Chapter II

The Myth and Reality of ASEAN Community

During the decade of the 1990s, all the Southeast Asian states became members of ASEAN, as a result of which the whole of Southeast Asia was incorporated within its fold. Vietnam became a member of ASEAN in 1995 followed by Burma and Laos in 1997 and Cambodia joined the ASEAN as its tenth member in April 1999. After Cambodia’s admission in April 1999, ASEAN elites hailed it as completing the dream of ‘One Southeast Asia’. ASEAN elites believed that its voice in the international arena would substantially increase if the regional grouping can speak with one voice on behalf of the entire region. It was contemplated by the regional elites that the best chance of getting the mainland Southeast Asian states (Vietnam, Cambodia, Laos and Burma) to join the organization in the immediate aftermath of the Cold War might be lost if ASEAN waits for too long. The four new members made ASEAN home to more than five hundred million people and more appealing as an economic destination to the outside world, primarily in terms of trade and markets for manufactured products. During the time of membership expansion within ASEAN in the decade of the 1990s, some key regional leaders like former President of Indonesia Suharto and former Malaysian Prime Minister Mahathir Bin Mohammad viewed an expanded ASEAN as part of their legacies. There were several reasons behind this process of membership expansion within ASEAN, which will be later evaluated in this chapter. Further, in October 2003, the second Bali summit was organized by ASEAN, where the Second Declaration of ASEAN Concord, a sequel to the 1976 Declaration of ASEAN Concord was adopted. Through adopting the ASEAN Concord II at the 2003 Bali summit, ASEAN announced its new long term objective to create an ASEAN Community, based upon three pillars, namely, the ASEAN Security Community, ASEAN Economic Community and the ASEAN Socio-Cultural Community (ASEAN Concord II 2003). The original date for realizing this ASEAN Community was fixed at 2020, which later was revised and brought forward to 2015 (ASEAN Cebu Declaration 2007).

It is also worth noting that ASEAN had adopted an ASEAN emblem and an ASEAN flag in July 1997. The circle of the ASEAN emblem represents the unity of ASEAN. The official ASEAN anthem characterized as ‘The ASEAN Way’ was adopted by ASEAN on November 20, 2008 (ASEAN Anthem 2010). The ASEAN flag is a symbol of the member states’ unity and
support for the principles and endeavours of ASEAN and is a means to promote greater ASEAN awareness and solidarity (ASEAN Flag 2011). Accordingly, the ASEAN flag is said to represent a stable, peaceful, united and dynamic ASEAN. Through all these initiatives, the ASEAN elites have tried to provide an image of ASEAN being a united and collective entity in the Southeast Asian region. However, a careful scrutiny of ASEAN’s stand in various regional and international issues will reveal that there have been several instances of differences among the member states on these issues in the last four and a half decades. Moreover, the kind of regional community that ASEAN is striving to achieve within 2015 as enunciated in the Second Declaration of ASEAN Concord signed at Bali in 2003 is based on the imagination of the ASEAN elites with very little inputs and participation from the people who inhabit the region. Therefore, this chapter will focus on the fact that the ASEAN’s attempt to provide a united face and its emphasis on the dream of ‘One Southeast Asia’ through various treaties, declarations and positions taken on various regional as well as international issues are primarily symbolic in nature. If one carefully evaluates ASEAN’s workings since its inception in August 1967, one would not find it difficult to come across various instances where there have been latent tensions if not differences in perception among the member states, which in a way have posed important challenges to the community building process undertaken by ASEAN based upon the norms of the ASEAN Way. As it will be highlighted in this chapter, in spite of significant progress being achieved by ASEAN towards the process of community building in the region based on elite imaginations and norm compliance, it is still debatable whether the norms of the ASEAN Way have actually resulted in a sense of collective identity within the region. It is important to highlight in this context that even if such a collective identity has actually emerged, that collective identity has remained confined among the regional elites within the institutional structure of ASEAN and has not in any way percolated among the people who inhabit the imagined region of Southeast Asia.

Contested Ideas on Southeast Asia

and the Emergence of ASEAN

In the decades of the 1950’s and early 1960’s it was difficult to make an argument in favour of regionalism in Southeast Asia. Despite worldwide interests in regional organizations and number of regional ideas offered by Southeast Asian elites, interests in organizing Southeast Asia as such
was both limited and late in coming, which clearly indicate that at that point of time, most found the idea either not attractive or not obvious. On the contrary, regional elites during the period tended to be drawn to grander and bigger ideas of ‘Asia’. These grand ideas about ‘Asia’ in the period immediately after the end of the Second World War found expression in U Aung San of Burma who offered a broad vision of an Asian federation comprising of India, China and Southeast Asia. Also, former Indonesian Prime Minister Soetan Sjahrir similarly opined on an idea concerning pan-Asian unity that extended beyond Southeast Asia. Another expression of the idea of a broad Asian federation can be found in the deliberation of the first Asian Relations Conference, held at New Delhi in 1947, which brought together a large contingent of Afro-Asian leaders including significant participation from the Southeast Asian region. The emergence of the Cold War in the immediate aftermath of the end of the Second World War also inspired certain new regional arrangements mostly in the form of Third World solidarity movements like the Afro-Asian Conference organized at Bandung in 1955 or the ‘Pacific Pact’ of the then Philippines President Quirino.

There were also other ideas about defining a region more narrowly along ethno-nationalist and ethno-religious lines. These ideas include a proposal from Thailand, which proposed the Union of Buddhist Mekong countries comprising of Laos, Cambodia and Thailand. There were also various proposals for a pan-Malay union in the region incorporating the then Malaya, Indonesia, the Philippines, Borneo and New Guinea as well as southern parts of Thailand. All these ideas proves that interest in regional association was there among the Southeast Asian elites even in the decade of 1950 although none of these ideas saw the light of the day later on (Ba 2009: 44).

But these divergent ideas indicate the different ways in which the elites during that time viewed the region being cut and expressed based on their own imaginations. It also underscore the point that Southeast Asia was an intensely contested idea at the time given its diversity, as well as the prevailing interests, conflicts, and ideologies during the decades of 1950 and early 1960. Indeed, for many, Southeast Asia’s geographical ambiguity, cultural and ethnic heterogeneity, historical porousness to the outsiders along with its lack of autonomy vis-à-vis other powers and regions made highly debatable the claim that Southeast Asia represents any form of a coherent or meaningful entity (Fisher 1966; Emmerson 1984: 1-21). There was also debate over the boundaries of Southeast Asia among those who accepted it as a cultural and
geographical space. Particularly hard to reconcile were the differences between mainland and insular Southeast Asia, which were distinguished not only on the basis of geography but also along the lines of ethnicity as well as intensity of relations. In fact, such differences in a way justifies thinking of the space as two regions, but to consider it as one region named Southeast Asia seemed unthinkable to most. In the decade of 1950, there was a prevalent view among many that Southeast Asia is culturally so diverse and politically subdivided as to raise skepticism in some minds on whether it can at all be viewed as a meaningful entity in a positive sense at all. Moreover, during the colonial era, Southeast Asia was divided among as many as five imperial powers with different philosophies about colonial administration and therefore, not even colonialism can be considered to be a truly unifying experience in the region.

It is also important to note in this connection that during the decades of 1950 and most part of 1960, it was nationalism and not regionalism that seized the imagination of most of the leaders of the Southeast Asian states (Ba 2009: 45). This was seen not only by the short-lived nature of most of the regional proposals as few made it beyond the planning stages, but also by the fact that those that did went beyond the preparatory stage seldom moved beyond the first or second meetings. Coupled with this, at that point of time, the region was engulfed by conflicts between the Southeast Asian states. In the Southeast Asian region, in the early 1960’s, some regional elites had conceived a different regional idea focused on Southeast Asia, but nationalist rivalries, national sensitivities and intensified nature of inter-state conflicts continued to make such ideas less than persuasive. There were two short lived efforts during the early part of 1960’s, which shows the different visions of regional ideas at that point of time, which fell through as a result of the challenge posed by nationalism. These two short lived efforts on part of some Southeast Asian elites include the initiative to create Association of Southeast Asia (ASA) in 1961 and Malaysia, the Philippines and Indonesia (MAPHILINDO) established in 1963. As the most immediate organizational precursor to the ASEAN, these two short-lived initiatives of forming regional organizations offer important insights into the changes and conditions that would make possible the emergence of ASEAN later on.

The ASA, formed in 1961, offered an idea of a region that was at once more exclusive, focusing more Southeast Asia and not beyond and more inclusive in the sense that membership was not restricted to one ethno-religious or even ideological group. The ASA, which was the
initiative of the then former Malaya’s (Malaysia was established in 1963) Prime Minister Tunku Abdul Rahman, comprised of Malaya, Thailand and the Philippines. ASA was a loose rather than a tight organization that emphasized on economic cooperation, but with an eye to tackle the attractions of communism. Thailand’s participation in this short-lived regional grouping was most significant because as non-Malay and a continental state, Thailand moved ASA away from more obvious ethnic or religious organizing principles. Thailand’s then foreign minister Thanat Khoman also actively steered ASA away from purely anti-communist models of organization, as was mostly represented during that time by the U.S. backed Southeast Asia Treaty Organization (SEATO). It was actually Thanat Khoman who had persuaded then Malaya’s Prime Minister Tunku Abdul Rahman and the Philippines President Garcia (both staunch anti-communists during that time) to forego the idea of an organization based on a treaty that both had originally favoured in the interest of downplaying the Cold War and political-security themes in favour of less contentious economic matters. In this manner, it was conceived by the then regional elites that ASA would be made more attractive to Southeast Asia’s neutral and non-aligned states. In this respect, both Thailand and the Philippines wanted to create an inclusive organization with the objective of drawing in states like Indonesia, whose tradition of possessing a strong independent identity could offset the well-known and rather virulent anti-communist identity of the other three states in the region namely, Malaya, Thailand and the Philippines. As all these three states were plugged into the Western alliance system (Thailand and the Philippines with the US through SEATO and Malaya with Great Britain through the Five Power Defence Agreement), it was believed that without Indonesia’s participation, ASA would be viewed as a US inspired grouping.

However, despite initiatives to move ASA away from overtly strong anti-communist orientation, ASA proved unable to overcome the anti-communist stance of its individual members. Moreover, neither Indonesia, nor any of the then non-aligned states could be persuaded to join ASA. For the then Indonesian President, Sukarno, ASA was the most unattractive proposition, and indeed, Indonesia had been all but ignored during the negotiations leading up to the tabling of the ASA proposal (Crozier 2006: 17). Indonesian President Sukarno could not see in ASA anything but an Anglo-American plot to subvert the newly independent states of the Southeast Asian region and was disinclined to join a neocolonialist grouping that was closely tied up to Western powers. The opposition of Indonesia to the ASA proposal was
well articulated by the then Indonesian foreign minister who stated ‘The spirit behind the proposal [ASA] is… anti-this and anti-that and Indonesia does not want any part in a negative policy in international affairs’ (Quoted in Crozier 2006: 17). Indonesia’s stand of not joining ASA and the fact that Southeast Asia’s then communist states like North Vietnam were not invited to join the organization consequently reinforced the perception that ASA was less than being independent. The strong anti-communist actions and positions often undertaken by the two of ASA’s three members (Malaya and the Philippines) did little to mitigate this perception. Indonesia’s hostility towards ASA was further accentuated when in 1963, Malaya incorporated the former British colonies on Kalimantan and Singapore with the objective of forming the Federation of Malaysia.

In contrast to ASA, MAPHILINDO, as another regional grouping formed in 1963 was based on more ethno-nationalist ideas of region but proved even less able to manage the centrifugal forces and rivalries pulling states apart. Comprising of Malaya, the Philippines and Indonesia in 1963, MAPHILINDO was considered to be an expression of Malay or Pan-Malay identity but was in fact the product and ultimately victim of two rival and incompatible Malay conceptions. The name MAPHILINDO was made up of the first syllables of the names of the putative member states. The primary focus of controversy was on Malaya and later Malaysia’s planned incorporation of the region of North Borneo and Singapore into an expanded Malay union, which was called the Federation of Malaysia in 1963 (Ba 2009: 47). Indonesia had termed the then Federation of Malaysia established in 1963 as a British neocolonial ploy aimed at encircling Indonesia. Former Indonesian President Sukarno viewed it as an instrument to challenge Indonesia’s regional leadership and his own particular vision of Pan-Malay confederation. Further, Indonesia’s political elites at that point of time also viewed Malaya’s failure to consult them as a sign of disrespecting Indonesian leadership. As for the Philippines, former President Diosdado Macapagal’s opposition to Malaysia stemmed from the latter’s attempt to incorporate North Borneo, which the Philippines also claimed.

In a nutshell, MAPHILINDO was based on irreconcilable objectives regarding the political future of Malaysia. The Federation of Malaysia joined MAPHILINDO in the hope of attaining the other members’ acceptance of the Federation of Malaysia. On the other hand, both Indonesia and the Philippines conceived the MAPHILINDO to preempt the Federation of Malaya
altogether or to render it unnecessary. As a result, it was not surprising that the states would lose interest in such an organization like MAPHILINDO once the Federation of Malaysia comprising of North Borneo became a reality two months after its creation. It is significant to note that only one day after the establishment of the Federation of Malaysia in 1963, the Philippines informed Malaysia that it would not be extending recognition to the new Federation of Malaysia, effectively cutting off formal diplomatic relations. More seriously, the creation of the Federation of Malaysia became the pretext for Indonesia’s three year campaign to crush Malaysia (named ‘Konfrontasi’) that continued from September 1963 to August 1966 (Ba 2009: 47-48). This armed confrontation between Indonesia and Malaysia involved a mixture of naval blockades, submarine supplied arms and ammunitions, organized rebellions and subversions and Indonesian paratroopers landing in Malaysia’s mainland along with the international campaign to exclude Malaysia from Third World organizations. Indonesia’s confrontational policies and actions with support from the Philippines in turn constituted a low level war against Malaysia. The level of infiltration into Malaysia by the Indonesian armed volunteers rose to such a point that Malaysia was compelled to make a formal complaint on this issue at the United Nations Security Council.

Neither was MAPHILINDO the only organizational casualty from the issues pertaining to North Borneo and the politics of confrontation as efforts to insulate ASA from these two issues proved futile. While MAPHILINDO completely disintegrated, ASA was made nonoperational by the lack of relations between two (Malaysia and the Philippines) of its three members. The dispute over North Borneo that erupted in June 1962 between the Philippines and the Federation of Malaya proved to be immensely inauspicious for a regional grouping like ASA. In fact, developments in the early 1960’s in the region clearly demonstrated that competing visions of nationalism along with nationalist sensitivities rendered inclusive visions of regionalism inoperable. For example, to the political elites of a country like the Philippines, at that point of time, the issue of North Borneo appeared to be more important rather than regionalist ideas as enunciated through ASA or MAPHILINDO. Even former Philippines President Macapagal had advised the then Vice President of the Philippines Emmanuel Palaez to go slow on ASA and instead focus more on North Borneo. As a result, both ASA and MAPHILINDO failed because to the political elites of the Philippines, North Borneo mattered more than either ASA or the MAPHILINDO (Gordon 1966: 25-30; Jorgensen-Dahl 1982: 195).
In 1965-66, two significant developments took place in the imagined region of Southeast Asia that not only led to considerable amount lessening of tensions among the Malay speaking states but also paved the way for the birth of a new regional organization named ASEAN. First, in November 1965, election of President Marcos in the Philippines resulted in the relatively downgrading of the importance of the North Borneo issue in the bilateral ties between Philippines and Malaysia. The election of President Marcos in the Philippines also led to the commencement of the process of rapprochement between Malaysia and the Philippines. Second, in October 1965, the abortive coup attempt in Indonesia demonstrated the fragility of then President Sukarno’s domestic position inside the country and by March 1966, he was deposed from power (Ba 2009: 48-49). The end of the Sukarno era in Indonesia was marked by the emergence of General Suharto who became the acting President in 1967 and the President of Indonesia in 1968. This regime change in Indonesia was one of the most critical factors that created the historic opportunity for establishing a new regional organization in Southeast Asia. As Sukarno had been associated with the radicalization of Indonesian foreign policy towards its immediate neighbours, his ouster from power was essential if there was to be any change or redirection in the pattern of Southeast Asia’s inter-state relations. The coming to power of the ‘New Order’ government in Indonesia under President Suharto was marked by a willingness on part of Indonesia to bring the confrontation with Malaysia to an end. All these above-mentioned events played an important role behind the establishment of ASEAN in August 1967. In fact, former Thai foreign minister, Thanat Khoman, who played a key role in the formation of ASEAN, viewed these events favourably as far as founding the new organization in the region was concerned.

However, it is important to understand in this context that developments in the decades of 1950 and early 1960 have amply demonstrated that regionalism as an argument experienced significant normative hindrances in Southeast Asia where nationalist sensitivities remained sharp. While the policy of confrontation delegitimized Sukarno’s style of militant nationalism, nationalism in the sense of self determination and state or nation building nevertheless remained as a powerful ideology in Southeast Asia in the decade of 1960. In a post-colonial political context where leaders were at once proud and also protective of their newly won independence from colonial rule and insecure about their ability to sustain that independence vis-à-vis both internal and external forces, Southeast Asian regionalists understood that any persuasive regional
argument would have to be mindful of nationalist sensitivities and sentiments. This is one of the main reasons why the regional elites desired a wider ideological membership of any regional association, particularly from the non-aligned states. The regional elites also understood that a membership comprising of only Western leaning or allied states would question the autonomy of the regional grouping, prompting parallels being drawn to the United States initiated SEATO and risk of being perceived as a proxy of the United States, thereby making it unsuccessful in its endeavours.

Further, nationalist sentiments and the fact that most of the states had at that time only achieved their independence meant that any arrangement that called on states to submit national authority to a regional entity or to their neighbours would experience serious resistance. Southeast Asia is composed of state forms, which are not well or uniformly rooted in the allegiances of the people who reside within those states. Loyalties tend to give preference to a conception of self that remains bound up with blood, race, language, religion and tradition. Thus sub-national considerations prevail in the region for a considerable length of time, which posed an immense challenge before the post-independent elites in the Southeast Asian states. It is due to this fact that the machinery of government may appear incongruent with residual traditional institutions and its modern leadership may appear alien to those of diverse ethnic and educational backgrounds. The post-independent governments of the Southeast Asian states, which have inherited the territorial legacy of colonialism, have within their respective domains polities whose externally recognized politico-legal status bears little relationship with their rather unstable internal conditions. With the end of colonialism, the viability of the successor states in the region became uncertain. In fact, colonialism in Southeast Asia created integrated administrative state systems based on common government but not on common identity (Leifer 1972: 1-5). As a result, within the territorial form established by colonialism, in the post-colonial period, nationalist forces of varying dynamism emerged to contest for political power, which created serious challenge for ruling elites to maintain national cohesiveness and pursue with the task of nation building. Therefore, states in the region were unlikely to forego their new found national authority in favour of uncertain regional loyalties. Most of the regional elites who played an instrumental role in establishing ASEAN in 1967 were of the opinion that national priorities including national consolidation and development had to be given the first preference as it was the edifice for everything else, including regional security. It is for this reason that
ASEAN adopted the inter-governmental approach to regional cooperation in contrast to the supra-national approach to regionalism. It is also in this backdrop in Southeast Asia that arguments increasingly and explicitly linked regionalism to nationalism’s ideas of national self-determination, national consolidation and non-intervention. Singapore’s former foreign minister, S. Rajaratnam had stated after the inaugural ASEAN meeting at Bangkok on August 08, 1967, ‘If we are to give life to ASEAN, we must marry national thinking to regional thinking’ (Quoted in Ba 2009: 55). So, from the very outset, within ASEAN, regional elites prioritized the domestic sphere while simultaneously broadening the argument about resilience to a regional scale. Drawing upon familiar ideas of resilience and preoccupation about division, advocates of regionalism in Southeast Asia framed regionalism as an act of self-determination. Similarly, the regional elites during the time of formation of ASEAN argued that so long as they remain divided within and among themselves, insecurity and intervention would remain the fact of life and self-determination would elude all in the region.

Indeed, regional elites drew explicit linkages between their recent divisions (national and regional) and what they perceive to be a historic pattern of foreign intervention in Southeast Asia. This linkage was persuasive not only because it seemed to describe well Southeast Asia’s security predicament vis-à-vis both internal and external forces but also because it offered states a clear strategy of action. Regional elites were familiar with the ways in which intra-state and inter-state conflicts could invite great power intervention in the region. Specifically, if domestic and regional fragmentation were important sources of insecurity for the states in Southeast Asia, the logical conclusion could only be unity and solidarity or survival in togetherness. In this manner, in regional organizations like ASEAN, the idea of regional unity and solidarity was linked to key concerns about national stability and foreign intervention. The ASEAN elites argued that peace must exist among themselves if they were to fend off foreign attempts at interference in whatever form. In fact both national resilience and regional resilience were important (Ba 2009: 55-57). For the ASEAN elites, national resilience is regarded as a prerequisite for regional resilience. Without the development of national resilience, it is difficult to attain regional resilience. The presence of a weak and fractured state within the region can easily invite interventions from its immediate neighbours as well as from extra-regional powers, thereby impairing the security of the region as a whole. Similarly, the existence of regional resilience allows each regional member to focus on its respective internal development, regarded
as a prerequisite for regional resilience (Anwar 2000: 81). In the Declaration of ASEAN Concord I in 1976, there is no contradiction between the concept of regional resilience and national resilience (ASEAN Concord I 1976). The development of national resilience is conceived as a step towards the crystallization of regional resilience.

Thus by connecting Southeast Asia’s intra and inter-state conflicts to a pattern of intervention, region to nation and nation to region, regional organization, as an expression of national and regional resilience became a plausible solution to their security problems in ways that it might not have been otherwise given their conflictual nature and different preferences in the decades of 1950 and early 1960. In other words, national resilience of each state formed the foundation for the regional resilience of all. As a result, regional resilience could be pursued through individual initiatives to strengthen and bolster national resilience as a foundation for regional resilience. Also, resilience defined in terms of unity but based on the assumed fragility of the region and its component units demanded that states both pursue greater unity and take care to preserve what unity exists. In both the instances, regionalism was obligated to support the national project, or like a house of cards, the whole thing could get unraveled. It is also because of these reasons that the norms of the ASEAN Way enshrined in the Treaty of Amity and Cooperation in Southeast Asia signed in 1976 gave emphasis on issues like state sovereignty, territorial integrity and non-interference in the domestic affairs of the member states of ASEAN.

Therefore, it becomes clear that ASEAN’s regionalism since its inception was based not upon ethno-nationalist ideas, but rather on an idea of region that was nationalist and regionalist simultaneously. It is nationalist in the sense that it drew on ideas of self-determination and gave primacy to the nation-building project. It is also regionalist because resilience ideas were being projected on a regional scale and in that, nationalist futures were being explicitly linked to their existence as a region (Ba 2009: 65). Nationalism and its associated ideas of self-determination, domestic preoccupations with national consolidation and national integration as well as anti-imperialism became central to the regionalism that emerged under the auspices of ASEAN. But it is also important to note in this connection that in the Southeast Asian region, the ideas associated with nationalism has constrained the regionalism pursued by ASEAN in important ways, which will be discussed later on. It is worth noting that the Bangkok Declaration of
ASEAN in August 1967 explicitly made the preservation of national identities an important guiding principle of ASEAN.

Moreover, when ASEAN was established in 1967, debates about membership were complicated by Southeast Asia’s conceptual ambiguity as a region. It was all well and fine to advocate that membership will be restricted to the states of Southeast Asia, but what exactly Southeast Asia was, remained an extremely debatable proposition as exemplified by exchanges relating to the possibility of extending membership to a country like Ceylon (Anderson 1998: 6; Ba 2009: 59). The fact that Ceylon (later Sri Lanka) was invited to join ASA in 1961 seemed to indicate some precedent for thinking of Ceylon as part of the then elite imagination of Southeast Asia. However, although Indonesia, Malaysia and the Philippines had expressed interest in Ceylon’s membership of ASEAN in 1967, not all the states in the region agreed that Ceylon was a part of Southeast Asia (Suryanarayan 2011). For instance, when ASEAN was formed, the ruling elites in Malaysia did not consider Ceylon to be a part of the imagined region of Southeast Asia although Malaysia at that point of time was willing to make an exception in case of Ceylon in spite of the fact that it was not geographically part of Southeast Asia.

Both Indonesia and the Philippines also had reasons to voice support for inclusion of Ceylon within ASEAN. Indonesia, a country proud of its ‘free and active’ foreign policy tradition vis-à-vis great powers, shared Malaysia’s concern about their inability to draw a wider membership and hoped that a more diverse membership would help provide the new organization an independent and autonomous identity more consistent with its own. The Philippines perceived tiny Ceylon as sharing many of the interests and perspectives of the founding members of ASEAN as weaker states. The distinction that regional elites like Marcos, Suharto, Tunku Abdul Rahman and others made between tiny Ceylon and other larger South Asian states like India regarding membership indicate that Malaysia and other states in the region similarly identified with Ceylon as a weaker and vulnerable power much like them. Thus, while regional elites at that point of time were willing to consider Ceylon for ASEAN membership, they were definitely not favourably inclined to do the same for India, a point that was later put forward by former Indonesian foreign minister Adam Malik (Ba 2009: 59). In the end, although Ceylon did not join ASEAN, these debates about membership of ASEAN reveal areas of concern as well as agreements and disagreements regarding the very idea of Southeast Asia and themes of
vulnerability of the smaller powers in the region. These underlying debates also underscore the point that for the then regional elites, a regional organization like ASEAN was not to be simply about strength in numbers or about Cold War anti-communism. Rather, regional organization was about Southeast Asia, self-determination, and addressing the intra-state and inter-state divisions that made them weak, vulnerable and ultimately susceptible to various extra-regional manipulations and interventions.

Among the regional elites who played a key role at the time of establishment of ASEAN, Thailand’s former foreign minister, Thanat Khoman’s name deserves special mention. Thanat Khoman played an important role in actively mediating a settlement between Malaysia and the Philippines over the latter’s claim on the territory of Sabah. He also played an active role in brokering formal peace talks between then Malaysia’s Deputy Prime Minister Tun Abdul Razak and former Indonesian foreign minister Adam Malik in Bangkok in May-June 1966, which ultimately paved the way for the culmination of ‘Confrontation’ (‘Konfrontasi’) through a formal agreement between Indonesia and Malaysia in August 1966. It was, in fact, the brokering of the dispute between Indonesia and Malaysia and the dispute between Malaysia and the Philippines over the latter’s claims on Sabah by Thanat Khoman that was decisive in launching a new organization named ASEAN in August 1967 with the objective of facilitating cooperation between the states of Southeast Asia (Crozier 2006: 18). Moreover, Thanat Khoman was also of the view that the presence of foreign bases, particularly the US bases, in the region was temporary and not necessarily a permanent or a desirable feature. He underlined the need for regional cooperation among the Southeast Asian states as a supplement to and eventual replacement for the US led alliances. Thanat Khoman’s role is just one example of why neither domestic nor international change creates the necessary conditions for change. It was certainly not a foregone conclusion that the perceived need for change would result in yet another regional organization. The differences that divided the Southeast Asian states in the 1950’s and 1960’s based on different perspectives, mutual insecurities, competing interests and divergent preferences continued to divide them in 1967 and during that time, there was the additional baggage of the armed confrontation (‘Konfrontasi’) between Indonesia and Malaysia. Further, the culmination of the conflict arising out of confrontation (‘Konfrontasi’) did not automatically led to the creation of ASEAN in 1967. Instead, it took the persistent advocacy of a small group of foreign policy elites who played a critical role in the emergence of ASEAN (Ba 2009: 63).
ASEAN was in fact a creation of its then member states’ foreign ministers (Weatherbee 2009: 74). In the ASEAN endeavour, Thanat Khoman and former Indonesian foreign minister Adam Malik particularly played a very critical and mediatory role leading to the creation of ASEAN in 1967. At a banquet dinner marking the process of reconciliation between Indonesia, Malaysia and the Philippines, Adam Malik responded positively to Thanat Khoman’s idea of forming another new regional association in Southeast Asia. The very name ASEAN was actually suggested by Adam Malik in August 1967. Therefore, the Bangkok Declaration establishing the ASEAN on 08 August 1967 actually represented the vision of a small group of regional elites who believed that by taking small but incremental steps, the Southeast Asian states can work collectively through voluntary and informal arrangements, which might at a later period lead to more binding and institutionalized agreements. The founding fathers of the ASEAN were of the opinion that national development and security can be accomplished through forging regional cooperation. Singapore’s former foreign minister S. Jayakumar had stated in 1998 that the core of ASEAN regionalism is based on the carefully nurtured personal relationships between the political leaders of member states at various levels that includes Presidents, Prime Ministers, foreign ministers and other ministers (ASEAN S. Jayakumar’s Statement 1998). This has remained so even when leaderships have changed in different ASEAN member states. According to S. Jayakumar, it is because of this that ASEAN has all along emphasized on informality, organizational minimalism, inclusiveness, intensive consultations leading to consensus and peaceful resolution of disputes. Therefore, the very basis of ASEAN regionalism is elitist in nature.

Therefore, ASEAN was established by the regional elites to lessen inter-state tensions in the region, to reduce the possibility of the involvement of extra-regional powers in Southeast Asia and promote national development, peace and security largely through the pursuit of socio-economic objectives. The Bali Conference of 1976, which was incidentally the first meeting of the ASEAN heads of states, produced two important ASEAN documents. They were the Treaty of Amity and Cooperation in Southeast Asia and the Declaration of ASEAN Concord (ASEAN TAC 1976; ASEAN Concord I 1976). The Treaty of Amity and Cooperation in Southeast Asia was a code of conduct for the ASEAN member states incorporating both the behavioural and the procedural norms of the ASEAN Way. The Declaration on ASEAN Concord addressed the economic side of security in the region. However, in spite of attempting to present an apparently
united front on various regional and extra-regional issues, it is still debatable whether the norms of the ASEAN Way has given rise to a sense of collective identity within the Southeast Asian region during more than four and a half decades of ASEAN’s existence. There have been several instances where there were differences in perception among the ASEAN member states on various regional and extra-regional issues. Some of these instances include differences among ASEAN member states on taking a stand regarding dealing with Vietnam’s military intervention in Cambodia in December 1978, on the issue of membership expansion within ASEAN after the end of the Cold War, on the issue of ‘Flexible Response’ and ‘Enhanced Interaction’ in the wake of the East Asian Financial Crisis of 1997-98, on the issue of human rights violations in Burma and also very recently on the issue of border clashes between the military forces of Thailand and Cambodia. These different case studies reflecting differences in perception among the ASEAN member states have been analyzed in detail in the next section of this chapter.

*Differences in Perception within ASEAN:*

(i) Cambodia

On December 25, 1978, Vietnam militarily intervened in Cambodia, dislodged the Khmer Rouge government from power and increased the hostility of China, Cambodia’s Khmer Rouge regime’s primary patron. This military intervention and decade long occupation of Cambodia by the Vietnamese forces from December 1978 posed one of the most serious security challenges to ASEAN since its inception in 1967. Not only did ASEAN viewed Vietnam’s actions as a serious challenge to and blatant violation of the ASEAN norms, but the Cambodian conflict also tested intra-ASEAN relations, thereby threatening its emerging culture of unity and consensus based decision-making. Differences among the ASEAN member states on the issue of dealing with the crisis in a way challenged ASEAN’s professed role in the peaceful resolution of regional disputes without the involvement of outside powers. These differences among the ASEAN member states in responding to the then emerging political and security scenario in the region also highlighted the rather weak sense of regional identity that prevails in the region.

In a strict sense, the military intervention and the ensuing crisis was outside the ASEAN framework of seeking a peaceful settlement of regional conflicts as neither Vietnam nor
Cambodia was an ASEAN member at that point of time. However, due to several factors, it was of a very serious and urgent concern for ASEAN. First, ASEAN had for quite some time considered the possibility of including Vietnam as well as Cambodia and Laos within its fold. The then regional elites of ASEAN had hoped that Vietnam would eventually accept its vision of a regional order and adhere to ASEAN’s norms of inter-state behaviour even if it did not accept formal membership of ASEAN. Despite past criticisms of ASEAN as a front for Western imperialism, in 1978, Vietnam had raised hopes of a constructive relationship through a brief but visible diplomatic effort to cultivate ASEAN’s goodwill. Vietnam’s military intervention in Cambodia in 1978 was a setback to the ASEAN’s framework for regional order, which had aspired to a partnership with states like Vietnam. The military action undertaken by the Vietnamese government to overthrow the Pol Pot led Khmer Rouge regime in Cambodia and install in its place a Vietnam sponsored puppet government led by Heng Samrin also violated the norms of the ASEAN Way, particularly the norm of non-interference and non-use of force in inter-state relations (Acharya 2001: 80). Along with this, Vietnam’s actions in Cambodia were a serious blow to the ASEAN norm of regional autonomy. According to the ASEAN elites, the conflict over Cambodia precipitated by Vietnam’s intervention was not only a local conflict but also engaged a much broader Sino-Vietnamese, Sino-Soviet and US-Soviet rivalries in the region. As a response to Vietnam’s military action in Cambodia, in February-March 1979, China launched a punitive attack on Vietnam in which the Chinese People’s Liberation Army was defeated by the battle-hardened Vietnamese forces. It is because of strong support provided by the former Soviet Union towards Vietnam and virulent opposition by China to the military intervention by Vietnam that ASEAN viewed Vietnam’s action as subverting its hope of reducing great power role in Southeast Asia, as enunciated in the ZOPFAN declaration of 1971 (ASEAN ZOPFAN 1971).

In responding to the crisis in Cambodia as a result of Vietnam’s military intervention, there were three available options before ASEAN at that critical juncture. First, ASEAN could have ignored the development altogether. Second, ASEAN could have forged a military alliance against Vietnam. The third was to launch a major diplomatic and political campaign against Vietnam. It is worth noting in this respect that the overriding influence of the ASEAN norms facilitated the adoption of the third option by the regional organization. The policy of ignoring the event altogether could have been seen as rational for states like the Philippines, Singapore
and even Malaysia because the developments in Cambodia had no direct impact on their national security. Vietnam was too far away to launch a military attack against these states as it lacked the requisite naval capabilities. But the policy of ignoring the event altogether was problematic since it questioned the validity of certain norms of the ASEAN Way like the norm of non-interference in the internal affairs of another state and the settlement of disputes through the non use of force. These ASEAN norms would have lost their credibility had Vietnam’s belligerent behaviour remained unchallenged (Busse 1999: 49). Under the then prevailing circumstances, even the political elites of states like Indonesia and to a considerable extent Malaysia accepted the official ASEAN policy of opposing Vietnam’s action in Cambodia, although in terms of realpolitik, the elites of these two states would have preferred a more conciliatory approach towards Vietnam in order to use the latter as a buffer against China’s expansionist designs in the region (Anwar 1994: 186-189).

The option of forging a military alliance against Vietnam was discarded by ASEAN as it was seen to be too provocative and had the potential of inviting a harsh Vietnamese response. It would have unnecessarily drawn ASEAN deeper into superpower rivalries, thereby threatening the long term security of the member states of the regional grouping. This attitude reflected the ASEAN norm of deep-seated cultural dislike for confrontational behaviour that views the formation of a military alliance as an invitation for open confrontation and more conflict (Busse 1999: 49-50).

Under the circumstances, ASEAN adopted the third option of mounting a diplomatic and political campaign against Vietnam, which was in consonance with the behavioural and procedural norms of ASEAN (Busse 1999: 50). Vietnam’s use of force against Cambodia challenged the ASEAN norms that include respect for sovereignty, non-interference in a state’s internal affairs and renunciation of the use of force to settle disputes. The ASEAN Joint Communiqué of January 12, 1979 strongly deplored the armed intervention by Vietnam against the sovereignty, independence and territorial integrity of Cambodia and called for the immediate and total withdrawal of the foreign forces from Cambodian territory (ASEAN Joint Statement 1979). The ASEAN elites were also instrumental in bringing together the three Cambodian factions led by Norodom Sihanouk, Khieu Samphan and Son Sann that led to the formation of the Coalition Government of Democratic Kampuchea on June 12, 1979 at Kuala Lumpur.
ASEAN also acted collectively at the United Nations by demanding the unconditional withdrawal of all foreign forces from Cambodia (ASEAN Statement 1983). All these instances reflect the resolve of the ASEAN to uphold the norms of the ASEAN Way that are enshrined in the Treaty of Amity and Cooperation in Southeast Asia and the Declaration of ASEAN Concord of 1976.

While the norms influenced ASEAN’s objectives, they did not produce a consensus over the means to achieve them. Although ASEAN mounted a collective diplomatic offensive against Vietnam in order to manage regional security, there were considerable differences within the ASEAN member states on the issue of threat perception to their respective national security (Anwar 1994: 186-189; Narine 2008: 416). This was particularly evident from the attitude of the political elites of Indonesia and Malaysia on the one hand, and Thailand and Singapore on the other. Thailand and Singapore regarded Vietnam as the most immediate threat to their security and were prepared to form a temporary front with China to oppose Vietnam. China during this period supported the Khmer Rouge rebels’ guerrilla war inside Cambodia against Vietnam and in order to supply the Khmer Rouge rebel forces with arms and ammunitions, it required the acquiescence of Thailand, a frontline state bordering Cambodia. Thailand in fact became a conduit for Chinese weapons to the Khmer Rouge rebels operating inside Cambodia and also secured a reiteration of security guarantees from the United States.

On the other hand, Indonesian and to a considerable extent Malaysian political elites regarded China as the greatest long-term threat, notwithstanding the Vietnamese military occupation of Cambodia. As a result, Indonesian government opposed a proposal put forward by the Singaporean government in December 1981 for ASEAN to supply arms to the Khmer Rouge rebels. Ultimately, the proposal had to be withdrawn from the ASEAN’s agenda, although the association stated that it would not have any objections if individual ASEAN member states decide to do so (Anwar 1994: 187). During this time, the political elites in Singapore and Thailand were unhappy with Indonesia’s position that Vietnam constitutes a relatively lesser threat to the region (Anwar 1994: 187-188). Both the Indonesian and the Malaysian political leadership were of the view that the international efforts to punish Vietnam would further drive Vietnam more tightly towards the embrace of the former Soviet Union or leave a more debilitated Vietnam susceptible to Chinese political influence. In line with this thinking, former
Indonesian President Suharto and former Malaysian Prime Minister Tun Hussein Onn announced the ‘Kuantan Principles’ on March 27, 1980. The ‘Kuantan Principles’ called upon former Soviet Union and China to stay out of the conflict over Cambodia and thereby accommodated the issue of withdrawal of Vietnamese forces from Cambodia contingent upon China’s non-interference in the region (Nischalke 2000: 93). The ‘Kuantan Principles’ reflected the intra-ASEAN divide and confirmed the polarization of ASEAN into so called hard-line and moderate camps (Acharya 2001: 84-85). It also contributed to the stalemate on the Cambodian issue by strengthening the belief of the Vietnamese political leaders that internal divisions within ASEAN would favour its policy of holding out on Cambodia until international opinion changed. The significance of the ‘Kuantan Principles’ was that two ASEAN member states launched a bilateral initiative that ran counter to the previous ASEAN position. Although it never became the official policy, the initiative gave the impression of disunity prevailing within the organization and thereby undoubtedly affected the collective image of ASEAN.

However, in 1988, a change in Thailand’s political leadership led to a complete transformation of its policy towards Vietnam. The new Prime Minister of Thailand, Chatichai Choonhavan represented Thailand’s business interests, which sought to establish commercial ties with Vietnam. Under the leadership of Chatichai Choonhavan, Thailand adopted the Indonesian position towards Vietnam but without consulting its ASEAN members (Narine 2008: 416-417). As a result of the new policy adopted by Thailand’s political leadership in 1988, the ASEAN united front on Cambodia was almost abandoned and undermined. The Paris International Conference on Cambodia was held in July 1989 and it ended in a failure as the various external parties to the conflict were not yet prepared to abandon their respective allies. ASEAN was further divided after the conference as the Indonesian government began to contemplate a separate peace process with Cambodia and Vietnam, regardless of ASEAN policy.

Moreover, the end of the Cold War also played its part in resolving the Cambodian conflict whereby the former Soviet Union withdrew material and diplomatic support to Vietnam, which compelled Vietnam to come to terms with China, its primary regional adversary. The Paris Peace Treaty that ended the Vietnam-Cambodia conflict was signed on October 23, 1991² (Paris Peace

---

² The Paris Peace Agreements that were signed at Paris on October 23, 1991, which ultimately led to the formal culmination of the Cambodian conflict comprised of four separate agreements. These were as follows: a) Final Act
The five permanent members of the United Nations Security Council took greater interest in monitoring the process of regional peace-making culminating in the Paris Peace Conference in 1991, which finally resolved the Cambodian conflict, while ASEAN remained on the sidelines. When the relations between the major powers improved, they took greater interest in resolving the Cambodian conflict (Narine 1998: 201). Thus although ASEAN displayed a common diplomatic front in challenging Vietnam’s military intervention and occupation in Cambodia, its efforts to resolve the Cambodian conflict was rather poor. The Cambodian conflict illustrates ASEAN’s coming of age, but it also demonstrated the limits of small powers.

There is no gainsaying the fact that ASEAN’s handling of the Cambodian conflict was the high point of ASEAN’s unity and international effectiveness during the forty-seven years of its existence. The political elites of the ASEAN member states, for the most part, supported a coherent and collective diplomatic position on Cambodia for more than a decade. The need to coordinate policy greatly improved intra-ASEAN cooperation and communication. It also increased ASEAN’s international profile and prestige immensely although it was only a supporting player in a rather complex drama (Narine 2008: 417). By creating a common purpose among the various ASEAN regimes, the Cambodian conflict helped to accelerate the process of socialization and norm-setting in the Southeast Asian region. While Vietnam remained isolated and excluded from this process, these ASEAN norms and the ASEAN Way of socialization would constitute the basis of regional reconciliation in the decade of the 1990 (Acharya 2012: 14). However, there were also significant latent tensions and differences among the ASEAN elites, which came out in the open during the conflict over Cambodia. While on surface, it appeared that ASEAN had adopted a united and collective position on the Cambodian conflict, there were significant differences in perception among the political elites of the ASEAN member states on how to effectively deal with the crisis. A careful evaluation of ASEAN’s position during the Cambodian conflict reveals that although the regional organization acted by upholding the norms of the ASEAN Way, the sense of collective regional identity within ASEAN was
rather weak. Moreover, whatever weak sense of collective identity may have emerged within
ASEAN as a result of the norms of the ASEAN Way, that weak sense of collective identity was
confined to the regional political elites within the institutional structure of ASEAN.

(ii) Expansion of ASEAN Membership

While membership expansion has the potential to offer several benefits to ASEAN, it has also
become a crucial test with regard to its norms. By April 1999, with Cambodia’s membership,
ASEAN embraced all the ten states of Southeast Asia. However, given the different political and
ideological nature of the new member states’ regimes and their domestic vulnerabilities, the
process of expansion itself has provided a major test of the very norms underpinning ASEAN
regionalism, particularly the norm of non-interference. Also an expanded ASEAN means new
political, economic and strategic challenges before the political elites of the regional grouping.
ASEAN’s expansion aimed at developing a wider regional community of ‘One Southeast Asia’
also makes regional interactions more complex and introduces greater diversity to the political
and security predicament and outlook of the member states within ASEAN. This expansion of
membership has generated new sources of intra-mural tensions involving the new members that
must be managed and renders the task of maintaining a common position on regional and extra-
regional issues more difficult.

The process marking the beginning of the end of rivalry between ASEAN and Vietnam can be
traced to a thaw in one of its core elements, namely Thailand-Vietnam rivalry, which in turn was
influenced by domestic changes in both the states. In 1986, the ruling communist party of
Vietnam adopted market reforms in its domestic economy under a policy that was termed as
‘renovation’ or ‘doi moi’. This demonstrated among other factors, Vietnam’s recognition that its
military occupation of Cambodia had entailed severe economic costs, which it could no longer
sustain. Managing the economic crisis at home to ensure the survival of the communist party led
regime became a more important concern for the ruling communist party elites than maintaining
Vietnam’s occupation of Cambodia that was earlier justified as a response to external threats.
The objective of the economic reforms within Vietnam was to create a market mechanism based
economy with the help of foreign investment and export promotion and it dictated to a large
extent, necessary adjustments in its foreign relations with the aim of ending its international
isolation and improving the political climate for economic ties with its ASEAN neighbours.
Similarly, the advent of a new government in Thailand under Prime Minister Chatichai Choonhavan in August 1988 produced a major shift in Thailand’s overall policy towards Vietnam. Recognizing the political and economic opportunities offered by Vietnam’s reforms, Premier Chatichai Choonhavan declared that Thailand’s policy would from that time onwards focus on ‘turning the Indochinese battlefields to marketplaces’ (Acharya 2001: 103-104). The political regime in Thailand at that point of time indicated a willingness on its part to tolerate some kind of Vietnamese political influence in neighbouring Cambodia and Laos with the expectation that the process of economic reforms in Vietnam and also in Laos assisted by trade and investment links with Thailand will gradually decrease the scope of Vietnamese domination and enhance influence of Thailand in the region. The new policy of Thailand also sought to exploit similar reform process initiated in Laos from 1986 by the Lao People’s Revolutionary Party led government.

In this context, it is significant to note that the new policy adopted by Thailand’s government at that time was ahead of the official ASEAN position and was greeted with suspicion by some of the ASEAN member states. Thailand was accused by some of the ASEAN member states of seeking unilateral economic advantages by promoting rapid trade and investment links with Vietnam and also to some extent with Laos. Thailand’s new government led by Premier Chatichai Choonhavan was also accused of undermining the ASEAN’s consensual diplomacy on the Cambodian conflict (Acharya 2001: 104). For example, hard-line military officials in Indonesia at that time apprehended that the initiative of the government of Thailand represented a breakdown of the ASEAN consensus on one of the most vital issues concerning security and stability in the Southeast Asian region. Further, differences surfaced within ASEAN over whether the withdrawal of Vietnam’s forces from Cambodia by September 1989 was a sufficient basis for welcoming Vietnam into the ASEAN fold both as a partner in functional cooperation and as a formal member of ASEAN. This difference over admitting Vietnam into ASEAN took place with Indonesia and Malaysia on one hand and Singapore and Thailand on the other. The political elites of Indonesia and Malaysia took a more moderate position on the issue of admitting Vietnam into ASEAN. Former Malaysia’s Prime Minister Mahathir Mohamed was of the opinion that if Vietnam subscribes to the ideas of ASEAN, then the system of government that prevails within Vietnam must not stand in the way of becoming an ASEAN member. Indonesia’s former President Suharto also made a historic visit to Hanoi in November 1990 and
discussed the possibility of increased economic cooperation between Indonesia and Vietnam. On the other hand, Singapore’s former Prime Minister Lee Kuan Yew was of the view that before allowing Vietnam to become a member of ASEAN, the country needs to change its political and economic systems. A section of the Singapore media even warned that undue haste in facilitating Vietnam’s entry might offset the economic and political pressures that had already led Vietnam to seek improved relations with ASEAN.

But these intra-mural differences were not adequate to prevent the normalization of relations between Vietnam and the then existing ASEAN member states. The crucial factor was the willingness of the Vietnamese political elite to facilitate a settlement of the Cambodian conflict, which undoubtedly helped to reduce the misgivings of ASEAN (Acharya 2001: 105-106). Vietnam was formally admitted to ASEAN at its annual ministerial meeting at Brunei in July 1995 (ASEAN 1995; Vines 1995). Before this, the communiqué issued at the ASEAN Summit at Singapore in January 1992 declared that ASEAN shall forge a closer relationship with the countries in the Indo-China region based on friendship and cooperation following the settlement of the conflict in Cambodia (ASEAN Singapore Declaration 1992). As a first step, the Singapore declaration opened the door to all the states of Southeast Asia to sign the Treaty of Amity and Cooperation, which Vietnam and Laos signed immediately to be followed by Cambodia later on. While the then existing members welcomed Vietnam’s formal entry into ASEAN in July 1995 as a significant strengthening of the regional grouping’s clout vis-à-vis the larger powers, concerns were also expressed over the long term implication of an expanded ASEAN. The foreign minister of Singapore opined at that time that an expanded ASEAN will experience difficulties in achieving consensus of key issues.

Burma has continued to remain as a matter of critical concern for ASEAN ever since it joined the regional organization in 1997. The issue of Burma’s membership in ASEAN was also controversial because of its military government’s gross abuse of human rights and ruthless suppression of political dissent within the country. However, the condemnation by several Western states including the United States and members of the European Union (EU) of Burma’s military government’s (it was then known as the State Law and Order Restoration Council) abuse of human rights and subversion of the democratic process were viewed by the ASEAN elites as outside interference in the domestic affairs of a Southeast Asian state. In the opinion of
the political elites of the ASEAN member states in 1997, political repression in Burma could not be used to justify its exclusion from the organization since such a move would have constituted interference in its internal affairs (Acharya 2001: 108, 113). Moreover, the decision of the United States government to impose sanctions on Burma made it impossible for ASEAN to delay Burma’s admission as that would have meant caving in to United States pressure and thereby compromising the goal of regional autonomy. In fact, the ASEAN elites have consistently invoked the ASEAN norm of non-interference to justify their policy of constructive engagement with Burma since the early part of the decade of 1990. But since Burma joined ASEAN in July 1997, underneath the veneer of the ASEAN’s consensus based position that has prevailed over Burma, the governments of the member states have been seriously divided. The intramural differences on Burma stems from a number of factors, including varying levels of commitment by governments to promote democracy and human rights, quite diverse set of economic, security and geopolitical interests relating to Burma, different views about how ASEAN member states need to respond to pressure over the political stalemate on Burma and possible image projection by the ASEAN elites by using the issue of Burma within and outside the Southeast Asian region. The political elites in Singapore and Thailand, while critical of Burmese military government’s policies, have basically adopted a pragmatic attitude vis-à-vis Burma, which is in part influenced by economic interests and the need to deal with cross-border and regional implications of Burmese government’s policies and practices. The position towards Burma adopted by the Philippines, Indonesian and Malaysian government highlight the importance of values in foreign policy and point to the growing significance of pluralist constraints. Vietnam remains the most virulent exponent of traditional understandings associated with the ASEAN Way and its application towards Burma (Haacke: 2008: 355-356, 364-365).

Most notably, the division within ASEAN over Burma broadly mirrors that over the issue of whether the organization should still continue to respect its principles and norms of the ASEAN Way, particularly the norm of non-interference. Not only within ASEAN, this division among the political elites of the ASEAN states has also been evident in other forums outside ASEAN. For instance, the voting record by the ASEAN states on the draft resolution on Burma’s human rights situation at the UN General Assembly in late 2007 puts most of the original ASEAN members along with Brunei and the late entrants to ASEAN like Vietnam, Laos, Burma and Cambodia clearly at odds, although the boundaries are not always tightly drawn. Pointing to
Vietnam Communist Party led government’s own experience of having been subjected to international sanctions, Vietnamese political elites have consistently articulated its opposition to punitive measures being imposed against Burma and has offered ample diplomatic support to Burma in a range of regional and international settings. During the voting at the UN General Assembly on Burma’s human rights situation in 2007, Brunei, Indonesia, the Philippines, Thailand and Singapore abstained from voting while states like Vietnam, Laos, Burma and Malaysia voted against the resolution (Haacke 2008: 355). Cambodia was absent during this particular vote at the UN General Assembly.

In this particular case, Malaysia’s position on the issue of deplorable human rights situation inside Burma deserves careful scrutiny. Malaysia has all along maintained a rather ambivalent policy on Burma, which is largely determined by a combination of both economic interests and domestic political pressure inside Malaysia. Malaysia’s state owned energy company Petronas has invested heavily in the Yetagun gas project in Burma. Further, the ASEAN Inter-Parliamentary Myanmar Caucus (AIPMC), which comprises the most influential group of Burma critics in Southeast Asia, was actually founded in Malaysia. Among the prominent members of AIPMC in Malaysia is Datuk Mohd. Zaid Ibrahim, Senator in the Dewan Negara, who was President of AIPMC from 2004-08, and the Democratic Action Party Member of Parliament Teresa Kok. Notably, the defiance of the Burma’s military rulers and Malaysian government’s response clearly became a political issue in Malaysia’s domestic party politics. For example, Lim Kit Siang, former chairman of the Democratic Action Party and parliamentary opposition leader from 2004-08 severely criticized the Malaysian foreign minister Syed Hamid in October 2007 for allegedly trying to undo the ‘revulsion’ statement on Burma issued by the ASEAN foreign ministers during that time. He also demanded Burma’s suspension and even expulsion from the ASEAN as possible future course of actions. In fact, in the wake of the military crackdown on the peaceful monk-led protests in Burma in September 2007, the ASEAN foreign ministers on the side lines the UN General Assembly plenary session expressed their revulsion over reports that the demonstrations in Burma were being ruthlessly suppressed by violent force and that there were several fatalities (ASEAN Statement 2007). Burma’s domestic political situation was also an issue for YB Datuk Seri Dr. Wan Azizah Wan Ismail (one of the Vice Presidents of AIPMC), who as leader of Malaysia’s main opposition party the People’s Justice Party headed the parliamentary opposition from March 2008 till she vacated her parliamentary
seat for her husband and former Malaysia’s Deputy Prime Minister Dato Seri Anwar Ibrahim who won the by-election in August 2008. Meanwhile, under Anwar Ibrahim, who emerged as one of the most vocal advocates of transparent and accountable government in Malaysia after being expelled from the United Malays National Organization (UMNO) by Mahathir bin Mohammad in 1998, the opposition People’s Justice Party’s commitment to improving human rights and democratization in Burma as well as its interests in investigating the role of Petronas in Burma has ensured that the UMNO led Barisan National government in Malaysia will remain under considerable political pressure on these issues and would limit the scope of taking any new decision on issue of human rights and democratization in Burma (Haacke 2008: 361-362). It is primarily for these reasons that Malaysia opposed the 2007 UN General Assembly draft resolution on the human rights situation in Burma. Interestingly, Malaysia has not regarded the military government in Burma as posing a threat to international or even regional peace and security in spite of concerns about its ill treatment of muslims within its territory.

Burma also agreed in 2005 after being encouraged by other ASEAN member states to forego its opportunity of assuming the Chairmanship of the ASEAN in 2006 to avoid a damaging boycott by Western states of the regional grouping’s meetings, particularly the ASEAN Regional Forum (ARF). The United States and the EU demanded that military ruled Burma either move towards democracy and release pro-democracy campaigners including Aung San Suu Kyi or forfeit its turn at the rotating chairmanship of the ASEAN in 2006 (New York Times 2005). ASEAN’s more economically advanced countries apprehended damage to their trade ties with the United States and the EU over the issue of Burma’s chairmanship of ASEAN and other ASEAN related forums like the ARF. The then foreign minister of Laos, Somsavat Lengsavat had stated that Burma has to focus on the national reconciliation process before assuming the chairmanship of ASEAN and the Burmese government has requested its ASEAN colleagues to postpone its chairmanship for another occasion. But this issue concerning whether Burma would be allowed to assume chairmanship of ASEAN in 2006 created divisions within the organization (BBC News 2005). Burmese military government’s loyal supporters within the ASEAN includes the relatively new members of the grouping like Cambodia, Laos and Vietnam which initially supported Burma on the issue of taking over the chairmanship of ASEAN in 2006. However, in the end, it was the view shared by the original five members of ASEAN, particularly, Malaysia, Singapore and the Philippines that prevailed as a result of which Burma’s chairmanship of
ASEAN was deferred. The interests of ASEAN member states like Thailand, the Philippines and Indonesia on the issue of human rights and democracy in Burma can be understood as the product of their domestic political situation. For example, the domestic political reorientation towards democracy in Indonesia since the fall of the ‘New Order’ government of former President Suharto in May 1998 prompted a similar realignment regionally. States like Indonesia, the Philippines and Thailand, together with a growing range of civil society based actors such as the ASEAN Working Group on the Establishment of a Human Rights Mechanism, endeavoured to focus more attention on issues concerning human rights within ASEAN. On the other hand, among the ASEAN member states, governments in Cambodia, Vietnam, Laos and off-course Burma have all maintained low profiles in the discussion about human rights within the ASEAN given that their own domestic political systems diverge substantially from liberal democratic standards (Davies 2012: 6-7).

It is interesting to note in this connection that Burma had finally assumed the chairmanship of ASEAN for the first time in January 2014 (ASEAN Chairman’s Opening Statement 2014). In fact, Burma took the rotating chairmanship of ASEAN for the first time in 2014 since it joined the regional association in 1997. In the last couple of years, the military government in Burma under General Thein Sein has taken some modest steps towards national reconciliation and democratic transition including releasing pro-democracy leader Aung San Suu Kyi from house arrest. But in spite of these very small steps being initiated by the military regime as a result of international pressure and ASEAN’s policy of constructive engagement, Burma still has a long way to go as far as genuine democratic transition in the country is concerned. It remains to be seen whether there will be any further divisions within the ASEAN on this issue of protecting human rights and promoting democracy inside Burma during the ASEAN ministerial meetings and ASEAN Summits in the near future.

Equally notable is the way ASEAN handled Cambodia’s application for membership. It deferred a decision on the matter in view of the violent coup in that country in July 1997, whereby the then second Prime Minister Hun Sen deposed his main political rival Prince Narodom Ranaridh. ASEAN members viewed the coup as a political affront, although not all governments initially opposed Cambodia’s entry into ASEAN. The common ASEAN stand as reflected in the special foreign ministers meeting on July 10, 1997 outlined that Cambodia’s
entry into ASEAN was conditional upon the restoration of some form of political status quo ante in the country (ASEAN Joint Statement 1997). However, it also marked a radical departure from one of the cherished behavioural norms of ASEAN-the principle of non-interference. This norm of non-interference has been the very basis of ASEAN’s collective stand during Vietnam’s military intervention in Cambodia in 1978 (Leifer 1999: 35). The contrast between the cases of Burma and Cambodia was conspicuous in terms of the norms invoked by ASEAN. Singapore’s former foreign minister S. Jayakumar had stated at the ASEAN foreign ministers meeting in July 1998 that any unconstitutional change of government is a cause for concern for the ASEAN (ASEAN Ministerial Meeting 1998). And in cases where force is used for an unconstitutional purpose, it is a kind of behaviour that ASEAN cannot ignore or condone. This statement implied that ASEAN would not condone any act of forcible ouster of an established government. Yet, it may have been the case that had the coup in Cambodia occurred after its entry into ASEAN, the Burma precedent would certainly have been invoked to justify non-interference in domestic affairs (Leifer 1999: 36). The crucial question that emerges here is whether it will be possible for ASEAN to observe the norm of non-interference while simultaneously rejecting a change of government in a member state brought about by the use of force.

(iii) Thailand-Cambodia Border Clashes

Moreover, membership expansion has also brought additional bilateral disputes over territory and resources like those between Thailand and Cambodia, Thailand and Burma and Thailand and Vietnam within the purview of ASEAN. Of these territorial disputes, the one between Thailand and Cambodia deserves special mention as it has resulted in sporadic armed clashes for the first time in the history of ASEAN between two of its member states along the border of these two states in the last few years. The armed clashes between the Thai and Cambodian army around the eleventh century Hindu temple of Preah Vihear along the disputed border have starkly illustrated the tensions that could derail the plans to create an ASEAN Community by 2015 and the apparent inability of ASEAN to deal with disagreements among its members. In May 2011, around the time of the eighteenth ASEAN Summit hosted by Indonesia, deadly border clashes between the armed forces of Thailand and Cambodia left several dead on both sides and it overshadowed the ASEAN Summit that was supposed to show case the progress towards an
ASEAN economic community. The ASEAN with its norm of non-interference in the internal affairs of member states has so far struggled to amicably settle the border dispute between two of its member states. The dispute, although on surface is over the ancient Hindu temples, is actually driven by domestic political dynamics in both Thailand and Cambodia (Rondonuwu and Suharmoko 2011). Indonesian efforts to broker a peace deal between the two governments during the ASEAN Summit of May 2011 were not successful (BBC 2011). The border clashes between the Thai and Cambodian army personnel in recent times has become a huge embarrassment for the ASEAN elites who are trying to project an image of unity to the outside world.

The Hindu temple of Preah Vihear was awarded to Cambodia through a ruling of the International Court of Justice (ICJ) in 1962, which the governments of both Cambodia and Thailand accepted at that time (BBC 2013). Thailand did not officially claim the ownership of the temple but the dispute is over the land surrounding the temple. The Thai government argues that the ICJ ruling did not rule on the border but only on the temple itself. The temple had been the centre of a border dispute for more than a century. Maps drawn by Cambodia’s French colonial government and Thailand (then known as Siam) in the early part of the twentieth century showed the Preah Vihear temple as belonging to Cambodia although in later period, the Thailand’s government contested Cambodia’s claims on the ground that the maps that were drawn earlier were not official. When the ICJ granted the temple to Cambodia in 1962, the government in Thailand was rankled. The dispute remained moribund in the decades of 1970 and 1980 as Cambodia plunged into conflict and civil war that continued till the early part of the decade of 1990.

The issue escalated in 2008 when the Cambodian government applied for the Preah Vihear temple to be listed as a UNESCO world heritage site. Thailand initially wanted the temple to be a joint Thai-Cambodian listing in the list of UNESCO world heritage sites but later withdrew its objections. The decision enraged the Thai nationalists and both sides started to build up troops along their disputed border. In April 2009, troops from both sides exchanged fire across the disputed border. More serious trouble erupted in February 2011, when firing across the border for several days led to the loss of eight lives. In April 2011, violence between the two sides moved further westwards to another set of temples before shifting back to Preah Vihear temple
resulting in several loss of lives. In February 2011, Cambodia took the issue to the UN Security Council, which referred it back to ASEAN. Indonesia as chair of the ASEAN at that time led the mediation efforts between the two sides without much success. In fact, ASEAN could do nothing to prevent the fighting from flaring up again as talks between the government of Cambodia and Thailand ended in a stalemate (BBC 2013). In April 2013, Cambodia again appealed to the ICJ to clarify its stand on the Preah Vihear temple. The ICJ unanimously confirmed Cambodia’s sovereignty over the entire territory of the Preah Vihear temple asking Thailand to withdraw its forces from that territory through a ruling on November 10, 2013 (UN News Centre 2013; Bangkok Post 2013). It is important to note in this connection that Cambodia had referred the matter directly to the ICJ without referring the matter to the ASEAN High Council, which is the mechanism of dispute settlement provided in the ASEAN Treaty of Amity and Cooperation in Southeast Asia of 1976. Cambodia also took the matter to the UN Security Council. In fact, all these instances demonstrate the rather helplessness of ASEAN as a regional organization in Southeast Asia to settle intramural disputes of this nature among its member states. It also shows that nationalist sentiments are still very strong among the ASEAN member states and ASEAN elites’ attempt to forge a sense of regional identity among its constituent elements have not been able to override the strong sense of national identity that still prevails among the states in the Southeast Asian region.

(iv) Debate over Flexible Engagement and Enhanced Interaction within ASEAN

There has also been a gradual weakening of the norm of non-interference in managing intra-ASEAN relations as a result of the notion of ‘flexible engagement’, put forward by former Thailand’s foreign minister Surin Pitsuan in June 1998 (Ramcharan 2000: 60-88). This notion of ‘flexible engagement’ was outlined by Surin Pitsuan in the wake of the East Asian Financial Crisis and serious disagreement with neighbouring Burma. ‘Flexible engagement’ would permit constructive criticism and advice on issues where domestic affairs in one ASEAN state affect another member state. In other words, ‘flexible engagement’ would allow the ASEAN governments to publicly comment on and collectively discuss fellow members’ domestic policies
when these would have cross-border implications, i.e. adversely affect the disposition of other ASEAN states. Surin Pitsuan’s bold proposal constituted a multi-pronged challenge to ASEAN’s diplomatic and security culture. First, ‘flexible engagement’ appeared to challenge the principle of non-interference in the sense that agreement on the concept seemed designed to pave the way for unsolicited involvement in the domestic affairs of other ASEAN member states. Second, this proposal of ‘flexible engagement’ also challenged the norm of quiet diplomacy because the concept was to explicitly allow for public discussion and criticism of one ASEAN country by another. Third, by advocating that ASEAN must become involved in intra-state issues if these entailed adverse consequences for other members, ‘flexible engagement’ also challenged the long-standing norm that ASEAN should not take up collectively what for the most part would previously have been regarded as bilateral disputes (Haacke 2005: 189). The idea of flexible engagement can only be reconciled with the principle of non-interference if the practice of the latter by the ASEAN elites was relative and not absolute, whereby acceptance of certain kinds of interference under certain circumstances is considered as legitimate (Ramcharan 2000: 81). But a careful scrutiny of former Thailand foreign minister’s idea of ‘flexible engagement’ makes it clear that even if this norm of non-interference is adapted to suit the changing global and regional situations, it marks a radical departure from the ASEAN Way of managing intra-mural disputes in the region.

In the aftermath of announcing the proposal of ‘flexible engagement’, the overwhelming majority of the ASEAN governments rejected the proposal, primarily because not doing so would seem to open up a pandora’s box that could have undermined intramural stability and in some cases also jeopardize regime security in the member states. After declining to accept the idea of ‘flexible engagement’, the ASEAN government’s nevertheless informally agreed to henceforth allow for ‘enhanced interaction’. This very decision on part of the ASEAN elites reflected the realization of ASEAN decision-makers that they ultimately could not prevent each other from publicly commenting on those intra-state developments that had a perceived detrimental social, economic or political impact on other members or the ASEAN as a whole. In fact, ASEAN came under sharp criticism from various quarters for its inability to act decisively during the East Asian Financial Crisis as it was restrained from doing so because of the norm of non-interference. It is also important to note the subtle but significant difference between both the ideas of ‘flexible engagement’ and ‘enhanced interaction’. ‘Enhanced interaction’ seem to
imply that the individual ASEAN member states can comment on other member states’ domestic affairs although ASEAN as an organization could not do so. In other words, as a compromise, ‘enhanced interaction’ de facto condoned efforts of individual ASEAN leaders to take their colleagues to task on matters, which were perceived as domestic affairs if the issue at hand had cross-border implications, while still ruling out the legitimacy of such endeavours being undertaken under ASEAN’s auspices (Haacke 2005: 189-90). ‘Enhanced interaction’ can therefore be termed as a modified or diluted form of ‘flexible engagement’. Notably, when put into actual practice, ‘enhanced interaction’ quickly proved extremely disruptive and divisive within ASEAN and led to the temporary reassertion of more traditional understandings of ASEAN’s diplomatic and security culture.

However, before pursuing with the idea of ‘enhanced interaction’, the ASEAN member states embarked upon a number of procedural innovations in the face of regional adversity and mounting security challenges in the period up to 2001. First, the regional elites of ASEAN agreed on the establishment of surveillance mechanism that was to help prevent a recurrence of the East Asian Financial and Economic Crisis primarily by sharing and exchanging data and providing for the possibility to communicate any concerns member states might have in relation to macroeconomic developments in another member. Second, ASEAN embraced Singapore’s proposal to organize a foreign ministers’ retreat where, it was suggested, frank intramural exchanges would be possible. In the aftermath of the international intervention in East Timor in September 1999, ASEAN moreover adopted a proposal of Thailand for an ASEAN Troika at the ministerial level in July 2000 to enable ASEAN to address in a timely manner urgent and important regional and political security issues and situations of common concern likely to disturb regional peace and harmony (ASEAN AMM 2000). At the ASEAN Informal Summit held at Singapore in November 2000, an attempt was also made to engage Burma’s top military leader General Than Shwe in a dialogue on domestic developments inside Burma. Some scholars are of the view that a careful evaluation of all these measures would indicate that in both conceptual and practical terms, none of these steps constituted a major development of ASEAN’s overall diplomatic and security culture because they still upheld the core norms of the ASEAN Way including the norms of non-interference as well as quiet diplomacy and also made it voluntary on the governments of member states to involve ASEAN in dealing with bilateral disputes. Nevertheless, the above-mentioned measures also indicate a willingness on part of
some of the governments of the ASEAN member states to pursue ‘enhanced interaction’ in the context of ASEAN’s intramural diplomacy along similar lines as outlined in relation to ‘flexible engagement’ (Haacke 2005: 190).

ASEAN’s practical diplomacy with regard to the domestic political situation in Burma for more than a decade can be interpreted as part of its policy of ‘enhanced interaction’. Members of ASEAN have not generally considered it to be legitimate for the association as a whole to take an active interest in the intra-state developments of members if such developments are considered to be a threat to the credibility of the regional grouping, particularly with regard to its relations with the dialogue partners outside the region or to the security of the region as a whole. In this respect, the domestic political developments within Burma, which became a member of ASEAN in 1997, continue to pose a challenge for the organization. Following months of growing political tensions in Burma between Aung San Suu Kyi and her party, the National League for Democracy (NLD) on the one hand and the Burmese military regime (known as the State Peace and Development Council [SPDC] from 1997) on the other after the two sides got embroiled in a bloody encounter at Depayin on May 30, 2003. This incident left at least four people dead and saw NLD leader Aung San Suu Kyi being taken into protective custody by the military regime. While shaken by the turn of events at Burma, ASEAN nevertheless postponed a formal collective response until the convening of the ASEAN foreign ministers retreat at Phnom Penh in the middle of June 2003. This delay in discussing the turn of events inside Burma was largely due to the initial reluctance of some of the ASEAN states to get involved in matters relating to Burma. The ASEAN foreign ministers used their retreat to tell the Burmese foreign minister that the deadly clash at Depayin in May 2003 constituted a setback not only for Burma but also for the ASEAN as a whole. The ASEAN foreign ministers also incorporated in the joint communiqué of their subsequent ministerial meeting in June 2003 a paragraph that urged the Burmese government to resume its efforts of national reconciliation and dialogue among all parties concerned leading to a peaceful transition to democracy (ASEAN AMM 2003). The foreign ministers of the ASEAN member states also welcomed the assurances given by the Burmese government that the preventive measures taken against Nobel laureate and NLD leader Aung San Suu Kyi were temporary and looked forward to the early lifting of restrictions placed on Aung San Suu Kyi and other NLD members. Burmese military regime, the SPDC also resisted an Indonesian government proposal, supported by Malaysia and the Philippines, of using
the ASEAN Troika mechanism involving sending an ASEAN delegation to Burma to discuss the probable political solution to the crisis arising out of the Deepayin incident and the subsequent arrest of Aung San Suu Kyi. Burmese military leaders instead favoured bilateral crisis diplomacy involving a range of neighbouring states and other Asian powers including Indonesia, Malaysia, China, Thailand and Japan through which the SPDC leadership thought they would be able to garner support or understanding for their case. The military regime in Burma also very tactfully bypassed the Indonesian government’s invitation to Burma’s foreign minister U Win Aung to attend the July 2003 ASEM foreign ministers meeting in Bali in order to respond directly to European concerns about the political fall-out of the Deepayin incident of May 2003 and Aung San Suu Kyi’s subsequent detention (Haacke 2005: 193). Also, on the sidelines of the foreign ministers meeting of the Asia-Africa Sub-Regional Organization in July 2003, the Burmese foreign minister suggested to his Indonesian counterpart Hasan Wirayuda that pro-democracy leader Aung San Suu Kyi would not be confined to detention for a long time although he declined to provide any time-table for her release or show interest in starting the discussion on the process of national reconciliation with the NLD at that point of time.

In September 2003, just before the ninth ASEAN Summit in October that year, the military regime in Burma reversed the detention of Aung San Suu Kyi to house arrest, which the governments of ASEAN member states like Indonesia and Thailand viewed as a positive development. During ninth ASEAN Summit at Bali in October 2003, the ASEAN elites adopted a more conciliatory tone towards the Burmese military government than the ASEAN foreign ministers have done previously. The ASEAN Summit communiqué of 2003 clearly stated that the ASEAN leaders welcomed the recent positive developments in Burma and the government’s pledge to bring about a transition to democracy through dialogue and reconciliation. The ASEAN leaders also agreed on the point that sanctions are not helpful towards the promotion of peace and stability that are essential for democracy to take root. While not moving to meet the key demands, the SPDC in Burma used the opportunity by announcing the re-launch of the National Convention, which commenced on May 17, 2004. However, the NLD declined to attend the National Convention. Political developments in Burma were again discussed at the thirty-seventh ASEAN Ministerial Meeting at Jakarta in June 2004 (ASEAN AMM 2004). In their joint communiqué, the ASEAN foreign ministers reiterated the relevance of the previous year’s joint communiqué of the AMM and the Chairman’s Press Statement of the ninth ASEAN
Summit and underlined the need for involving all sections of the Burmese society in the National Convention process and encouraged all the concerned parties in Burma to continue their efforts to effect a smooth transition to democracy.

Therefore, it is important to note that domestic political developments inside Burma have been discussed within the ASEAN at various times since 1998 and are largely a reflection of the idea of ‘enhanced interaction’ put forward by former Thai foreign minister Surin Pitsuwan. In September 2007, in the wake of the Burmese military’s crackdown on peaceful monk-led protests, there was a sharp rebuke of Burma ever sanctioned by most of the governments of the ASEAN member states. In a statement issued by Singapore, the ASEAN Chair at that time in September 2007, the ASEAN foreign ministers expressed their revulsion over reports that the Buddhist monks led demonstration in different parts of Burma had been suppressed brutally through violent force and that there were several casualties (ASEAN Statement 2007). Expressing full support for the good office’s role of UN Secretary General’s special advisor Ibrahim Gambari, the ASEAN foreign ministers urged the Burmese military government to provide him full access to all parties and to cooperate fully and work with him. The statement was issued by the ASEAN foreign ministers because the ASEAN states felt that they had no option but to clarify their collective position on developments in Burma in view of the significant regional and global outrage it has caused. All these instances demonstrate that the norm of non-interference for ASEAN at present is not as sacrosanct as it used to be in the past. Although there has been a huge debate within and outside the institutional structure of ASEAN on the sanctity and universal applicability of the norm of non-interference, there is no denying the fact that the last one decade has witnessed a gradual process of a modified version if not weakening of the norm of non-interference and divisions within the ASEAN elites over its applicability at different times.

(v) ASEAN and Territorial Disputes in the South China Sea

Another pressing security concern for ASEAN since the 1990 has been the territorial disputes in the Spratly Islands located in the South China Sea involving some of the ASEAN states, China
The Spratly Islands have been important for all the parties owing to their strategic location and for possessing huge deposits of oil and gas. The diplomatic involvement of the ASEAN member states in the Spratly Islands commenced after the Sino-Vietnamese naval confrontation in the area in 1988. The issue assumed greater significance for ASEAN after Chinese government passed a law on February 25, 1992 through which it asserted its strong claims in the whole area of the Spratly Islands in the South China Sea (Buszynski 2003: 343-362).

The ASEAN member states took a series of diplomatic measures to counter the growing Chinese government’s assertiveness in the South China Sea. Indonesian government organized an informal South China Sea workshop on January 22, 1991 where government officials as well as academicians from the region met in their private capacities to deliberate on technical matters. After China passed the legislation in February 1992, ASEAN elites responded with the ‘Declaration on the South China Sea’ issued at the ASEAN foreign ministers meeting in July 1992, which called on all the parties to settle their differences by peaceful means and urged them to exercise restraint (ASEAN Declaration 1992). ASEAN elites also took a collective stand vis-à-vis China when it was found out in February 1995 that the latter had occupied Mischief Reef, an island on the South China Sea, which was claimed by the Philippines. At the behest of the government of the Philippines, the first Senior Officials Meeting between ASEAN representatives and China took place in 1995 where ASEAN’s united stand forced China to make concessions on the issue. China also agreed to discuss the territorial issue in the South China Sea at the next ASEAN Regional Forum (ARF) meeting (ASEAN Statement 1995). It is important to note that the establishment of the ARF in 1994 under the auspices of ASEAN was significant for addressing security issues within the ASEAN, including the one on the territorial disputes in the South China Sea.

A similar pattern of policy coordination was witnessed after China had placed an oil rig in the waters of the Gulf of Tonkin, claimed by Vietnam, in March 1997. On this case, after a period of sustained negotiations, both ASEAN and the Chinese government were successful in signing the

---

3 The territorial disputes in the South China Sea involves the People’s Republic of China (P.R.C.), Republic of China (Taiwan) and five ASEAN member states, which are Brunei, Indonesia, Malaysia, the Philippines and Vietnam.
‘Declaration on the Code of Conduct of Parties in the South China Sea’ on November 04, 2002 (ASEAN Declaration 2002). But this Code of Conduct for parties in the South China Sea has not yet been implemented due to sharp differences between the Chinese government and some of the governments of the ASEAN member states on the modalities for executing it. This process of careful handling of intramural disputes like the one in the South China Sea seems to be the hallmark of the ASEAN Way (Acharya 1999: 63). From the constructivist theoretical perspective, the ARF as a framework for security consultations is seen not as a mechanism for conflict resolution but as a dialogue process. The ARF primarily resembles a forum where the states located in the Southeast Asian and the wider Asia-Pacific region can interact so as to understand each other’s security concerns. The norms of the ASEAN Way also influence the dialogue process within the ARF.

For the early part of the first decade of the twenty-first century, China’s ‘charm offensive’ towards the ASEAN member states had helped to improve these Southeast Asian states perception of China. China’s unexpected proposal in 2000 to enter into a Free Trade Agreement (FTA) with the ASEAN was generally welcomed and as bilateral trade expended, China came to be viewed as the regional locomotive of economic growth. Overall, in the first decade of the twenty-first century, China’s attentiveness to ASEAN, its rhetorical commitment to regional norms of behaviour and praise for the organizations diplomatic role flattered and impressed the ASEAN elites. However, within a short span of time, particularly after 2007, China’s assertiveness has been growing with regard to the territorial disputes in the South China Sea. Tensions between China and several ASEAN member states increased in the last few years as China and some of the ASEAN states who are party to the dispute in the contested area sparred over exploration activities and attempt to strengthen their sovereignty claims. The territorial dispute over the islands in the South China Sea has led to a sharp deterioration of relations between China and two ASEAN member states, Vietnam and the Philippines. Equally worrying is the fact that as tensions in the area increased, talks between the ASEAN and China on implementing the Declaration on the Code of Conduct in the South China Sea have remained stalled (Storey 2011: 96-97). In 2004, both sides had established a joint working group to deal with the issue, which met three times between 2006 and 2008. By 2009, talks on implementing the Code of Conduct reached a stalemate as China objected to ASEAN discussing the issue as a group prior to meeting with the Chinese government representatives. Instead the Chinese
government wanted to discuss the issue with each of the ASEAN claimants first, followed by non-claimant members of ASEAN and finally with ASEAN as a group. Uncomfortable with the Chinese government’s divide and rule policy on this issue, the ASEAN member states rejected the Chinese approach (Storey 2011: 96). Frustrated by China’s assertiveness and delaying tactics, each of the ASEAN claimants including Indonesia issued statements on the importance of stability in the South China Sea at the July 2010 ARF meeting, a move which antagonized the Chinese government as it had so far managed to keep the issue out of the purview of ARF. Since 2010, it looks that the Code of Conduct has increasingly become ineffective as a conflict management mechanism and agreement among China, Vietnam and the Philippines to explore oil in the contested waters of the South China Sea lay in tatters.

In July 2012, the disunity among the ASEAN member states over the issue of territorial disputes in the South China Sea came to the forefront when the forty-fifth ASEAN Ministerial Meeting ended without issuing a joint communiqué for the first time in the entire history of ASEAN (BBC News 2012). Similar disunity was again witnessed at the November 2012 ASEAN Summit (Kozlovski 2012). On both occasions, Cambodia, as the then chair of the ASEAN played the role of a spoiler. The Cambodian foreign minister Hor Namhong blocked any reference to concerns expressed by Vietnam and the Philippines in the AMM draft joint communiqué as result of pressure from China. As a result, no joint communiqué could be issued at the end of the AMM in July 2012. Again during the ASEAN Summit held in November 2012, Cambodia caused a fury when its foreign minister tried to insert a reference in the ASEAN Summit joint communiqué that leaders agreed not to internationalize the South China Sea territorial dispute. Due to objections raised by the government of Philippines, this reference was dropped in the end (Thayer 2013). The events of 2012 demonstrated for the first time in the history of ASEAN when no joint communiqué could be issued after an AMM due to pressure exercised by China over Cambodia, the state holding the ASEAN chair during that time. China has created cleavages within ASEAN, particularly between the governments of the claimant states and the non-claimant states in the South China Sea territorial dispute. Interestingly, when Burma took over the chairmanship of ASEAN for the year 2014, there were concerns both within and outside ASEAN on whether Burmese military leaders, given their close political and economic ties with China’s political leadership will also succumb to pressure from Chinese
political leaders over the South China Sea issue during the ASEAN Summit of 2014 (Kapila 2014).

This chapter has discussed in detail the emergence and consolidation of ASEAN as a regional organization based on the imagination of a group of regional elites in the decade of the 1960. ASEAN as an elite based regional organization in the imagined region of Southeast Asia is officially on the verge of creating an ASEAN Community by the end of 2015. The kind of regional community that ASEAN is trying to create is based on the imagination of the ruling elites of the ASEAN member states without any kind of serious participation or inputs from the people at large who inhabit the states in the Southeast Asian region. Further, if one carefully evaluates the working of ASEAN since its inception in 1967, it can be said that in spite of significant progress being achieved by ASEAN towards the process of community building in the region based on elite imaginations and norm compliance, it is still debatable whether the norms of the ASEAN Way has actually resulted in a sense of collective regional identity within the imagined region of Southeast Asia. It is important to highlight in this context that even if such a collective identity in a limited sense has actually emerged, that collective identity has remained confined among the regional elites within the institutional structure of ASEAN and has not in any way percolated among the people who inhabit the imagined region of Southeast Asia. As it has been argued in this chapter, at the time of its establishment in 1967, there were debates among the then regional elites on the very idea of Southeast Asia involving which states were to be invited to join and which states were to be kept out of the organization. Behind the ASEAN rhetoric of promoting the idea of ‘One Southeast Asia’ by embracing all the Southeast Asian states within its fold by 1999, there have been a process of constant interaction and contestation between forces trying to create a sense of regional identity and those attempting to uphold the sense of national identity. Although ASEAN forms the foundation of a regional identity in the Southeast Asian region, the basis of that identity is very weak, particularly when compared to the various ethnic identities that criss cross the region (Narine 2002: 208). In spite of the fact that the ASEAN elites favour and encourage the growth of regionalism, their more pressing priority is the creation of national identities among their own domestic constituencies.

As it has been discussed in this chapter, on several important issues, there have been differences of opinion among ASEAN elites on the ways these issues need to be addressed.
Recent divisions within ASEAN on issues like the border clashes between Thailand and Cambodia or on the question of democratic transition in Burma are based on this contradiction between the forces trying to promote regional identity and those attempting to preserve strong sense of national identity and it also indicates the difficulties and challenges that lie ahead for ASEAN in building regional community in Southeast Asia. Although these internal divisions within the association may not lead to the formal unraveling of ASEAN, they may reduce its ability to form coherent policies in future (Narine 1998: 202). A big question mark remains on whether the new members of the ASEAN (Vietnam, Laos, Burma and Cambodia), not used to the ASEAN Way of conducting business in a very informal and interpersonal manner, can be socialized into the behavioural pattern that ASEAN has developed over the decades. Therefore, the issue of membership expansion has in a way both enhanced as well as eroded ASEAN’s progress towards the establishment of a regional community by 2015. Several important norms of the ASEAN Way are experiencing critical tests in recent times and have the potential to retard the pace of community building in the region that the ASEAN elites have embarked upon. The next chapter will analyze the ASEAN Charter of 2007 and the extent to which it has facilitated the process of community building in the region.

References


119


Nischalke, Tobias Ingo. 2000. ‘Insights from ASEAN’s Foreign Policy Cooperation: The ASEAN Way, a Real Spirit or a Phantom?’, Contemporary Southeast Asia 22 (1) April: 89-112.


