing into a regional organization ASEAN’s founders began to transcend their tenuous regional geopolitical situation of the early 1960s, in which confidence regarding both the survival of individual states and the preservation of regional order in general was highly tentative. The period was characterized by “[t]he weak socio-political cohesion of the region’s new nation-states, the legitimacy problems of several of the region’s postcolonial governments, interstate territorial disputes, intra-regional ideological polarization and intervention by external powers.”

The founders took advantage of a sudden improvement in relations between Malaysia and Indonesia. From 1963-1966, President Sukarno’s Indonesia had a policy of konfrontasi (Confrontation) toward the new Federation of Malaysia. Undertaken primarily for domestic political purposes, the goal of Confrontation was to destabilize Malaysia through economic and propaganda tools, as well as limited military actions. Confrontation ended when Sukarno was ousted by Suharto. Jeannie Henderson notes, “ASEAN was an attempt to institutionalize the

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2 The three periods of ASEAN norms have been created here for analytical utility.


rapprochement between Malaysia and Indonesia.  

It was this fragile period that shaped the formation of ASEAN norms. Leaders particularly feared the possibility of internal Communist insurgency and the potential role of Indochinese neighbors in fomenting such activities. Consequently, they sought to create norms of interaction that would protect regime stability, and would enhance protection of state and regime sovereignty by insulating member governments from all types of external interference.

Non-interference provisions are integral components of all major ASEAN documents. The founding 1967 Bangkok Declaration implores members to “ensure their stability and security from external interference in any form or manifestation.” This was meant to apply to interference from the great powers, as well as to interference between Southeast Asian nations. Similarly, the 1971 Kuala Lumpur Declaration on the Zone of Peace, Freedom, and Neutrality (ZOPFAN) appeals to ASEAN members to maintain “respect for sovereignty and territorial integrity of all states” and “non-interference in the affairs of states.” Furthermore, it stipulates “the right of every state, large or small, to lead its existence free from interference in its internal affairs as this interference will adversely affects its freedom, independence, and integrity.

At ASEAN’s 1976 Bali Summit, members approved the Treaty of Amity and Cooperation, which again stressed “non-interference in the internal affairs of one another.” This summit also saw the adoption of the Declaration of ASEAN Concord, stating that “member states shall vigorously develop ... a strong ASEAN community ... in accordance with the principles of self-determination, sovereign equality, and non-interference in the internal affairs of nations.”

Amitav Acharya summarizes ASEAN’s view on non-interference:

In operational terms, the obligations imposed by ASEAN’s doctrine of non-interference on its members have had four main aspects: (1) refraining from criticizing the actions of a member government towards its own people, including violations of human rights, and from making the domestic political system of states and the political styles of governments a basis for deciding their membership in ASEAN; (2) criticizing the actions of states which are deemed to constitute a

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6 Henderson 15.

7 See page 43 for a description of sovereignty-enhancement.


breach of the non-interference principle; (3) denying recognition, sanctuaries, or other forms of support to any rebel group seeking to destabilize or to overthrow the government of a neighboring state; and (4) providing political support and material assistance to member states in their campaign against subversive and destabilizing activities.12

ASEAN’s regional autonomy norm stemmed from concerns among members about the intentions of external powers toward Southeast Asia during the second half of the Cold War. Members were wary of great power competition for influence in the region. After the Sino-Soviet split, they feared China might have ambitions for East Asian regional hegemony. Also, as tensions between the United States and China and the United States and the Soviet Union eased, ASEAN members were apprehensive that great power “compromises would leave the security interests of the ASEAN countries either ignored or undermined.” Acharya says, “In this context, the usefulness of regionalism lay in its potential to enhance the bargaining power of small and weak states in their dealings with the [g]reat [p]owers.”13 Additionally, great power security guarantees could protect ASEAN states from external intervention, but could not guard against internal revolution. Furthermore, the legitimacy of a regime already under serious domestic pressure would be compromised if external powers were brought in to provide it assistance.14

In addition to the regulative norms of non-interference and regional autonomy,15 ASEAN has developed a distinctive set of operational norms that have become known as the “ASEAN way.” Acharya explains that “the ‘ASEAN way’ consists of a code of conduct for interstate behavior as well as a decision-making process based on consultations and consensus.” The code of conduct is based on the norms seen above. A unique aspect of the ASEAN way is “the manner in which these norms are operationalized into a framework of regional interaction.”16 Acharya elaborates:

In this respect, the “ASEAN way” is not so much about the substance or structure of multilateral interactions, but a claim about the process through which such interactions are carried out. This approach involves a high degree of discreteness, informality, pragmatism, expediency, consensus-building, and non-confrontational bargaining styles which are often contrasted with the adversarial posturing and

12 Acharya, “Sovereignty, Non-Intervention and Regionalism” 3.

13 Acharya, Constructing a Security Community in Southeast Asia ... 52.

14 Acharya, Constructing a Security Community in Southeast Asia ... 54.

15 Main ASEAN norms also include non-use of force and pacific settlement of disputes, in addition to preference for bilateral defence cooperation and avoidance of military pacts. These have been central to ASEAN’s history, but are less important in the context of this argument.

legalistic decision-making procedures in Western multilateral negotiations.  

ASEAN’s norm development period can be said to end 23 October 1991, when the Paris Peace Agreement on Cambodia was signed, ending the conflict between Vietnam and Cambodia that began with the Vietnamese invasion of Cambodia in 1978. ASEAN entered its period of “halycon days” at this time. “ASEAN was instrumental in raising the profile of the Cambodia issue in the international diplomatic arena,” Acharya notes. “This, in turn, propelled the hitherto obscure grouping into the global limelight.” The halycon period was also marked by strong stages of nation building and economic growth within the member states, as well as advances in intramural cooperation. Through the course of the organization’s first thirty years of existence, but particularly from 1991, ASEAN came to enjoy a reputation as “one of the most successful experiments in regional cooperation in the developing world.”

ASEAN sought larger goals in the 1990s, specifically the creation of a free trade agreement, enlargement to include all Southeast Asian states, and the initiation of a security dialogue (the ASEAN Regional Forum, or ARF) that would encompass the entire Asia Pacific region. During the halycon period, “ASEAN was regarded as a unified collective that wielded substantial influence on both economic and political dimensions,” says Brian Job. Moreover, “Its formation of the ASEAN Regional Forum, and its engagement with Europe in the ASEM [Asia-Europe Meeting], demonstrated its rising stature as a symbol of the new post-Cold War global order.” As a consequence, ASEAN attracted the attention of many who sought to explore the benefits arising from aspects of ASEAN’s operations, such as economic liberalization and multilateralism.

ASEAN’s leadership in creating multilateral fora such as the ASEAN Regional Forum was its most recognized accomplishment, particularly because ASEAN norms were accepted as the basis of interaction in the new organizations. ASEAN had managed to bring the major regional powers, as well as Canada and the United States, to the table under conditions set by its ten small members. John Chipman says despite an Asian bias against institutionalization, regional security mechanisms and institutions are numerous. “Indeed,” he says, “of all the principal regions of the world, Asia has given the fullest vent to the narcissism of regionalism: the avowed presumption that regional solutions to regional problems are best.” Members define their identity in part as being “non-Western,” so to allow security initiatives on the Western model challenges not only the regional autonomy norm, but also the overall regional identity of which this norm is a part.

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17 Acharya, “Ideas, identity, and institution-building ...” 329.

18 Acharya, Constructing a Security Community in Southeast Asia ... 96.

19 Acharya, Constructing a Security Community in Southeast Asia ... 5.


21 Job, “ASEAN Stalled” 1.

Constructivists optimistically explored identity formation among ASEAN members during the halcyon period, with Acharya claiming that ASEAN had achieved the status of a "nascent security community," in which the members had begun developing "a long-term habit of peaceful interaction and ruled out the use of force in settling disputes with other members of the group." Acharya says that "the idea of cooperation in a security community is deeply embedded in a collective identity which is more than just the sum total of the shared interests of the individual actors." Rather, "a security community usually implies a fundamental, unambiguous and long-term convergence of interests among the actors in the avoidance of war." Through mutual understanding and the formation of community "we-feeling," members of a security community can construct, through social interaction, an "intersubjective structure that gradually lead[s] to a transformation of Westphalian anarchy." The norms that comprise this regional identity then assume greater importance as integral components of the set of norms that define the group.

3.3 Risking Irrelevance - ASEAN's Post-1997 Normative Dilemma

The normative debate within ASEAN began in 1997, as calls - from inside and outside - for the organization to reinvent itself intensified dramatically in the wake of what Strategic Survey 1998/99 called "the year it came unstuck in South-east Asia [hyphen theirs]." It was in 1997 that the halcyon days came to an abrupt end, replaced with a period of reevaluation and doubt. That year saw the Asian economic crisis ravage the economies of most states in the region, leading to a change of government in ASEAN's informal leader, Indonesia. ASEAN also expanded in 1997 to include Laos and Myanmar, thereby associating itself with the controversy surrounding Myanmar's oppressive military regime and making consensus within the group more elusive. Advancing democratization in Thailand and the Philippines further widened the ideational gulf between liberal and authoritarian member governments, especially concerning domestic human rights issues and appropriate transnational responses.

Troublesome transnational issues to which the group could not respond effectively clouded ASEAN's prospects even further, particularly the environmental challenge presented by the forest fire "haze" caused by Indonesian logging and agricultural practices and spreading throughout much of Southeast Asia, leaving health problems and lost tourist dollars in its wake. Together, these events marked a vital turning point for ASEAN, prompting for the first time


24 Acharya, Constructing a Security Community in Southeast Asia ... 1.


serious discussion of irrelevance and stagnation within the organization.

ASEAN was triply vulnerable in 1997. A series of events exposed potential weaknesses in Southeast Asian patterns of governance and left the organization without its de facto leader at the same time ASEAN membership expansion and democratization diluted normative consensus. The sudden pessimism surrounding an organization with new problems and less of an ability to cope with them precipitated widespread reexamination of ASEAN's attempts at regional cooperation. "Leaders within ASEAN have engaged in a good deal of introspection, and a wider and more honest debate about the strengths and weaknesses of regionalism has been the result."29

The reasons for a reconsideration of restrictionism can be divided into three interconnected sets. First, there is the moral perspective that prompts people to seek ways to avoid the suffering of fellow humans. Second, ASEAN statespeople recognize that a greater number of problems in the region have transnational implications that must be managed multilaterally, and that successful cooperation requires frank dialogue. And third, ASEAN governments value regional solutions to problems and wish to guard against interference from outside the region. These arguments can be called the "moral," "interdependence" and "regional autonomy" arguments for counter-restrictionism. Each of these viewpoints has existed for some time, but all have been enhanced following the end of the Cold War.

ASEAN Secretary-General Rodolfo C. Severino explains the intensification of the moral argument in the post-Cold War world. He characterizes the most critical cause as a "heightened awareness among people of the humanity that they share with others in the world, a feeling magnified by technological developments in mass communications."30 Television images, Internet advocacy and the information dispersion techniques of non-governmental organizations (NGOs) all contribute to this awareness. Also, lobbying by exiled or expatriate groups that seek change in their home countries can create domestic interventionist sentiments in other countries.31

Moral arguments, however, are the least salient within ASEAN. Arguments that states must intervene in cases of human suffering are countered by the belief that all but the most strictly controlled interventions (those that follow Hassan's criteria) present too great a risk to regional order to be attempted, because they could lead to a general breakdown of the prohibition against force and other types of intervention. ASEAN was founded primarily due to anti-insurgency sentiments, and these continue today, although fears now centre on human rights interventions rather than intervention by Communists. Any threat to the sovereignty of borders is taken very seriously by ASEAN leaders. The moral argument must be complemented if it is to be persuasive in Southeast Asia.

The impact of the second category, interdependence, has expanded as new security issues grow in regional importance. Post-Cold War globalization is altering the international political landscape as the distinction between domestic and international politics is blurred by interdependence. All forms of international interaction have increased, leading to a complex,

29 Chipman 3.


31 Note that "shared humanity" might be considered to be part of the interdependence argument, a "moral interdependence." It is separated here, though, from the interdependence category, which is populated by elements of "instrumental interdependence," or things more typically viewed as affecting national interest.
intertwined set of benefits and challenges. Globalization has enhanced the ability of people, money, goods and ideas to penetrate all parts of the globe. This does not come without costs. Advances in communication technology and the porousness of international borders allow transfers of goods and services, but also facilitate negative externalities such as transnational crime and illegal migration. And, even if one argues that their transmission is inherently valuable, the ideas (such as democratic ideals) that are transmitted frequently cause unease and threaten stability in the short term.

Alongside these factors has necessarily arisen the cognizance that problems in one state can spill over borders and affect others. Transnational problems such as terrorism, small arms and drug trafficking, transnational crime, pollution and illegal migration are part of an expanding list of security threats. Kay Möller notes that many problems arising since 1997 “were new to the extent that domestic developments in one member state ... had a direct and serious impact on the security, prosperity, and international standing of several, if not all, of the other members.” In their more extreme incarnations, these problems have the potential to destabilize national security, and could present a threat at the regional level as well. Canada’s Department of Foreign Affairs and International Trade summarizes: “For all its promise, globalization has shown a dark underside that requires us to broaden our understanding of security and develop new approaches.” Transnational factors have proven difficult to reconcile with traditional sovereignty norms. Dickens and Wilson-Roberts assert that “[w]hile the principle of non-intervention remains a widely supported concept in international affairs, and is indeed the basis for state authority, the idea that domestic issues are irrelevant to other states does not correspond to reality.”

Severino understands that transnational issues cause pressure on ASEAN to change. He says, “[t]oday, because of population expansion, technological advances in transportation and communications, and the increasing integration of economies, developments inside one country tend to affect other countries more deeply and more rapidly than before.” The ramifications? “Perhaps ASEAN will now have to anticipate developments earlier and act upon them more quickly.” In the face of transnational issues, the usually conservative Severino advocates compromise, asserting that the balance between international involvement and state sovereignty must be adjusted constantly. Transnational security threats are one of the primary forces for

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normative evolution in Southeast Asia. Cross-border spillover of problems is the strongest argument of those who seek to justify interference and criticism between member countries. When a problem in a neighboring country affects another country internally, it is illogical to refrain from comment based on the idea that a state cannot interfere in the affairs of another state.

Also crucial to the contestation of sovereignty within ASEAN are recent changes relevant to the third main argument for normative evolution: regional autonomy. In this category forces both inside and outside Southeast Asia are of significant consequence. As the international stigmatization on interstate interference decays in the aftermath of the Cold War, pressures from outside ASEAN will reinforce domestic and regional pressures for evolution. Both the moral and interdependence arguments illuminate possible blows to regional stability, but the regional autonomy argument exposes these risks as well as the potential for loss of effective indigenous control of security in the region. ASEAN leaders seek a stronger voice in international affairs and wish to present their region as one in which foreign investment is secure because local leaders can prevent or resolve security crises. Creating the perception of regional autonomy is vital to these goals.

3.4 Erosion-enhancing Factors

A number of specific post-1997 influences have reinforced these three general sets of reasons for the reconsideration of restrictionism. These include the effects of the economic crisis, ongoing economic difficulties arising from the effects of regional instability on foreign investment, ASEAN expansion in general and ASEAN expansion to include Myanmar in particular.

The economic crisis that began in Thailand in 1997 and spread throughout much of the region was a watershed event for the Association. It exposed the limitations of cooperation within ASEAN caused by lack of transparency and integration. The organization was seen as ineffectual due to its failure to predict the problem and its weak response to the crisis once in progress. The rapid regional contagion effect highlighted the degree of regional interdependence at the same time as the lack of cooperation was illuminated. Governments were disrupted, leading not only to a change of leadership in Indonesia, but also a transformation to democracy under new President B.J. Habibie. Thailand and the Philippines also underwent changes of government, in each case electing governments promising further democratic reforms. Transnational problems such as refugees and illegal immigration were also intensified by the crisis.

Also very importantly, the crisis exposed the weakness of the argument that authoritarian rule is necessary in Southeast Asia to provide the security and order necessary for sustained economic growth. This “Asian way” of governance came under intense scrutiny when the economic turmoil demonstrated that Southeast Asian systems could not insulate the societies from economic shocks. The authoritarian rule of most Southeast Asian governments enjoyed a


38 ASEAN has adapted out of necessity before, and this should be cause for optimism among those who advocate change in the security realm. For an explanation of adaptations in the economic sphere, see “Towards a tripartite world,” The Economist Online <http://www.economist.com/PrinterFriendly.cfm?Story_ID=5311>. The
legitimacy because the governors were seen as providing strong economic growth in their
countries. Southeast Asian populations accepted limitations on freedom in the interest of
preserving order necessary to attract investment and provide a suitable context for economic
growth. When the economic shock hit, this legitimacy was undermined, because it was revealed
that the limitations on freedom did not protect the economies. Regional corruption, cronyism and
nepotism were blamed for the crisis, highlighting the need for good governance in the region.39

In August 2000, ASEAN ministers agreed that the worst of the difficulties stemming from
the economic crisis had ended. Nevertheless, political instability and associated violence is
rampant within the region and has the potential to undo the work Southeast Asian nations have
done to heal the wounds of the devastating economic downturn. “[G]iven the inability of
governments to find solutions, the convulsions are starting to spook foreign investors as surely as
did cronyism, shaky banks and astronomical corporate debt in the economic crisis of 1997-99,”
says the Los Angeles Times.40

Economic factors expose the weakness of ASEAN member governments that do not
cooperate effectively to solve regional problems, and shield their recalcitrance behind non-
intervention principles. ASEAN’s recent expansion also fuels calls for the reevaluation of non-
intervention. Michael Leifer spoke of the perils and benefits of institutional expansion:

In any regional grouping, scale is likely to be a mixed blessing. Ideally, an
expansion in membership will bring with it a greater international standing,
particularly if such an expansion makes the membership of the grouping fully
coincident with its geographic locale. An increase in the number of governments
speaking with a single voice on the same issue with full regional credentials may
reinforce the quality of diplomatic community associated with a regional
organization .... Scale, however, can also have an adverse effect on regional
association should an increase in membership add to the diversity of political
identities and interests within the grouping as well as to its levels of economic
development. Such an increase may dilute its collective political culture and make
more difficult the task of managing consensus, which is the modus operandus of
regionalism irrespective of regional locale.41

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Economist notes that to address the problems that catalyzed the 1997 economic crisis, ASEAN chose to move away
from its restrictionist position on economic transparency by introducing a series of transnational economic
surveillance mechanisms. The group also compromised on regional autonomy, beginning “ASEAN+3” leadership
summits that include ASEAN members and China, Japan and South Korea. Economic problems threaten
ASEAN’s most fundamental purpose, economic prosperity. It is increasingly clear that the lack of foreign
investment in the region resulting from security concerns threatens ASEAN’s economic standing, also.


14th Asia Pacific Roundtable, Kuala Lumpur, 3-7 June 2000: 4-5.
ASEAN has suffered the perils of expansion at least as much as it has enjoyed the benefits. There is a danger of ASEAN splitting along ideational and economic lines, with liberal, wealthier states on one side and illiberal, less prosperous states on the other. The main line of ideational division is differences in the constitutive domestic norms of the states, and relevant distinctions in the positions of the leaders on non-intervention. Brian Job indicates that “[t]he democratized states, in other words, the Philippines and Thailand, advance understandings of their roles and purposes that are fundamentally at variance with those of their fellow ASEAN members.” The identities of democratic states inherently include respect for human rights. Since human rights are indivisible, democratic states are disposed to advocating the value of the rights not only domestically, but also regionally and internationally. In addition to rhetoric, they are more likely to act in ways that support human rights in other countries. ASEAN’s restrictive norms prohibit Thailand and the Philippines from meddling in their neighbor’s affairs, but the burgeoning democratic identities of the former make it difficult for them to refrain from advocating change. Hence, they will seek outlets that minimize the threat to ASEAN cohesion.

The Thai government changed recently, and it is too early to determine what role Thailand will now play in norm evolution advocacy. Since January 2001, Thailand has been under the leadership of Thaksin Shinawatra’s Thai Rak Thai Party. The new government is not anticipated to push for democracy to the extent of its predecessor, the Chuan Leekpai Democrats. The Far Eastern Economic Review notes that “rather than a movement toward greater democracy, as promised by the 1997 constitution, a Thaksin-led government more likely represents a full-blown merger between politics and big business.” Although imperfect, there is a correlation between the promotion of democracy within a country and without.

Early indications from the Thai foreign ministry show that the change of government may not dramatically alter the counter-restrictionist course set by former foreign minister Surin Pitsuwan. One of the new government’s main foreign policy goals is to:

... promote a more proactive role for Thailand in the international community by expanding closer international cooperation and relations between ASEAN member countries and countries in East Asia, South Asia and other regions as well as by acting as a coordinator in pursuing cooperation for peacekeeping and prevention of international conflicts in the region.

Thailand also retains its membership in the inter-governmental Human Security Network, founded

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in 1999 on the belief that “a humane world where people can live in security and dignity, free from poverty and despair, is still a dream for many and should be enjoyed by all.” \(^{46}\) Thailand is the only Asian state among the 12 members.

*Asiaweek* reported fears that ASEAN is in jeopardy of splitting into blocs due to ideational differences between more liberal countries like Thailand and its restrictionist counterparts. In order to maintain confidence within the group by reducing the fear of subgroup “power plays,” ASEAN leaders generally meet either bilaterally or in a plenary summit. But, on 20 October 1999, the leaders of Cambodia, Laos and Vietnam met in Vientiane for what has been hailed as the first “unofficial Indochinese summit.” Reactions to the talks have been mixed. Official releases from the three states explain that the leaders discussed trilateral cooperation and friendship, as well as concrete economic and infrastructural issues such as development triangles and transportation links. These agenda items cause minimal apprehension as they have benign implications for the interests of ASEAN as a whole. Unofficially, though, it was released that the leaders also expressed a consensual position on non-intervention.

Carl Thayer is quoted as declaring that “[t]he ‘Indochina conclave’ is evidence that a caucus of politically closed states is emerging in ASEAN.” \(^{47}\) Thayer believes these states to be united in their goal of suppressing any action that could endanger the principle of non-interference. The idea for the formation of a rival subgroup among ASEAN’s more liberal states has arisen, and many believe that should Indonesia emerge more liberal from its turmoil, it would be natural for it to accompany Thailand and the Philippines in their quest to promote openness and democracy in Southeast Asia. \(^{48}\)

Hence, the plausible lines of division within ASEAN forecast an “Indochinese” subgroup composed of Cambodia, Laos and Vietnam, and this group would almost certainly expand to include Myanmar for what would be recognized as an “illiberal” group. They would be balanced by the liberal Thailand, Philippines and Indonesia conglomeration, leaving a third group including Singapore, Malaysia and Brunei to occupy the middle position. Steps toward such divisions threaten ASEAN unity and international influence, and spur accompanying problems like loss of foreign investor confidence. Important factors inhibit these divisions, though, for example the fact that the Indochinese states joined ASEAN because they sought to avoid domination by other countries. Laos and Cambodia would be wary of entering a subgroup in which they might be dominated by the currently assertive Vietnam. \(^{49}\)

Expansion has complicated the quest for a Southeast Asian regional identity. Specifically, Myanmar’s ASEAN membership presents notable challenges to the organization, and merits comment as the member whose internal actions draw the most international pressure. \(^{50}\)

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48 Mitton, “ASEAN: The bloc within the bloc.”

49 Mitton, “ASEAN: The bloc within the bloc.”

Myanmar’s government lack the ability and will to provide for the security and welfare of the population. Nevertheless, it was allowed to enter ASEAN in 1997 based on the organization’s traditional stance that a state’s internal behavior is not a membership criterion.

ASEAN’s approach to the issue of Myanmar’s membership was based on the idea of “constructive engagement.” As Acharya explains, “constructive engagement implies efforts to induce change in the domestic policies of another state through a policy of dialogue and persuasion, without any threat of sanction or coercion.”

Constructive engagement in Myanmar is premised on the belief that allowing the state membership will enable other ASEAN members to influence the leadership through gentle and private persuasion. This is thought to be a more effective method of affecting the domestic situation than isolating the state and thereby potentially causing its leaders to clamp down further on the citizens to ensure regime security in a hostile-seeming region.

The issue continues to cause tension within ASEAN and pressure for action from outside. “Critics of constructive engagement argue that the policy, instead of producing political liberalization in [Myanmar] might have delayed it indefinitely by giving the regime breathing space to consolidate its authoritarian rule.” With each passing year, it becomes more difficult for ASEAN to defend its policy of constructive engagement with Myanmar, because there appears to be no amelioration of the situation within the country. The Economist predicted “another tense year” for Myanmar in 2000.

The unfortunate reality is that Myanmar will remain a hermit on the international stage for the foreseeable future, because there are no signs of amelioration of the situation within the country. The Economist predicted “another tense year” for Myanmar in 2000.

Other ASEAN members were not in a position to induce changes. Not only were they pre-occupied with their own reconstruction after the economic crisis, but their hands were tied by non-intervention.

3.5 Regional Implications of Normative Erosion

The effects of internal tensions between ASEAN’s democratizing and restrictionist members are considerable. “For all intents and purposes, ASEAN is stalled,” wrote Job in 1999.

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52 Acharya, “Sovereignty, Non-Intervention and Regionalism” 7-8.


55 “Myanmar: Forecast” 43.
and a post-crisis return to regional economic prosperity will not be sufficient to reanimate the organization:

ASEAN's stalling arises from a deeper conflict at the heart of the institution, namely an emerging deadlock over the ways in which members define their identities and, in turn, the manner in which their governments should represent their populations and interact with the regimes and populations of other states.  

Emmerson summarizes further the logic of the ASEAN normative puzzle:

The dilemma faced by a two-tier ASEAN is, first, that rapid and politically liberalising socio-economic change inside the original tier has undercut the case for respecting the domestic impunity of authoritarian late-comers to the Association, and second, those late-comers demand to be treated according to the principle of impunity that animated relations between the original ASEAN Five back when their own amity was new and fragile.

The Association is at an impasse, and criticism is widespread. ASEAN's past usefulness is difficult to gauge, and some now question whether it has been as effective as it may seem at promoting stability, or whether instead economic growth and nation building simply preoccupied Southeast Asian leaders and made armed conflict between them a distasteful option. Chipman explains that "for a very long time the ASEAN model of intramural diplomacy put into practice a wonderful tautology: by avoiding conflict, it prevented conflict."  

Critics often contend that Asian security mechanisms are little more than ineffective "talkshops," even as the frequency of meetings continues to increase. Chipman claims that a new "neo-Cartesian dictum" pervades Asian security institutions: "We meet therefore we are secure." He reflects critically on the usefulness of the multifaceted realm of Asian security in general, saying that "[t]aken together, these efforts constitute security in the shape of Rubik's cube: ever changing, ever colorful, rarely perfectly aligned, eternally frustrating, and usefully diverting."  

Although uncertainty about ASEAN's modus operandi is widespread within and outside the organization, analysts continue to recognize the value of the Association and its past accomplishments, and recommend not dismemberment, but rather reforms meant to make the group more relevant in the current Asian security setting. There is a palpable confidence that ASEAN will manage to "muddle through," and is not at the end of its usefulness, but only a critical point of transition. Evans, for example, believes that ASEAN, the ARF, and related non-official processes such as the Council for Security Cooperation in the Asia Pacific (CSCAP) have

56 Brian Job, "ASEAN Stalled: Dilemmas and Tensions Over Conflicting Norms" 3.


59 Chipman 2.
merely reached a "plateau." He believes that "the advancement of cooperative security through regional institutions is at the end of its beginning."[60]

The complex situation ASEAN faces is confused further by the domestic political preoccupations of its informal leader. Indonesia had been viewed as ASEAN's de facto leader since 1967, but the difficulties the state has faced beginning with the economic crisis currently place it "at the forefront of countries preoccupied with their own interests at the expense of regional concerns."[61] Further meaningful leadership contributions from Indonesia may be years away, and there are no clear alternatives. Singapore may be capable, but its tiny size and predominantly Chinese population make it unacceptable for the role. Thailand and the Philippines would be potential candidates, but any moves in such a direction would be firmly opposed by restrictionist states. [62] Malaysia's anti-West rhetoric may disqualify it, because ASEAN leaders seek solid relations with most Western states.

Reluctance on the part of most ASEAN members to accept even strictly limited forms of domestic intervention dramatically affects meaningful cooperation in security matters. Successful security cooperation requires a degree of transparency and frank exchange that ASEAN cannot achieve in its current state. Consequently, the organization sits at a threshold beyond which it must choose either to maintain its current course and accept accusations of irrelevance in the face of security crises and the corollary implications for regional autonomy, or to make changes that would alter its restrictive model of interaction. Such changes would necessarily transform the character of the organization, because non-interference is a fundamental component of the group identity shared by the Southeast Asian nations. As Evans says, "asking ASEAN to do something more borders on asking it to be something else."[63]

ASEAN members have diverse political and economic systems, and an essential factor in enabling their limited cooperation has been the confidence generated by their shared commitment to non-interference. Also relevant is ASEAN's reliance on consensus-based decision making requiring substantive agreement between all members on major policies. This allows members to feel comfortable that their vital interests will not be disregarded. Approval for any evolution in favor of interventionist measures is not likely to be forthcoming from ASEAN's authoritarian members. Many ASEAN leaders are unconfident regarding the stability of their positions and domestic orders in general, and condemn any measures that might expose them to criticism or other forms of interference. Given these factors, it is logical to conclude that any evolution away from the current restrictionist position on intervention would seriously jeopardize group cohesion.

There are other threats to group cohesion which must be considered, though. ASEAN faces internal pressures from members whose identities are affected by a growing commitment to democratic principles. Democratic nations typically find it challenging, and

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unpalatable, to restrict their conceptions concerning the value of individuals to the domestic plane. In other words, their internal democratic nature affects their vision of acceptable rules for interstate behavior, consequently increasing their likelihood of encouraging interstate intervention, particularly on humanitarian grounds. Rhetoric from Thailand and the Philippines provides evidence for this notion, and suggests that the populations of these states may grow less content with their place in a regional organization that impedes important transnational humanitarian actions due to the conservative attitudes of some members. Here, then, is a threat to group cohesion arising from ASEAN democracies and their budding commitment to principles that conflict with non-intervention.

The most vital question is to what degree ASEAN can maintain group unity as it evolves. In other words, will ASEAN in its current manifestation be capable of making the adaptations necessary to ensure effective security cooperation without disintegrating or being subsumed within a broader organization such as the ASEAN Regional Forum? The members have compelling reasons to stay politically united, including the value they place on regional identity, but intervention is the most volatile topic they face. Newer ASEAN members in particular joined the grouping because they valued its stance on interstate interference, and any divergence from this policy would dramatically affect their calculations of the benefits of ASEAN membership. This means that other, more liberal members who will take the initiative in updating the organization to suit new global realities face a very delicate task, indeed.

3.6 Current ASEAN Viewpoint on Intervention

Although there are important reasons to reexamine the principle of non-interference, the balance of opinion within ASEAN remains restrictionist. Regional leaders generally disapprove of the interventionist ideas developing in other regions and certain international quarters. They envision ideational evolution of an interventionist nature not only as a threat to their national interests, but also as a significant threat to an already delicate regional order. Consequently, “Any suggestion that international standards or obligations might lead to censure or sanction, let alone interference in domestic affairs, is stoutly resisted.”

ASEAN leaders are concerned about “ideational imperialism.” Some believe that other states, particularly democratic, Western states, are attempting to pressure them to adopt methods of governance for which Asian societies are ill-suited. Southeast Asian leaders envision globalization in part as a coordinated attempt by powerful states to transmit ideas meant to homogenize the relationship between government and citizen. The most prominent of these ideas concern democratic rule and human rights. Most ASEAN leaders argue that the cultural specifics of their societies are not conducive to transition to a Western-style democracy, or, in some cases, to a democracy of any sort. They claim that Western-style democracy is an inappropriate form of governance for societies based on family attachments, deference to societal obligations, social conservatism, thriftworthiness, respect for authority, the value of education and a style of consensus over confrontation. Indeed, there is frequently a disjuncture in the way Western and Asian countries view these elements. For many Western policy makers:

The attachment to the family becomes nepotism. The importance of personal relationships rather than formal legality becomes cronyism. Consensus becomes wheel-greasing and corrupt politics. Conservatism and respect for authority become rigidity and an inability to innovate. Much-vaunted educational achievements become rote-learning and a refusal to question those in authority.\textsuperscript{65}

Among the ASEAN leaders, Malaysian Prime Minister Mahathir Mohamad speaks most pointedly about perceived negative repercussions of external influence on Southeast Asia. He emphasizes a schism between Western and Asian political conceptions that the Western nations are unjustly trying to close in favor of Western ideals and interests. Mahathir says the “rich West” collaborates to dominate developing nations by actively limiting their ability to cooperate. He “told developing nations that they risked being recolonised if they failed to cooperate to ward off the dangers of uncontrolled globalisation.”\textsuperscript{66} In his opinion, the powerful Western nations assume a “self-declared right” to interfere in the internal affairs of others. Unlike many Asian nations, Western nations prioritize civil and political liberties over economic and social rights, and the Americans in particular, he says, narcissistically portray American values as universal.\textsuperscript{67}

International pressures to adopt elements of human security and humanitarian intervention in Southeast Asia are criticized as ideational imperialism. As with the case of democracy, Southeast Asian decision makers frequently argue that these are Western concepts, stressing the threat that human security interventions of any sort represent to a regional stability founded in non-interference.\textsuperscript{68} Amitav Acharya says human security presents a novel challenge to Southeast Asian leaders, “not so much as an organizing framework for a regional multilateral order, but as a frontal challenge to the state- and regime-centric notions of security that had until now held sway in the region.”\textsuperscript{69}

What, then, do ASEAN players postulate as a counter to Western ideas of humanitarian intervention? Rodolfo Severino, ASEAN Secretary-General, and Dato’ Mohamed Jawhar Hassan, Director General of Malaysia’s Institute of Strategic and International Studies, illustrate the viewpoints of the restrictionist majority of ASEAN members. Addressing a regional conference on international humanitarian law, Severino made clear his view that the endeavor by international


\textsuperscript{68} There is an indigenous Asian version of human security that has been developing primarily under Japanese initiative, but this conception focuses on the “freedom from want” side of the human security equation, rather than the “freedom from fear” elements that are usually linked with intervention of a coercive nature. See, for example, Obuchi Keizo, opening remarks, \textit{“The Asian Crisis and Human Security,”} (Tokyo: Japan Center for International Exchange, 1998) 17-19.

organizations to broaden the application of international humanitarian law "has gained legitimacy to the extent that international organizations pursue the ideal while concentrating on measures that are within the realm of the possible." By "realm of the possible," he means the conditions particular to the indigenous political environment of a given region. Severino notes that sovereignty should not be used to shield crimes against humanity, but emphasizes the vital importance of its role in protecting weak states from domination by those more powerful. For the Secretary-General, there is a "delicate balance" between human rights and dignity and state sovereignty. He outlines ASEAN objectives in the area:

One is to enhance the capacity of the UN and other legitimate international bodies, including regional organizations, to expand the scope of international humanitarian law and strengthen its application. The second is to operate as closely and as broadly as possible with the international institutions in this task, ensuring that "humanitarian intervention" is not carried out merely in the pursuit of national policy objectives. And the third is to make sure that the measures taken to apply international humanitarian law are effective and proportionate to their specific objective and that they result in an improvement in the lives of the great proportion of the people concerned and for the fairly long term. The intended cure must not be worse than the disease.

At another event one month later, Severino stated that international order can be preserved only if intervention is undertaken with UN authorization, and he reiterated that there must be a method in place to determine whether states seeking to intervene do so merely in their own national interest. Severino contends that "in a world of nation-states, a world without world government, the sovereignty of nations serves ... as an essential and legitimate shield, a shield especially for weak states to protect themselves from domination by the strong." The focus on the threat of intervention serving only the interests of the interveners, in addition to his other caveats, is noteworthy for its restrictionist implications.

Hassan extends Severino's logic, elaborating criteria that would help the international community guard against these concerns by discerning whether interveners act in humanitarian, or strictly national, interests. He clarifies the manner in which restrictionist ASEAN non-interference norms are manifest in the ASEAN regional perspective on humanitarian intervention. Hassan does not deny the validity of intervention in all cases, but prescribes a complex set of conditions that must be met if intervention is to occur legitimately. Intervention, he says, must be prohibited except for instances of humanitarian intervention legitimated by one (or both) of two main criteria:

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71 Severino, address, "Sovereignty, Intervention and the ASEAN Way" 4.


73 Rodolfo C. Severino, "Toward Expanding the Frontiers of International Humanitarian Law."
1] a massive scale of genocide, mass killings or repeated attacks on the civilian population by the state as determined by the United Nations Security Council.

2] a de facto termination of state authority, in which anarchy prevails and the government is powerless to restore order, as assessed by the United Nations Security Council.\(^\text{74}\)

This stance is based on the argument conveyed by Severino: an erosion of the sovereignty norm could lead to a situation of international anarchy in which weaker states would have no protection from the machinations of those more powerful.\(^\text{75}\) Hassan occupies the extreme restrictionist position on the restrictionism continuum within ASEAN, but his views are more common than those of his less-restrictionist, or counter-restrictionist, counterparts. Nevertheless, the Association differs in critical ways from the form it took only four years ago, and these changes make unswerving restrictionism less appealing.

3.7 Norm Erosion and Counter-restrictionist Entrepreneurialism

There are important exceptions to ASEAN-related restrictionism seen in examples of


\(^\text{75}\) Hassan endorses an elaborate and restrictive set of conditions that must be met in the conduct of humanitarian intervention for it to be considered legitimate:

1] There must be clear indication that external intervention is a) absolutely necessary, and b) can result in a solution to the problem. Where external intervention will not work or will not improve matters and even exacerbate the situation, intervention must not be attempted. Good intentions and moral outrage alone are unfortunately not enough.

2] There must be authorisation from the UN Security Council. There cannot be unilateral armed intervention by an individual state or a group of states.

3] Overall authority for intervention remains with the UN even when intervention has been authorised. The body which has been authorised to intervene remains responsible to, and subject to, the direction of the UN.

4] All peaceful avenues for resolution of the problem must be exhausted or must be deemed impractical by the UN before the use of force is authorised.

5] When force is authorised, it must be proportionate and limited to what is strictly necessary to attain the objectives.

6] Once the gross humanitarian violation is ended, intervention should cease.

7] Full provision should be made for measures to ensure a smooth transition to post-conflict peace building.

8] There must be clear and objective evidence of gross violation or of threats of gross violation.

9] There must be a clear urgency to act.

10] The purpose of the intervention is to be made clear and public from the very beginning.

11] The action must be supported by the population in whose interest the action is taken.

12] The action must be supported by countries in the region.

13] The intervention should have a high probability of success.

14] The intervention should not lead to larger problems, like the further disintegration of a country, etc.

15] The rules of international humanitarian law should be fully complied with.

16] Intervention should take a graduated form, with progressively stronger measures until the use of proportionate force as a final resort. Intervention can begin with international censure, then various forms of sanctions like cessation of assistance, severance of trade links, and cutting off of diplomatic ties.
erosive ideas. The accumulation of examples is evidence of normative transformation toward sovereignty-neutrality, because norms arise through the process of social interaction. Donald Emmerson reviews the contestation of sovereignty in Southeast Asia and provides a framework for understanding how traditional ASEAN non-interference norms are eroding.

He is troubled by the fact that contemporary ideas of sovereignty are based on ideas prominent in 17th-century Europe. This alone, Emmerson says, should encourage us to rethink the concept as we contemplate contemporary security challenges: “... no concept as complex and multivalent as ‘sovereignty’ could possibly remain unchanged in meaning or relevance for four hundred years.”

This is an opportune time for Asians to perform this rethinking, due to the “creative and open-ended character” of Asia’s post-Cold War situation. Emmerson specifies five types of erosion that are adapting the Westphalian order in East Asia: distraction, decomposition, dissent, disregard and destruction. None of these perspectives abandons or supercedes traditional sovereignty norms, a move that Emmerson deems “wildly” improbable, but each causes subtle refinements to restrictionism. There is evidence for at least the first four in Southeast Asia.

“Distraction,” Emmerson says, “means changing the subject - from sovereignty to, say, development - with the goal of shifting the attention of [ideational rivals] from what divides them to what they may have in common.” In other words, those who wish to promote change within a neighbouring state may approach the project not from an explicitly interventionist stance, but from one that emphasises shared benefits of cooperation. This process is demonstrated by the reluctance of Southeast Asians to discuss the controversial notion of human security directly, instead preferring to reconceptualize it in terms of “social programs” and “human development,” terminology which presents less of a direct attack on sovereignty.

This use of euphemism is an example of incremental norm evolution framed in a manner that accounts for indigenous sensitivities.

Emmerson’s second category is “decomposition.” Indonesian President B.J. Habibie’s 1999 offer to the East Timorese of autonomy within Indonesia was a Southeast Asian example of the potential reworking of sovereignty at the domestic level. Under the proposed agreement, “Timorese sovereignty decomposed into core functions, such as defense, that Jakarta would retain, with the rest more or less clearly allocated to Dili.”

The general principle at work is a conception of “divided,” or as Emmerson would say, “decomposed,” sovereignty in which a state or group will “compromise the integrity of sovereignty - its all-or-nothingness - for the sake of its viability.” Both Jakarta and Dili would accept an incomplete sovereignty package in the belief that this would be better than a potential complete loss of sovereignty. In the end, the results of the vote and the intransigence of either side made the compromise issue irrelevant, but Habibie’s offer was an example of normative entrepreneurialism.

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76 Emmerson, “Asia’s Sixth Challenge: Rethinking Sovereignty” 40.

77 Emmerson, “Asia’s Sixth Challenge: Rethinking Sovereignty” 41-42.

78 Emmerson, “Asia’s Sixth Challenge: Rethinking Sovereignty” 42.


80 Emmerson, “Asia’s Sixth Challenge: Rethinking Sovereignty” 43.
“Dissent” is next on the list of potential adaptations to sovereignty. “If decomposition implies a refusal to consider sovereignty as either-or, dissent implies a refusal to believe in the ultra-Westphalian proposition that the domestic corollary of sovereignty is impunity.”⁸¹ Cases of transnational criticism in Southeast Asia represent cases of dissent as defined by Emmerson. He believes that the authoritarian members of ASEAN will not succeed in their quest to maintain domestic impunity. One situation in which they would, however, is if the group were to face an external threat that served to coalesce their security interests around a new and serious challenge, causing them to shelve intramural issues. Otherwise:

To the extent that new members’ economies grow, repeating with variations the trajectory of social change undergone by the founders, the ability of political actors in the former tier to invoke the principle of impunity is likely to be constrained. Should the new tier fail to develop socioeconomically, on the other hand, widening the material gap between founders and followers, the founders may become less willing to withhold intramural judgement – including the judgement that political reforms in the newcomer states can no longer be postponed.⁸²

This train of thought is difficult to dispute, but examples of intermember dissent continue to be rare and almost invariably lead to significant tension.

There is also evidence within ASEAN states for “disregard,” Emmerson’s fourth conception of sovereignty adaptation. Disregard results from the cumulation of small challenges to sovereignty present in numerous activities, especially those of NGOs and Track Two and Three organizations, all within the permissive environment stimulated by the information and communications technology revolution. Emmerson asks, “If enough relevant actors disbelieve in the old national fortresses of sovereignty – detouring around them, tunnelling under them, sneaking through them, and generally acting as if they did not exist – will these edifices not become quaint and, for practical reasons, cease to be?”⁸³ This is a constructivist viewpoint, indicating that social interaction and activity can alter fundamentally the structure of regional relations. ASEAN states are a long way from being changed through a process of disregard, but the growing strength of NGO and Track Two and Three activity testifies to the presence of disregard in some capacity within the region.⁸⁴ When disregard combines with Emmerson’s other factors, they each gain influence.

Finally, Emmerson explains the potential ramifications of “destruction.” Destruction is the most dramatic of changes, representing the disintegration of the sovereign unit. This category would be exemplified if, for example, the centrifugal forces within Indonesia were to lead to the

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⁸¹ Emmerson, “Asia’s Sixth Challenge: Rethinking Sovereignty” 43.

⁸² Emmerson, “Asia’s Sixth Challenge: Rethinking Sovereignty” 44.

⁸³ Emmerson, “Asia’s Sixth Challenge: Rethinking Sovereignty” 44.

breakup of the state. There is no convincing evidence to support this possibility in Southeast Asia at the moment, but speculation as to the fate of the Southern giant is certain to continue.

Emmerson suggests that if influential Southeast Asian groups and individuals pay attention to trends and opportunities related to distraction, decomposition, dissent and disregard, they will be able to avoid the final category: destruction. He believes that a monolithic, sacrosanct interpretation of sovereignty within Southeast Asia no longer serves the region’s best interests. An increasing number of influential Southeast Asians share his counter-restrictionist viewpoint and are departing from the traditional ASEAN way.

The remainder of this section examines the viewpoints of some of these influential regional actors. It focuses on the ideas of former Thai Foreign Minister Surin Pitsuwan; as well as those of his Malaysian ideational predecessor, Anwar Ibrahim; Surin’s Deputy Foreign Minister, Sukhumband Paribatra; and Malaysia’s Deputy Prime Minister, Abdullah bin Ahmad Badawi.

Former Deputy Prime Minister of Malaysia, Anwar Ibrahim, was the first high-ranking ASEAN leader to challenge publically the doctrine of non-interference. In early 1997, one of Cambodia’s ruling coalition leaders, Hun Sen, staged a coup that unraveled the Paris Peace Accord on Cambodia that ASEAN helped broker. Cambodia was set to become ASEAN’s tenth member in 1997, but membership was postponed. The coup should not have affected Cambodia’s membership application under a strict interpretation of the non-interference principle, because internal conditions are not a membership criteria. ASEAN knew, though, that the international community expected it to act, and it could not do so without treading on non-interference. ASEAN’s restrictionist members justified the postponement of Cambodian membership on the grounds that it was a response to exceptional circumstances and did not set a precedent. Anwar, on the other hand, wanted the precedent to be set.

Responding to the collapse of Cambodia’s governmental coalition, Anwar said that ASEAN’s “non-involvement in the reconstruction of Cambodia actually contributed to the deterioration and final collapse of national reconciliation.” He went on to suggest that ASEAN could benefit from proactive “constructive interventions” in the affairs of weaker members facing internal difficulties. Such interventions would include electoral assistance, legal reform and the enhancement of civil society and rule of law. Anwar justified his view in part by pointing out how spillover from crises in any one state in Southeast Asia could affect the stability of the entire region.

There are several important secessionist movements in Indonesia. The Acehnese seek independence for the province of Aceh on northwest Sumatra. There is also an independence movement in Papua (formerly known as Irian Jaya). Riau and East Kalimantan are also potential secessionists, and the list continues. See Donald K. Emmerson, “Will Indonesia Survive?” Foreign Affairs 79.3 (May/June 2000).

Emmerson, “Asia’s Sixth Challenge: Rethinking Sovereignty” 44.

The constraints of this paper allow only for elaboration of the two most important challenges to the doctrine of non-interference. Further details of ideational entrepreneurship from 1997 are well-documented. See, for example, Amitav Acharya, “Sovereignty, Non-Intervention and Regionalism,” CANCAPS Paper Number 15 (Toronto: York University, 1997) 7.

Henderson 39-40.

region. Acharya explains that the "philosophy behind constructive intervention must be seen in the context of the changing attitude towards sovereignty and non-intervention in the post-Cold War era." To date, the Thai Foreign Ministry, under the leadership of Surin Pitsuwan from 1997 to 2001, has been the epicentre of Southeast Asian security norm entrepreneurship. The year after Anwar's non-intervention challenge, Surin attacked non-interference, calling for "flexible engagement" in the region. Jeannie Henderson relates that "under the Thai proposal ... ASEAN countries would be able to offer constructive criticism and advice to another member, if that state's actions affected another country or offended its principles." This could include attention to human rights issues. Criticism would be accepted in cases in which a problem had transborder impact or in which ASEAN's collective diplomatic voice might be threatened. The principle was debated at the July 1998 Annual Ministerial Meeting, but received support only from the Philippines and Secretary-General Severino. Eventually, the group announced a compromise position of "enhanced interaction," "meaning that ASEAN could have more open exchanges on issues with clearly defined cross-border effects ... while respecting the principle of non-interference." The compromise has been seen as ineffectual by counter-restrictionists.

Following these ideational pioneers, Abdullah bin Ahmad Badawi, Malaysia's Deputy Prime Minister, speculated upon the future of Asian security at the 13th Asia-Pacific Roundtable in 1999. He demonstrated a progressive perspective on regional security, taking small ideational steps along the counter-restrictionist path. As an important figure in a generally restrictionist Malaysia, his ideas are noteworthy here.

Badawi listed shifts in security thinking that he deems essential for a secure and prosperous future, advocating a move toward a security order based on moral purpose, "people" security and enlightened national interest. Nationally, a moral security order translates to equality, justice and the rule of law. A regional or global moral security order is comprised of states operating with equality in the pursuit not only of national interest, but also of the common interests of the community. Morality in international relations can be encouraged by intergovernmental peer pressure, as well as by national and transnational civil society efforts to lobby governments to "conform to recognized moral standards and be accountable to these standards." If other approaches prove unsuccessful, Badawi advocates internationally-approved sanctions.

The Deputy Prime Minister avoids the use of the term "human security," discussing instead the benefits of "people" security and human-centred development. He reiterates the litany of state-centrality, but acknowledges that the world has changed dramatically since the time when

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90 Acharya, "Sovereignty, Non-Intervention and Regionalism" 1. Note that Anwar's idea did not receive the support of Malaysian Prime Minister Mahathir.

91 Acharya, "Sovereignty, Non-Intervention and Regionalism" 10.

92 Henderson 49.

93 Henderson 52.

the Treaty of Westphalia established the state as the central actor in global affairs. Democracy has proliferated as human rights conceptions have strengthened, and civil society has carved an indelible niche in international relations. The awareness is higher than ever before that people’s aspirations must be fulfilled, and that this is best accomplished not just in a democracy, but in a democracy characterized by good governance.\textsuperscript{95}

Enlightened national interest involves tempering national interest with considerations of the goals and needs of other states, thereby encouraging the cooperation necessitated by interdependence. At his most counter-restrictionist, Badawi says, “states that have an enlightened perception of their national interest will be less sensitive and less adverse to constructive interest and discrete suggestions from other quarters.” Furthermore, “[t]hese qualities will greatly facilitate the emergence of a more durable peace in the region.”\textsuperscript{96} Elsewhere, in speaking about cooperative approaches to security, Badawi envisions an Asian future in which “a culture of peace and cooperation slowly develops” and “the propensity for violent resolution of conflicts will recede until it even becomes a most unthinkable and repulsive alternative.”\textsuperscript{97} By ASEAN standards, Badawi’s ideas may be characterized as counter-restrictionist norm entrepreneurialism. His idea of a “moral security order” contrasts with traditional ASEAN non-interference norms, including those espoused by fellow-Malaysian Hassan above.

When asked in 1999 to identify the five greatest challenges to Asia Pacific security, former Thai Deputy Foreign Minister Sukhumband Paribatra listed changing great power relations, global interdependence, regional interdependence, human insecurity and social change. Recognizing the inevitability of global interdependence and its corollary pressures, Sukhumband declares that “[t]he challenge is not to deny or isolate oneself from this process, for no one can remain forever immune from its influences, but how to strengthen oneself and to manage the process of globalization in a manner most suited to one’s interests.”\textsuperscript{98} Sukhumband sees clearly the stresses created by international pressures, and also values management of these influences based on localized socio-political circumstances. What does he envision as the best level at which to focus energies? The economic crisis highlighted Asia Pacific interdependence and the transnational implications for security and well-being of problems originating in an individual country. Much of the normative management, therefore, must be undertaken not nationally, but at the regional level, necessitating enhanced cooperation in what Sukhumband refers to as an “emerging regional village.”

Sukhumband recommends a “fundamental attitudinal change” in which the regional non-interference principle is reexamined:

Continued commitment to this principle is absolutely essential. But some hard questions need to be asked, especially about the nature of state sovereignty, which

\textsuperscript{95} Badawi 15.

\textsuperscript{96} Badawi 17.

\textsuperscript{97} Badawi 17.

is important but is not and can not be sacrosanct. The challenge is how to both respect this core principle and to address effectively the fundamental realities, where the chains of cause and effect of certain problems stretch across sovereign and geographical divides, where certain problems develop in the domestic conditions of one country and have adverse consequences for other countries.99

Sovereignty requires scrutiny, because in an interdependent world, national policy and international cooperation must not be limited to the concerns of state security. Sukhumband believes that “we should be concerned with the security and well-being of the individual as well as the state, and that we should also proactively seek to promote ‘human security.’”100

A commitment to human security, which Sukhumband defines broadly as the enabling of individuals to recognize fully their capabilities, requires common regional perceptions of responsibility and destiny.101 Such perceptions can stem only from social learning, interaction and the regional growth of “we-feeling.” Pressures for human security do not arise solely at the international level, though. As Sukhumband explains, history informs us that the domestic expectations directed toward Asian governments are bound to expand, increasingly forcing human rights, political legitimacy, good governance and rule of law onto domestic agendas. To cope with these pressures, leaders must elevate their responsiveness to the citizens’ needs, again leading to the promotion of individual security and well-being alongside national and regional security.102

Sukhumband clearly shares the counter-restrictionist view regarding the current situation in East Asia. Pressures from the international level to address human security are reinforced by grassroots demands for greater governmental legitimacy and accountability. These complementary influences coalesce in an interdependent regional environment, and the essential first response is a reexamination of non-intervention.

Others in the region have called for normative evolution. Jusuf Wanandi, for example, argued that “today ASEAN is faced with daunting new challenges, and needs to change the way its members work together.” He says, “Short of such changes, ASEAN will slowly but surely become irrelevant.”103 Wanandi wanted ASEAN’s older members to induce newcomers such as Myanmar to make political reforms that would help them attain full international recognition.

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99 Sukhumband 11.

100 Sukhumband 12.

101 Sukhumband 12. A commitment to human security is not equivalent to a commitment to humanitarian intervention. Nevertheless, it is at least a close ideational relative, because human security redirects the security referent from the state to the individual, and in marginal cases, this logic requires the consideration of the use of force to protect individuals from their own state apparatus or against the will of their state apparatus.

102 Sukhumband 12.

3.8 From Sovereignty-enhancement to Sovereignty-neutrality

Sovereignty-neutrality is the first counter-restrictionist step away from sovereignty-enhancement. ASEAN members have traditionally been enmeshed within a hyper-Westphalian institutional culture that has protected not only state sovereignty, but also the security of the regime in power, allowing it to act with impunity. A sovereignty-neutral set of norms conforms to the fundamental concepts of sovereignty, but stops short of protecting a regime in power from all unwanted influences. In other words, it is an outlook on sovereignty that, while respectful of territoriality and general non-interference principles, is less extreme than that which ASEAN has known to date. It is closer to international sovereignty norms preceding the Cold War, which prohibited active meddling in another state’s internal affairs, but did not prescribe criticism nor expect unconditional support.

Sovereignty-neutrality is the understanding that even a group of “friendly” nations, as ASEAN officially thinks of itself, can benefit from gentle intramural persuasion. This will involve small but meaningful changes. For example, a sovereignty-neutral political arrangement in ASEAN would exhibit frank criticism between members, as long as the criticism was restrained in such a way that it could not be legitimately misconstrued as an attempt to foment dissent within the target state. In a sovereignty-neutral political grouping, states would be more able to make limited changes on a subgroup basis, rather than requiring the agreement of all member states before change could be made. A change away from sovereignty-enhancement could also see ASEAN members begin to permit meetings within their borders that deal with domestic security issues of their neighbors.

Sovereignty-neutrality is an example of working within political realities to effect change. The concrete examples of ASEAN’s nascent shift to sovereignty-neutrality are subtle, but informative. Evidence of sovereignty-neutrality is most frequently seen in contraventions of the non-intervention obligation to refrain from the criticism of other ASEAN governments. At the July 1997 annual meeting of the ASEAN Regional Forum, Myanmar’s foreign minister Ohn Gyaw was prodded repeatedly for reasons his government was delaying promises to return the country to civilian rule. The Economist noted that the minister faced “several harsh interventions,” with American secretary of state Madeleine Albright leading the charge. But, “[n]obody sprang to his defence, and Mr. Ohn Gyaw must have been wondering whether the junta’s diplomatic triumph in securing ASEAN membership on July 23 was worth having if it meant having to soak up such abuse.” Although the criticism did not stem from ASEAN states, it is noteworthy that ASEAN solidarity failed to shield the minister from the need to justify the junta’s actions. The ARF event was an example of Myanmar’s government under international scrutiny without the explicit backing of its ASEAN colleagues.

3.9 Conclusion

ASEAN will gradually and incrementally alter its approach to non-intervention due to tensions within its indigenous set of norms that are exacerbated by international pressures. It is important to recall the constructivist maxim that regional organizations must be evaluated

according to the criteria with which they judge themselves. Changes in ASEAN are a result of ASEAN statespeople reevaluating ASEAN norms to address inconsistencies within those norms. The change is not a direct result of international pressure persuading Southeast Asian leaders to conform because they are selecting new, Western-originated values over indigenous values.

International pressure plays an important role in ASEAN norm contestation, but not by way of a simple transmission of norms from the international to the domestic level. The pressures are largely ineffective when operating directly from international organizations to ASEAN’s constituent states, because the individual regimes are emboldened by regional constraints on action and the collective voice group membership provides. Instead, international norm influence is inducing a tensions between the norm of non-interference and the regional autonomy norm. In an increasingly interventionist international realm, it is apparent that if ASEAN states are seen as impotent in the face of regional humanitarian crisis, outside states may step in to play a role, whether invited or not. The norm of non-intervention paralyzes the Association during a security crisis, thereby leaving the norm of regional autonomy vulnerable. Southeast Asian states must select the normative area in which they least fear evolution: non-intervention or regional autonomy.

Regional normative erosion factors and the elements that exacerbate them had brought ASEAN to the cusp of sovereignty-neutrality in the end of 1999, and events in East Timor, along with the associated consequences for regional autonomy, would propel the organization further down this path. Chapter Three asks, “What lessons did the East Timor crisis present that may effect the evolution of ASEAN norms?” This line of inquiry facilitates predictions concerning the future path of the organization, and to what degree it will adapt its brittle cooperative framework.
CHAPTER IV - LESSONS FROM EAST TIMOR

“I believe that, over the next decade or so, the likelihood that at least one [Southeast Asian security issue] will erupt into a major war is higher than that substantial conflict-prevention mechanisms will be established in the region.”

Desmond Ball, Council for Security Cooperation in the Asia Pacific

4.1 Chapter Overview

This chapter presents the case study of East Timor’s bloody struggle for independence from Indonesia. It examines the manner in which ASEAN as a group and individual ASEAN members responded to an urgent humanitarian crisis in the region. The East Timor crisis is examined through the lense of constructivism and in the context of ASEAN’s normative constraints and potential for adaptation as discussed in the last chapter.

Events in East Timor showcased the tension between ASEAN principles of non-interference and the members’ desire to solve regional security problems without extra-regional interference. Indonesia’s heavy-handed treatment of the East Timorese independence movement became another internationally scrutinized test of the Association’s ability to deal with Southeast Asian security problems. For decades, Indonesia’s relationship with East Timor has been a study in the intricacies of sovereignty and intervention at the national, regional and international levels. Events in the territory “focused attention once again on the need for timely intervention by the international community when death and suffering are being inflicted on large numbers of people, and when the state nominally in charge is unable or unwilling to stop it.”

As the crisis progressed in September 1999, The Asian Wall Street Journal noted that ASEAN “advocates ‘Asian’ solutions to regional security crises, and it now faces an unprecedented challenge of translating that principle into action in its own backyard.” Would ASEAN rise to the occasion, or would it continue to court irrelevance?

With its credibility already damaged by events beginning in 1997, ASEAN suffered another barrage of criticisms as the crisis unfolded. Wade Huntley and Peter Hayes of the Nautilus Institute assert that “[t]he bloodshed and turmoil in East Timor have cast in stark relief the utter inadequacy of existing Asia-Pacific security arrangements to cope with regional crises, let alone enduring challenges.” They clearly view the situation in the context of new international realities, noting that “the world’s most recent brush with ‘ethnic cleansing’ highlights the increasing importance of vital questions concerning the relationship of international security and human rights in the post-Cold War world.”

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The chapter begins with a brief history of East Timor’s relationship with Indonesia, including the turmoil surrounding the East Timorese autonomy vote and ASEAN’s response to the crisis. Next, it examines the events through the eyes of a counter-restrictionist norm entrepreneur and contemplates potential changes to the Southeast Asian security architecture that could address more successfully such instances in the future. The goal of the chapter is to suggest a path of regional cooperation that would protect ASEAN members from external interference and yet be sympathetic to the non-interventionist institutional culture of the region.

4.2 Chronology of the East Timor Crisis

ASEAN has a history of not interfering when crises arise in East Timor. The group remained silent when civil violence followed the 1975 withdrawal of colonial master Portugal from area, prompting Indonesia to incorporate the territory as its 29th province. Although “the UN did not recognize this act and had consistently called on Indonesia to withdraw from East Timor ... ASEAN member states did not associate themselves with this UN policy ...”5 ASEAN as a whole and individual members took no action after the 1991 massacre in Dili, East Timor. Malaysia, Thailand and the Philippines attempted to prevent a non-governmental organization dedicated to East Timorese independence from meeting in their capitals. From 1975 to 1999, non-intervention was observed throughout many routine instances of harsh treatment of the East Timorese at the hands of the Indonesian military.6

On 27 January 1999, Indonesian President B.J. Habibie7 stated publicly that the government would consider independence for East Timor. Indonesia then asked the UN to arrange a referendum on the matter to take place by August 1999. This led to the establishment of the UN Mission in East Timor (UNAMET), which was to ensure the safety and fairness of the vote. As early as 17 April 1999, anti-independence militia were organizing in East Timor, resulting in a clash that led to the death of dozens of pro-independence figures in Dili. After two delays prompted in part by violence, the vote took place 30 August.

With a voter turnout approaching 100%, 78% voted for independence.8 UNAMET’s presence was not sufficient to quell the violent reaction by pro-Jakarta militia to the outcome. Even after Habibie declared martial law on 7 September, the militias - ignored and sometimes aided by the Indonesian military - continued to wreak havoc on East Timor. Hundreds were killed, tens of thousands were forced as refugees to West Timor, and much of the infrastructure was destroyed. UNAMET left East Timor.9


6 Hernandez 3-4.

7 Habibie was given the presidency by Suharto 21 May 1998 after widespread riots calling for Suharto’s resignation.


9 Hernandez 4-5.
During the violence, the Philippines condemned the actions of the militia and called for Indonesia to stop the atrocities. Australia took decisive action: it “put its troops on alert and offered them as part of a larger UN force should Indonesia approve of its deployment in East Timor.”

The 9 September Auckland Summit of the Asia-Pacific Economic Forum (APEC) was seen as setting the stage for non-interventionist ASEAN members to face off with outsiders who sought a solution to the crisis. ASEAN members discussed the East Timor crisis individually, but the Association had no formal position on the matter. A special session was convened in which American President Bill Clinton made it clear that the United States wished Indonesia to invite a UN peacekeeping force to intervene in East Timor.

Political and security matters were not meant to be discussed under the auspices of APEC, but the 1999 APEC meeting was sidetracked by just these types of concerns. “APEC, which thought it would never have to deal with such issues, ha[d] been left as the only multinational forum able to address the question of what to do about East Timor.” According to the analysts at Stratfor’s Global Intelligence Center, events in East Timor “posed a radical new challenge for Asia.” “The need for intervention in East Timor and the refusal of the United States to take the lead role has forced APEC attendees to address an unfamiliar question: what sort of multilateral security force does Asia need in order to handle issues like Timor?”

At this time, the UN was bargaining with Indonesia to allow peacekeepers into the country, and Indonesia capitulated on 12 September, asking that the force be comprised primarily of Asian troops. Hernandez says “It is noteworthy that after Indonesia consented to international peacekeeping in East Timor, ASEAN officials at the APEC meeting began to discuss their countries’ possible participation in a UN peacekeeping force ....” The invitation of a force was seen as the removal of the non-interference stipulations, but ASEAN members nevertheless remained very cautious not to act too aggressively and displease Indonesian leaders. An offer to send troops was made almost immediately by Cambodia, Malaysia, the Philippines, Singapore and Thailand.

The UN voted unanimously on 15 September to create an International Force for East Timor (INTERFET), and Australia was selected to lead the mission with a Thai deputy commander. The Philippines immediately sent a humanitarian support group of 120, including medical, dental and security specialists. Singapore offered logistical support, and Cambodia offered to send troops but later withdrew the offer for domestic reasons. Malaysia and Thailand also offered support.

The UN Security Council created the UN Transitional Administration in East Timor (UNTAET), once the Indonesian legislature formally recognized East Timor’s independence. It took over from INTERFET February 2000, under a Filipino leader and an Australian deputy.

10 Hernandez 5.


12 “APEC, East Timor and the New Asian Reality” 3.

13 Hernandez 6.

14 Hernandez 5-7.
UNTAET is "fully responsible for the administration of East Timor during its transition to independence [and was] authorized to exercise all legislative and executive authority, including the administration of justice ...."\(^{15}\)

Fears of transnational repercussions of the East Timor crisis were apparent from the start. Analysts were worried that Southeast Asian political instability and continuing economic fragility would reinforce each other, causing even more discord and sending it spilling across borders. Nearby neighbor Singapore expressed legitimate fear that Indonesian instability would send boatloads of ethnic Chinese to Singapore in search of refuge from ethnic hatreds that frequently flare up when Indonesia struggles. Other neighbors were wary that Indonesia’s sectarian and separatist violence would create a domino effect that has repercussions within their own borders. Even more prevalent was apprehension regarding the effects that further Indonesian economic problems would certainly present to other still-fragile economies in the region. Combine all of these fears with the fact that the region is marred by violence, and the mixture was highly volatile.\(^{16}\)

This did not change the fact that ASEAN countries gave minimal responses to the East Timor crisis as it progressed, and the responses they did give were carefully constrained by the non-interference principles. They took a peripheral stance at the important APEC Summit, letting the United States and Australia voice the concern.\(^{17}\) ASEAN as a whole and ASEAN members individually played almost no role in pressuring Indonesia to accept a peacekeeping force.

### 4.3 Obstacles to ASEAN Action in East Timor

The following sections illustrate the paucity of regional response to the East Timor situation, and indicate the ramifications thereof. This argument is divided into three components: obstacles to responding, consequences of the lack of response and information that will be useful for similar situations in the future.

There were numerous levels of reaction to the 1999 East Timor crisis called for by regional actors, from diplomatic overtures to military intervention. In the few weeks after the vote, diplomatic pressure could have helped alleviate the mayhem in East Timor. Western powers might have made it clear to Indonesian leaders at the first major signs of violence that economic ties would not prevent the halt of loans to countries "in which militias, with the connivance of the army, make a bloodstained mockery of elections."\(^{18}\) The pressure would be most effective, however, if it did not all originate in the West.\(^{19}\) *The Economist* inquired why the regional players, having the greatest stake in local security, and also resenting Western influence on global affairs, did not “help to bring a little order to their own neck of the woods by leaning on the powers-that-

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15 Hernandez 7.


17 Hernandez 8.


19 "The tragedy of East Timor" 20.
be in Indonesia?20

A recommended possible initial step was to convene an emergency meeting of ASEAN foreign ministers. It is likely that Thailand and the Philippines would have taken the lead. The assembled ministers could have prepared a resolution condemning involvement by the Indonesian government or, less accusingly, expressing the hope that the government would use all means at its disposal to halt the violence against the Timorese. Each member country, with the obvious exception of Indonesia, could have offered troops and civilian police to form the core of a United Nations peacekeeping mission. None of these actions would have required Indonesian approval.21 In the end, ASEAN members maintained their non-interventionist reluctance to interfere and did not meet in this capacity.

In the category of military response, there were two main types of hurdles. First, capability, and second, non-interference principles. Potentially, there was little that could have been done regionally, even if non-intervention was not an issue. Although Malaysia has experience in peacekeeping operations, the tradition of restrictionism in Southeast Asia means that the military forces of ASEAN nations lack equipment, training and doctrine relevant to intervention of the sort required in East Timor.22 ASEAN is not designed to play the sort of role East Timor’s tragedy required. In fact, it must be noted that “[n]either ASEAN as a group nor any of its member countries has ever taken a direct military role in a serious security crisis involving another member country.”23

Even if a satisfactory regional peacekeeping force could be assembled, assuring its effectiveness is difficult when non-intervention considerations are taken into account. Questions of non-interference are rarely more complex than in a regional peacekeeping operation. As ASEAN statespeople contemplated involvement, they had to account for the possibility that a United Nations inquiry into alleged atrocities committed by the Indonesian military and militias would occur, and would require participation from Southeast Asian peacekeepers. The non-interference implications of ASEAN troops reporting the abuses of Indonesians are clear. Also importantly, it would be a highly delicate political situation if troops from any ASEAN nation were required to open fire upon Indonesians.24

These were vital questions surrounding Indonesia’s goals for an intervention force. Once Indonesia indicated its willingness to allow the involvement of a UN-brokered international peacekeeping force in East Timor, ASEAN states began to offer their participation. Indonesia demonstrated a preference for a force comprised of ASEAN peacekeepers, and a secondary preference for Asian peacekeepers in general. Kanjana Spindler of the Bangkok Post suggested that the UN should be wary of incorporating assistance from ASEAN members beyond the level of token contributions. Spindler noted that “[q]uite clearly the Indonesian military sees ASEAN

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20 “The tragedy of East Timor” 20.
23 Pura, “Conflict Over East Timor May Test ASEAN Alliances.”
24 Pura, “Conflict Over East Timor May Test ASEAN Alliances.”
soldiers, albeit wearing blue helmets, as the soft option.”

He asked:

Are Thai or Malaysian or Singaporean troops really going to confront the Indonesian military, their frequent golfing partners, if this becomes necessary? Are Thai or Malaysian or Singaporean troops really going to pursue the collection of evidence against the Indonesian military so that prosecution of crimes against humanity can take place?

If Indonesia were able to draw purposefully upon ASEAN allegiances to diminish the power of the UN to resolve the East Timor situation effectively, then ASEAN norms in that context could be viewed both as pernicious to the humanitarian security agenda and in contravention of UN-sponsored international norms. When the composition of the initial Australia-led intervention force became known, the Bangkok Post speculated that “Jakarta will be unable to test its theory that it could boss around ASEAN troops like its murderous militias.”

A number of further factors heightened the complexity of the decision to participate for individual ASEAN countries. Decision makers anticipated having to deal with demands from Jakarta, for example, which expected the Asian troops to provide a counterbalance to Australia’s leadership. Participating Southeast Asian countries would also face financial constraints and troops with suboptimal levels of preparedness. Domestic considerations interfered, also, due to the question of domestic protest if the troops came under fire. Also under consideration was the chance that the conflict would escalate if Indonesian militia attack the UN force as threatened. A final element of confusion was the fact that the de facto chain of command of the Indonesian military was unclear, and this held much more true for members of the militia.

Regardless of the number of challenges to participation in addition to the already pressing non-interference considerations, ASEAN states did participate. Nevertheless, their weak response opened the door to external players.

4.4 Consequences of Minimal ASEAN Participation

The lack of coordinated ASEAN response or response by individual members raised serious questions for the maintenance of regional autonomy and regional stability in the future. Although ASEAN member countries contributed to UNTAET and INTERFET, critics focused on aspects of how, when and why they did so. ASEAN has devoted a substantial diplomatic effort during the post-Cold War decade to convincing the large powers at play in the region that it should assume a lead role in promoting regional security through the ASEAN Regional Forum, and the deficient ASEAN effort in East Timor has significantly undermined this project. ASEAN’s ARF leadership role is destined to come under increasing attack due to the group’s failure to

25 Kanjana Spindler, “ASEAN: Too little, too late as usual,” The Bangkok Post 15 September 1999
<http://www.bangkokpost.net>.

26 Kanjana Spindler, “ASEAN: Too little, too late as usual.”


28 Pura, “Conflict Over East Timor May Test ASEAN Alliances.”
demonstrate its capacity or will to reach beyond confidence-building measures to preventive diplomacy.  

East Timor’s plight highlighted the discrepancies between Hassan’s and the counter-restrictionist intervention criteria as outlined in Chapter Two. Hassan’s criteria leave a wide range for restrictionist interpretation and political maneuvering. The two initial criteria, calling for UN Security Council approval in any instance of interference, are not supported by those holding the “Western” viewpoint that Security Council paralysis should not prevent humanitarian intervention. There are also wide differences between Hassan’s and Annan’s viewpoints.

Consider the first of Hassan’s criteria: it must be clear that external intervention is absolutely necessary and can result in a solution to the problem. There is bound to be a significant disparity in the manner in which the United States and Vietnam make these judgements. Each of the other criteria will reveal similar contestation. Hassan says “there must be a clear urgency to act,” but critics would see this as waiting until it is too late to do the most good. Human security proponents, for example, would stress the need to pre-empt killing and dislocation. Where Hassan says that “the action must be supported by the population in whose interest the action is taken,” critics counter that often the oppressed citizens do not have the voice to make themselves heard. This is particularly true in a region that frequently sees accurate reporting by journalists from neighboring states as intervention. Each criterion has a distinct restrictionist and counter-restrictionist interpretation.

An initial reliance on criteria similar to Hassan’s led to a great deal of destruction and loss of life in East Timor. Indonesian forces acted with impunity as its fellow ASEAN members delayed their response. Eventually, with Indonesian permission extracted by pressure from large external powers, the humanitarian agenda became active. As non-ASEAN states rushed in to help, regional autonomy issues surfaced.

The TNI’s “scorched-earth policy” for East Timor was meant to “send a clear message to Acehenese and other erstwhile separatist movements that total destruction would be a price that TNI would be willing to extract to prevent separation.” A similar logic was likely behind Jakarta’s delay in inviting the UN intervention force. It would not be in Jakarta’s interest to set a precedent for UN assistance to separatist movements. In the end, “the reality is that the violence only dies down when Jakarta was persuaded that the ‘lesson’ had been adequately communicated, and the UN permitted to enter East Timor only after the damage was done.”

There are numerous criticisms of ASEAN’s response to the East Timor crisis in addition to its general lack of condemnation of Indonesia. For example, even in the face of the atrocities on the island, Myanmar’s ruling junta remained vocally sympathetic with Indonesia. Thailand and Malaysia were not only slow to agree to participate in peacemaking, but then proceeded to complicate the situation by bickering over which would provide the mission’s deputy commander. Vietnam disallowed Thai troops en route to East Timor access to Vietnamese airspace during

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31 McDevitt 2.
nightfall, a situation exacerbated by the fact that Thailand was the main regional troop supplier. The *Far Eastern Economic Review* recognizes the wealth of political obstacles faced by ASEAN in a situation that may involve intervention in another state’s affairs, but it also conveys the problems resulting from ASEAN’s failure to rise to the East Timor security situation:

Certainly, ASEAN members seem conscious of East Timor’s potential as a diplomatic, rather than a military, quagmire. Uppermost in their mind is the threat a wounded Indonesia poses to intra-ASEAN harmony. That explains why Thai Foreign Minister Surin Pitsuwan, as this year’s ASEAN standing chairman, visited Jakarta before signing on to participation in the international force. Thai officials also say it could also explain why Singapore, always wary of its giant neighbor, opted to send an unarmed force of mostly medical teams. But it is just that sort of waiting and wrangling that lost ASEAN the initiative—and placed it firmly in the hands of others.

The *Review* called the appearance of INTERFET in East Timor an “eerie historical throwback,” noting that the arrival represented the first time since the Vietnam War that a military force not led by Asians had landed in Southeast Asia. More pointedly, the *Review* wrote that “ASEAN’s failure to intervene in East Timor has allowed the great powers to step in and may cost the grouping its security role.” This may be hyperbole. More likely is the viewpoint that “[t]he region could now see more aggressive security overtures from the West.” As Chipman notes, “regional reluctance to lead an intervention force in a neighboring country, even one based on invitation, made inevitable an Australian-led force.” This created “the reality, not necessarily more palatable, that since regional intervention is unlikely, external intervention is necessary.”

ASEAN’s slow reaction to the crisis created a regional leadership void filled by larger powers, thereby relegating ASEAN to a supporting role. The situation prompted a recommitment from Washington to defend the Philippines from any attack, and may assist France and Britain (as members of the intervention force) in their quest for an enhanced role in Southeast Asian security affairs. There is also speculation that events in East Timor may tempt China to assume a more assertive stance in Southeast Asia. Analysts suggest that the opportunity for the Northeast Asian giant to expand its influence in Southeast Asia could prompt it to temporarily overcome its traditional aversion to international intervention. China typically views any interference in a state’s sovereign affairs as a potential precedent for outside involvement in the cross-Straits issue or the volatile Tibet and Xinjiang regions.

The most immediate threat to long-term regional autonomy emerging after the crisis, however, was the real or perceived step toward a reinvigorated security presence for Australia in

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32 Vatikiotis, Dolven and Crispin 14-16.

33 Vatikiotis, Dolven and Crispin 14.

34 Vatikiotis, Dolven and Crispin 14.


36 Vatikiotis, Dolven and Crispin 14-16.
the region. The situation disrupted years of confidence-building measures between Australia and Indonesia. In late September 1999, Australian Prime Minister John Howard announced dramatic changes to Australian foreign policy. The new strategic outlook, labeled the “Howard Doctrine,” centered around two main assertions. First, Australia pledged to play a more central role in Asian security, including intervening in crisis situations such as that in East Timor when necessary. Second, Australia would follow these initiatives in the capacity of a “deputy” to the United States. Howard indicated he would pursue the appropriate increases in defense spending necessary to play this role adequately.37

Tragic events in East Timor, which immediately preceded the announcement, could only reinforce the decision, described as a “critical piece of the regional strategic response to the new [Asian] economic reality.”38 A main impetus behind the change was the dramatic manner in which the economic crisis altered politico-strategic perceptions of East Asia as “[s]trategic issues, submerged under the flood of money, emerged again” in the wake of the economic turbulence.39

Australian perceptions of low levels of strategic vulnerability due to the region’s general stability resulting from economic prosperity, coupled with the belief among Australian leadership that the United States would protect shipping lanes in the area, prompted Australia to maintain a low profile in the region from the mid-1970s onward. This changed when Indonesia, the central country Australia considers in the formulation of foreign policy, was plunged into chaos in 1997. Sea lanes vital to Australia were now potentially insecure, and the US had not calculated the risk, even after the East Timor vote, as threatening to American interests.

Australia had attempted to position itself economically to take advantage of Asian economic prosperity, but when the bubble burst in 1997, Australia’s reliance on the US economy was highlighted. Since Australia had a history of limiting its regional strategic involvement, instead relying on the US, it had not developed high levels of strategic interdependence with the Americans, and the latter consequently had limited interest in the strength of the Australian economy. Howard needed to impress Australia’s importance upon the US in order to gain influence, and his offer for Australia to become “deputized” was intended to enhance Australia’s voice in shaping US strategy in Asia. As Stratfor Intelligence indicated at the time, “[t]he United States is not listening to Australia right now, nor will it until Australia antes up. That means having sufficient forces in the kinds of operations the United States wants.”40

The result is a situation in which US-approved humanitarian norms, exacerbated by Southeast Asian security difficulties and mediated by economic considerations, influenced Australia in a manner that threatens Southeast Asian regional autonomy. Predictably, Australia’s ASEAN neighbors were quick to respond to a policy change they viewed as threatening to ASEAN’s regional mandate. Stratfor Intelligence explained that “John Howard... committed Australia to a mission that no Asian country applauds and some condemn.”41

38 “There’s a New Deputy in Town: Australia’s New Strategy” 1.
40 “There’s a New Deputy in Town: Australia’s New Strategy” 4-6.
41 “There’s a New Deputy in Town: Australia’s New Strategy” 1.
If ASEAN members had effective indigenous mechanisms with which to address crises, the situation would have been shifted in favor of regional autonomy. What movements might be made in the region that would both respond to the weaknesses of the security cooperation in Southeast Asia and respect indigenous regional political proclivities?

4.5 Indonesian Stability

Two sets of questions must be asked of the effects of the East Timor crisis. First, what lessons did the events in East Timor present to ASEAN? Second, what lasting effects did East Timor's separation have on Indonesian stability, and by extension, on ASEAN? The first question will be the focus of the chapter because it highlights questions of sovereignty-neutrality within ASEAN, but the second merits comment at this point, because the overall stability and political status of Indonesia necessarily has significant normative implications within the region. For example, if Indonesia becomes a stable democracy, this is likely to bring ASEAN closer to the tipping point for normative change in the intervention realm.

It was difficult in at the beginning of the new millennium to overestimate the fragility of the political and security situation in Indonesia, even setting aside the East Timor debacle. The Economist summarized:

Last October Abdurrahman Wahid was given the presidency of one of the world's largest countries, spread across 17,000 islands and with numerous ethnic groups. Run as a dictatorship for more than 30 years, Indonesia was rife with corruption, desperately short of honest judges and policemen, and full of groups with the money, the arms and the influence to cause trouble. On top of all that, the country's first democratically elected president inherited an economy crippled by a collapsing currency, collapsing banks and companies collapsing under their debts. Oh, and by the way, President Wahid is half-blind and was weakened by a near-fatal stroke two years ago.

The Economist did not mention the difficulties Wahid faced in taming the military, but it does capture the fragile political situation. Leadership resources in the country were and remain stretched thinly.

Since 1997, there has been speculation that Indonesia's political instability renders the multi-ethnic, multi-religious archipelago vulnerable to disintegration. In the worst case scenario, in which Indonesia were to suffer significant territorial dissociation as a result of a series of secessions, the question of ASEAN norm evolution would be overshadowed by more fundamental security matters. In all likelihood, normative debate would cease, and the organization would maintain the status quo until such a time as individual leaders felt secure that the threat from transnational ramifications of the massive disruption in Indonesia had ceased. There were legitimate causes for fear in 1997 that an East Timorese separation would embolden other regions.

42 This is a more appropriate question than, "What lessons did ASEAN learn from the events in East Timor?" Even if ASEAN demonstrates little or no change in behavior after the crisis, there may be information that arose which will be influential in the future and potentially useful to norm entrepreneurs.

with simmering or active separatist aspirations, and consequently encourage a “domino effect” in which these areas would follow the East Timorese initiative, causing further territorial disintegration. This has not happened, but it remains possible.\footnote{Donald K. Emmerson, “Will Indonesia Survive?” \textit{Foreign Affairs} 79.3 (May/June 2000): 9.}

Donald K. Emmerson writes that although separatist movements have succeeded in attracting Jakarta’s attention (and ire), they lack the support and resources necessary to achieve their goals. He rejects the idea that East Timor’s separation represents an omen foreshadowing the eventual disintegration of the country. In his opinion:

\begin{quote}
... East Timor is a very small place - not much more than half a million people on fewer than 15,000 square kilometers of land. Excising that territory from the vast eastern underbelly of a country that is 1.9 square kilometers large has left but a tiny scar. Indonesia has not only survived the surgery but emerged with its prospective health improved.\footnote{Emmerson 9.}
\end{quote}

Emmerson stresses that the East Timor extraction “surgery” was “botched.” Nevertheless, Indonesia came away in an improved condition, because it took a small step away from both authoritarian rule and economic turmoil when it relinquished its grasp on the restive territory. In an Indonesia with a rapidly shrinking GDP, the repression of the East Timorese came at an increasingly debilitating cost, particularly due to its negative effects on political and financial support from foreign sources opposed to the human rights record of the Indonesian government in the area.

East Timor, then, does not qualify as an omen, and nor can it serve as a model, because the relationship between East Timor and its former oppressor was unique in its uncertain legality. There is no widely accepted legal argument that other secessionist areas are not legally part of Indonesia.\footnote{Emmerson, “Will Indonesia Survive?” 96-97.} In summary, Emmerson is optimistic that “the recent secession of East Timor is unlikely to cause a chain reaction ....” He suggests that “the geographic and cultural patchwork of Indonesia may shrink, but it is not about to unravel.”\footnote{Emmerson, “Will Indonesia Survive?” 95.} The situation in the country remains unstable, but there is little evidence that disintegration is imminent.

4.6 Viewing the Crisis from the Perspective of a Norm Entrepreneur

Crisis situations raise two related questions in Southeast Asia. Although the questions are posed by people on different ends of the restrictionist continuum, they appear to have similar answers. First, what do interference-wary Southeast Asians do if outside powers want to intervene in a security crisis? Second, what do ill-prepared Southeast Asians do if outside powers, especially the interference-weary United States, do not wish to intervene in a security crisis? The adoption of stronger regional security mechanisms based on a less restrictionist regional framework is the beginning of this answer. This course of action is based on the evidence that something will fill the vacuum if there is no Southeast Asian security solution to a Southeast
Asian security crisis.

Non-interference norms currently prevent intrusive, institutionalized mechanisms, but there are limited, incremental, loosely institutionalized measures that could prove more palatable to ASEAN leaders and also enhance regional security. Chipman comments that the “East Timor experience will have reinforced the sense of mutual vulnerability to internal disarray, though the fact that external intervention took place only after Indonesian official acceptance to it will not have changed the basic reticence against intervention.” The “basic reticence” may not be changed, but the case for change has been strengthened. Regional interventionism is distant in Southeast Asia, but a more neutral approach to sovereignty is imminent.

It would be careless to suggest that the involvement of Southeast Asian forces in the East Timor intervention was evidence of an emerging norm of humanitarian intervention in the region. James Cotton explains that the case is interesting because it is, indeed, uncharacteristic for ASEAN countries to participate in a mission with a “specifically humanitarian rationale,” such as INTERFET. It is arguable that the mission was not based on humanitarian principles, but rather regional stability. Nevertheless, any such participation, whether political or humanitarian, is noteworthy.

Cotton says, “The regional response to the Timor issue does not reflect a re-evaluation of the doctrine [of non-interference], but was a consequence of specific historical and political factors.” ASEAN’s actions should be interpreted in a much more subtle fashion than as evidence of the emergence of a norm of intervention. One can conclude only that ASEAN’s role in the East Timor intervention was evidence of the ongoing erosion of the traditional norm of non-intervention. This is, however, a necessary step toward the eventual emergence of humanitarian norms.

Former Thai Foreign Minister Surin addresses the regional implications of a crisis in ASEAN’s backyard from his entrepreneurial perspective. He says that “[i]f the problem is allowed to fester, it will give an impression of insecurity and lack of collective responsibility.” Surin explains that “the regional collective response [to East Timor] has given the international effort a more credible and effective way of handling the problem.” He said that those ASEAN states that participated in the intervention were “able to cover sharp edges of the issue by participating.” Although ASEAN participation was deficient, it was valuable, because it enabled Southeast Asian input. This served a dual purpose. First, it meant that those who knew the situation most intimately played a role. Second, it allowed ASEAN players to save face by allowing them to influence the course of the actions.

ASEAN members did not participate as a group, but rather decided on a capital-by-capital basis how to respond, and Surin discusses the value of security initiatives led by individual Southeast Asian states:

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48 Chipman 5.

49 Cotton 1.


51 “‘We Have Earned Respect.’ ...” <http://asiaweek.com>.
Each individual member is different. If each of us has some initiative, we should be able to pursue it, rather than being told: ‘Look you can’t do that, you can’t take the initiative, because you need a consensus.’ I think that would deny members their own potential for growing, for making networks and connections. We have to be flexible, don’t expect every country to go along on every issue that every other country, or even one country, is doing. That’s not realistic. We’d be suffocating.\textsuperscript{52}

Movement toward individual state responses to issues is threatening to the more restrictionist states, but there are ways to minimize the potential disruption to intramural relations.

If the dominant norms in Southeast Asia change from non-intervention to some highly qualified type of intervention, there must be an outline of the circumstances in which intervention will occur. As Carolina G. Hernandez notes, “It is necessary to specify the types and severity of crisis originating from within national borders and the terms and conditions that must be observed for international action in a domestic crisis to take place.” Also importantly, “One of the possible tests or indicators is the transborder character of a domestic crisis.”\textsuperscript{53}

Even though these specifications will be restrictionist, they could be framed more proactively than Hassan’s paralytic list of criteria. Preparing such a definition would help considerably to enable the discussion of norm evolution. The parameters for intervention may be assembled in a manner that provides the foundation for a future human security regime. Former United Nations High Commissioner for Refugees, Sadako Ogata, states that the international community must pursue a “ladder of options” when addressing security issues. Her position is critical, because it illustrates an incremental approach to conflict reduction and avoidance that would be appropriate in Southeast Asia.\textsuperscript{54}

A ladder of options would outline clearly a set of alternatives for action in a security crisis or imminent crisis, beginning with “soft,” diplomatic actions and moving to “hard,” military operations. The ladder could be used as a tool to ensure restrictionist leaders that the influence from their neighbors would have clear limitations. Alternatively, counter-restrictionist leaders could use it to aid in their argument that there are options available that would prove useful in a situation. At the “soft” bottom of the ladder would be the presence of multinational observers and humanitarian agencies in a crisis zone. Occupying the middle range would be elements such as training and support for national law enforcement, and at the “hard” top of the ladder would be international intervention.\textsuperscript{55} The bottom of the ladder would not need to include international presence of any sort, other than a mechanism for ensuring that specific local steps are being taken. This limited option would be the most suitable for a sovereignty-neutral regime.

If ASEAN had a ladder of options in place, it could use it to frame responses to conflict and save face even if outside powers did most of the work. Cotton explains of the East Timor intervention that “Asian participation was crucial if the operation was not to resemble an instance

\textsuperscript{52} "We Have Earned Respect:"... <http://asiaweek.com>.

\textsuperscript{53} Hernandez 9.


\textsuperscript{55} Ogata 4.
This highlights the desire to preserve regional autonomy, even if it means contributing to an intervention force led by powers from outside the subregion. Southeast Asian leaders must consider the need for a ladder of options, and understand that for at least the near future, at some point on the ladder the responsibility will shift to external powers.

ASEAN has long faced a choice between evolution and irrelevance. For Chipman, the choice is described more accurately as between “regional narcissism” and “extroversion.” If ASEAN allows the evolution of its regional code of conduct, it will be less likely to be seen as irrelevant and to tempt outside powers to expand their role in the region. Chipman elaborates:

Caught between a developing new regionalism and old fashioned adherence to balance of power realities, the states of [Southeast Asia] will find that the natural compromise for crisis management will be a form of contact group politics. When a crisis emerges, local and outside states will need to collaborate in an ad hoc manner as they did in East Timor. Such “contact group” and ad hoc politics are useful, because they bring relevant powers together without formalising the directoire politics that smaller powers in regions fear. Of course, the fact that they are necessary usually points to the weakness of the regional institutions from which they provide an elegant escape.

Put simply, “what happens when regional institutions show themselves unable to develop genuine common foreign policy and security policies is that their instinct to turn to contact group politics and outside benefaction is what becomes institutionalized instead.” If ASEAN wants to avoid, or at least minimize, this possibility, it could look to a ladder of options approach. Sovereignty-neutrality is a necessary condition for this move.

Any changes toward sovereignty-neutrality will have widespread consequences, not all of which can be predicted. A sovereignty-enhancing organization that moves to sovereignty-neutrality will become prey to a vast array of forces from which it was insulated formerly. For example, regional political liberalization tends to encourage civil society groups within and between states to achieve a louder voice in international affairs, thereby enhancing calls for democratization and governmental accountability. Civil society groups in Southeast Asia are growing in ingenuity and resources, and the effects of the behaviors possess great potential for change. Political liberalization also affects official activities, though.

In August 2000, Indonesia's state-run national human rights commission requested that the UN organize an international peacekeeping presence to address fighting between Muslims and Christians in the Moluccan Islands. It is critical to note that the commission did not make the request to ASEAN. Never before had an Indonesian governmental body requested directly foreign intervention at home or in the region. Commission spokespersons explained that the military and police contingent present had proven unsuccessful in stopping the fighting, which at 4000 deaths had begun to rival the destructiveness of that in East Timor. The commission requested a UN

56 Cotton 5.

57 Chipman 6-7.

58 Chipman 7.

59 See page 45 for a description of sovereignty-neutrality in ASEAN.
peacekeeping force of civilian police to aid in ceasefire negotiations, with a preference for troops from ASEAN states. Although the UN declared its readiness to respond, it said it would wait for a formal invitation from the Indonesian government. Meanwhile, it has established a modest “humanitarian presence” of seven staff members in the islands. The invitation has not been made, but the human rights commission’s request is an example of the idea that a regional intervention consistent with regional autonomy would have been the optimal solution to the fighting.60

Theodore Friend of the Foreign Policy Research Institute goes beyond the ladder of options idea to assert that “[a] standing regional peacekeeping force is the best long-term guarantee against foreign intervention.”61 This may be true, but there are two sets of forces working against this: 1] lack of resources and 2] non-intervention. Hassan’s comprehensive list of criteria, as seen in the last chapter, highlights the need for a regional crisis center, including if it is modified toward a more proactive ladder of options approach. Ensuring the fulfillment of these criteria requires the sort of coordination that could only be achieved by dedicated actors with strong lines of communication. Nevertheless, the activation of such a body is unlikely in the short term.

Huntley and Hayes explain the overall lesson that can be drawn from the East Timor crisis:

…the crisis in East Timor is archetypical of the future. As international crises rooted in humanitarian concerns increasingly arise - as they inevitably will - concerned individuals will play ever-greater roles in bringing brutal realities to international audiences. Capable powers must then be prepared to react very rapidly in ways that maximize international support if they are to satisfy both the humanitarian imperatives and security challenges such crises will pose.62

There is now a mechanism in place that can be used as a foundation for the subtle changes ASEAN is likely to make in this direction.

4.7 Troika

After the July 2000 ASEAN Annual Ministerial Meeting, analysts noted that the idea of “enhanced interaction” appeared less “heretical” than previously.63 The most vital component of this perceived shift was ASEAN’s response to the Thai proposal for a cooperative “Troika” system to address regional security concerns. ASEAN announced the impending composition of the Troika on 24 July 2000 in its official ministerial communiqué following the 33rd ASEAN Ministerial Meeting:

Pursuant to the decision of the Third ASEAN Informal Summit, convened in

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62 Huntley and Hayes 10.

Manila on 28 November 1999, on the proposal to set up an ASEAN Troika at the ministerial level, the Foreign Ministers approved the Paper which sets out the principles and purposes, and the procedures for the constitution of the ASEAN Troika.

Under the Troika provisions, ASEAN’s annually rotated chairman can initiate a consultative process amongst the members countries. A likely course would be to gather the past, present and future chairpersons to consider a course of action. The imminent creation of the Troika has been called a “small but significant step toward a collective foreign policy.” What remains to be determined in the years ahead is whether it will prove more small or more significant.

The body has the potential to mark an important step in ASEAN evolution, but in the fashion typical of the group, its format has been diluted to pacify the ASEAN members most staunchly opposed to interference. In Surin Pitsuwan’s initial proposal, an individual member state had the ability to activate the Troika to address any regional crisis as it saw fit. The version of the Troika formally adopted at the 2000 ASEAN Ministerial Meeting requires the consent of all ten foreign ministers prior to activation. “It will be restricted to making recommendations to the full set of foreign ministers, who may or may not decide that the events have the potential to affect ASEAN in political or security terms and require collective action.”

Hence, the Troika blueprint is based not on improved flexibility, but on the familiar principles of consensus and non-interference. Analysts have been quick to question the relevance of a body designed to respond rapidly to crisis but founded in non-interference. When this is combined with the lack of a clear mandate regarding the conditions of its employment, there are distinct limitations on the prospects for effective use of the body in the near future.

ASEAN’s critics pounced on the results of the 33rd AMM, particularly the Troika arrangement, as soon as the Ministers’ Statement was circulated. For example, Barry Wain wrote in The Asian Wall Street Journal:

Confronting numerous challenges that are tending to marginalize ASEAN and reduce its international influence, the 33rd annual gathering of foreign ministers in

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67 Provisions for a High Council to examine potential security crises in ASEAN’s founding document, the Bangkok Declaration, proved insignificant. The Council has never been convened.


69 Wain 1.

Bangkok showed no inclination to bite the bullet. For two days they talked their way around critical issues, settling as usual on the lowest common denominator but doing little to restore ASEAN’s credibility. The Troika, for example, is supposed to answer criticism that ASEAN did nothing last year when East Timor went up in flames. But it is far from certain that the arrangement would change anything in the event of similar turmoil in the future.71

The criticisms are justifiable, but there is a deeper significance implicit in the Troika arrangement. Its creation is a clear response to the evolving Southeast Asian security situation, and a point of entry for counter-restrictionist entrepreneurialism.

Once an institution such as the Troika has been created, it can gain momentum under the proper circumstances. Momentum is catalyzed as norm entrepreneurs rally around the concept, and institutions can assume political urgency solely through their existence. It is impolitic for ASEAN to create a Troika and then fail to use it, thereby relegating it to a perpetual nascency. Once inaugurated, leaders have an obligation to utilize them eventually, or face making the implicit admission that the group was created for the sole purpose of quelling dissent, and was never intended to become operational or effective.72

In the current interventionist international climate, pressure from inside and outside ASEAN will assure that the organization is not allowed to remain dormant.

4.8 Conclusion

ASEAN members were unable to coordinate a common position on events in East Timor, relegating the response to individual capitals, none of which acted quickly or aggressively. United Nations deliberations resulted in the introduction of an intervention force, but only after pressure brought to bear by the United States and Australia prompted Indonesia to invite the force to intervene, eliminating much of the concern about sovereignty violation. The East Timorese earned their independence, but not until Indonesia punished their desire for liberty and used them to send a clear message to other provinces that secessionist movements would not be dealt with lightly by the military. Now, the people of East Timor are building their nation from a very bleak starting point, and it will be years, perhaps decades, before their lives resume an air of normalcy.

The overall result of the combination of pressures examined throughout Chapter Three is that ASEAN is slowly reevaluating its non-interference doctrine. This is not primarily as a result of threats to ASEAN norms from outside powers, but of an inconsistency within regional norms created by a combination of ideational tensions indigenous to ASEAN aggravated by emerging international realities. Essentially, ASEAN will accept minimal intervention from within the region to prevent grander external interventions. Although this is controversial, ASEAN will remain intact not only because the members have national interests embedded within the organization, but also because they have developed a regional identity through ASEAN that is tied to their national identities.

71 Wain 1.

72 These issues did not become important in the case of the ASEAN High Council which has never been convened, but the political climate within ASEAN and internationally is now much less likely to ignore the potential of such a body.
CHAPTER V - CONCLUSION - THE FUTURE OF NON-INTERFERENCE

The non-intervention norm contestation within the Association of Southeast Asian Nations is less than five years old. Although changes to this point have been subtle, this is not cause for pessimism regarding the counter-restrictionist agenda in the region. Traditional non-interference norms are embedded deeply within ASEAN and their contestation must be incremental.

It is possible that norm evolution can move in one direction and then reverse course; attempts at norm change can fail. Unforseen threats could lead toward a retrenchment of the Association’s traditional norms. For example, counter-restrictionists in Southeast Asia faced a setback when Surin Pitsuwan, one of the greatest individual proponents of human security, left his post as Thailand’s Foreign Minister. The loss of Surin’s efforts is certainly not sufficient to derail counter-restrictionism in Thailand, though. Democratization in the country is a stronger force for change than one person could ever be. As the voice of the people grows, and civil society continues to bloom, domestic pressures for a more interventionist foreign policy will expand. It is also important to recall that the country retains its membership in the Human Security Network.

There are a number of factors that bode well for the future of counter-restrictionism in Southeast Asia. The East Timor crisis had two important effects on the intervention debate in the region. First, it exposed again the inadequacy of the region’s security mechanisms, highlighting the obstacles to cooperation posed by non-intervention principles. Second, it revealed a situation in which different elements of ASEAN’s set of norms proved irreconcilable. The organization cannot reconcile regional autonomy and non-intervention in an interventionist international political climate. ASEAN leaders cannot claim that the idea of sovereignty-neutrality advocated here is merely Western ideational imperialism when tensions within indigenous norms expose the inadequacies of a regional sovereignty-enhancement regime. If ASEAN is to achieve the levels of cooperation necessary to address regional security issues without outside interference, members must be able to comment on each other’s domestic political situations. ASEAN norm entrepreneurs can add the argument based on regional autonomy to their repertoires.

As globalization progresses and Southeast Asian interdependence is enhanced, it becomes clearer to ASEAN statespeople that problems in one country in their region have the potential to affect the other members domestically. Perhaps more than anything else, this fact will prompt reevaluation of the non-interference principle.

Indonesia is now calmer politically than it has been since 1997, but it is an open question to what degree democracy will take root in the country. The Southeast Asian giant has been the most critical player in the region since ASEAN was born. If democracy grows in Indonesia, and Indonesian leaders adopt a more interventionist stance on human rights issues at home and in the region, this would help ASEAN reach the critical normative tipping point necessary to move the group toward sovereignty-neutrality.

The most immediate challenge faced by counter-restrictionists is to take the support for the human security agenda out of track two meetings and foreign ministries, and find a place for it in the innermost circles of ASEAN power. Until those who occupy ASEAN’s top political posts become sympathetic to the changes necessary, there is less hope for normative evolution. To date, no ASEAN leader has spoken clearly for change to the non-interference principle. As of September 2000, though, there is an international body which explicitly share the goals of counter-restrictionists. The increasing international pressure it provides may help influence ASEAN decision makers at all levels.

The International Commission on Intervention and State Sovereignty (ICISS) was
commissioned by the Canadian government as a response to a challenge posed to the international community by UN Secretary-General Kofi Annan in his Millennium Report. Its mandate is “to build a broader understanding of the problem of reconciling respect for the sovereign rights of states with the need to act in the fact of massive violations of human rights and humanitarian law.”

The ICISS is scheduled to report to the 56th UN General Assembly in 2001 after research, regional roundtables and meetings throughout the world. It is designed to incorporate a broad range of viewpoints from different regions and different types of actors. Meetings will include Commission members, civil society representatives, non-governmental organizations, academics and governmental officials. Former president of the Philippines, Fidel Ramos, is one of the twelve commissioners.

Changes ASEAN is making are conservative by the standards of many Western states. Nevertheless, the changes, once made, can develop an unpredictable momentum. International affairs are not the same as they were a decade ago, and the new generations of Southeast Asian leaders will undergo a measure of their political socialization in a more interventionist world. Norm entrepreneurs and civil society groups of all sorts will rally around any points of entry that appear, and small changes can lead to more. Martha Finnemore says that “mutually reinforcing and consistent norms appear to strengthen each other; success in one area ... strengthens and legitimates claims in logically and morally related norms ....” We should view norms “not as individual ‘things’ floating atomistically in some international social space but rather as part of a highly structured social context.”

ASEAN evolution is a model of incremental change shaped by the conservative nature of the indigenous regional political culture. As Hassan says of non-interference, “The need to devise exceptions to a principle must not lead to the abandonment of the principle itself.” The sooner ASEAN leaders can be convinced that this will hold true, the sooner the people of the region will become more secure. Paul Evans recounts a personal conversation in which a Chinese security expert opined that “multilateralism in Asia Pacific is impossible but inevitable.” Given the current balance of restrictionist inertia and counter-restrictionist entrepreneurialism in Southeast Asia, the comment may be particularly applicable to Southeast Asia.

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