The 'ASEAN Way'
Non-Intervention and ASEAN's Role in Conflict Management

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The Association of Southeast Asian Nations (ASEAN) has come under much criticism for the violation of their held principles, which are also often referred to as the "ASEAN way." In particular, scholars have pointed to situations in which ASEAN has apparently violated the sacred principle of non-intervention, which in turn has led to the questioning of the authenticity of the "ASEAN way." In fact, in recent years, ASEAN has been spoken of negatively within the scholarly community[1] and has fallen to the wayside in light of more urgent world events. However, with Singapore's Prime Minister Goh Chok Tong's speech on revitalizing ASEAN,[2] it is now time to take a closer look again at the Association, and at its potential not only within the region, but also in terms of its demonstrated uniqueness in conflict management which may be applicable to the larger international society.

In this paper, I will seek to make a differentiation between the "ASEAN way" and the principle of non-intervention. I will also compare the strategies adopted by ASEAN in managing conflict situations with those employed by the Organization of United States (OAS) in order to delineate the "ASEAN way." It will be suggested that there are some merits to the "ASEAN way" which may be usefully applied to global conflict management. It would be useful to this paper to review some of the key ideas behind ASEAN before proceeding with the main discussion.

The 'ASEAN Way' and Non-Intervention

Although there were many contributing factors to the formation of the Association of Southeast Asian Nations (ASEAN), the events which were derived from the unification of Vietnam have been considered to have provided the impetus for the establishment of ASEAN in 1961. However, the seeds for forming a regional organization were already in the minds of the region's leaders, as evidenced by earlier establishment of the Association of Southeast Asia (ASA) and Maphilindo. Even though these earlier models were not successful, the key factor here is that a concept of shared values and of culture as the basis of collective identity were already in place. ASA's proponents, for instance, saw themselves as not only Southeast Asian, but also as part of an Asian cultural, political and economic context.[3] Thai Foreign Minister and key architect of ASA, Thanat Khoman, had firmly declared that ASA was rooted in "Asian culture and traditions".[4] Also, despite its failure, Maphilindo, too, was a prime example of the potential use of common culture in bringing the Southeast Asian region into more of a cohesive whole, and in advancing political and strategic

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[1] See for example Barry Wain, "ASEAN Is Facing Its Keenest Challenges to Date," *Asian Wall Street Journal*, 23 February 1998, and Murray Hiebert, "Out of Its Depth," *Far Eastern Review*, 19 February 1998, 26.

[2] *The Straits Times*, Singapore, 10th October 2002.

[3] See Shaun Narine, "ASEAN and the ARF: the limits of the 'ASEAN way,'" *Asian Survey*, 1997 35(9):359.

[4] Association of Southeast Asia, *Report of the Special Session of Foreign Ministers of ASA* (Kuala Lumpur/ Cameron Highlands, Federation of Malaya, April 1962), Annex B, 27-28, in Acharya, Amitav, *The Quest for Identity: International Relations of Southeast Asia*, Oxford: Oxford University Press, 2000), p 81.

objectives.[5] The fact is, Maphilindo was organized around some key principles, which were later to be accepted as salient to the "ASEAN way." Its three member states undertook not to use "collective defense to serve the interests of any among the big powers" and pledged commitment to the principle of consultation, or *musyawarah*, as the basis for settling differences among members. This would later form ASEAN's central approach to regional interaction and cooperation.[6]

Furthermore, the members of ASEAN also agreed upon a set of procedural norms which are thought to also embody the spirit of the "ASEAN way".[7] These were a set of working guidelines which set out the procedure by which conflicts would be managed by the Association. Noordin Sopiee of the Malaysian Institute of Strategic and International Studies has identified some of these norms. They include the principle of seeking agreement and harmony, the principle of sensitivity, politeness, non-confrontation and agreeability, the principle of quiet, private and elitist diplomacy versus public washing of dirty linen, and the principle of being non-Cartesian, non-legalistic.[8] It is important to note that this set of norms describe the means of carrying out action rather than the ends. That is to say, they do not identify specific goals of policy such as the preservation of territorial integrity. Instead, they prescribe the manner in which the member states should manage their affairs and interact with one another within the context of ASEAN.

Besides these norms, ASEAN members have also more formally adopted several principles. These are found in article 2 of the Association's Treaty of Amity and Cooperation. It states four basic principles with which the actions of the ASEAN members should be guided. These are: respect for the sovereignty and territorial integrity of all nations, non-interference in the internal affairs of one another, settlement of disputes by peaceful means, and renunciation of the threat or use of force.

This set of principles, along with the "ASEAN way," seems to be a source of confusion for some scholars. Jürgen Rüland, for example argues that "ASEAN's collective identity [is] crystallized in the revered principle of non-intervention".[9] He goes on to dismiss non-interference as a "pious myth," citing as prime examples of ASEAN's violation of this rule during the Malaysian and Indonesian protests against Myanmar's expulsion of the Rohingya Muslims to Bangladesh, the provision of sanctuary to Muslim rebels in the Philippines by Sabah's chief minister Tun Mustapha and Indonesian pressure on the Philippines to cancel an NGO conference on East Timor.[10] Indeed, the principle of non-interference has often been thought of as the principle upon which the collective identity of ASEAN hangs. It has been attributed as a "major factor in sustaining ASEAN solidarity over the years"[11], and has been referred to as the "foundation stone of the ASEAN way".[12] While this is of course true to a certain extent, it needs to be qualified with the knowledge that there is more to the ASEAN collective identity, or the "ASEAN way" than the principle of non-interference. It is the underlying culturally-based beliefs governing the ASEAN actions which make up the real "ASEAN way."

Perhaps the beliefs and norms which are associated with ASEAN's collective identity or "ASEAN way" are best examined within a socio-historical context.[13] Let us turn to the political culture of the member states. In traditional terms, the manner of politics found in Southeast Asia can be considered to a large extent to be

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[5] Amitav Acharya, *The Quest for Identity*, 82.

[6] Acharya, *The Quest for Identity*, 83.

[7] Nikolas Busse, "Constructivism and Southeast Asian Security", *The Pacific Review*, Vol.12 No.1 (1999): 39-60, p 47.

[8] Soesastro, Hadi, ed., *ASEAN in a Changed Regional and International Political Economy* (Jakarta: Centre for Strategic and International Studies,1995), iii-ix.

[9] Rüland, Jürgen, "ASEAN and the Asian crisis: theoretical implications and practical consequences for Southeast Asian regionalism," *The Pacific Review*, Vol. 13 No. 3 (2000):439.

[10] Rüland, 440.

[11] Herman Joseph S. Kraft, "ASEAN and intra-ASEAN relations: weathering the storm?" *The Pacific Review*, Vol.13 No.3 (2000):462.

[12] (Tay 2001)

[13] Pye, Lucien W. *Asian Power and Politic, The Cultural Dimension of Authority*. Cambridge, MA: Harvard University Press, 1985.

personalistic, informal and non-contractual. The survival of the existing empires relied heavily on a ruler's successful relationships with others in power. Unlike the West, Southeast Asia never experienced an equivalent to Roman law which might have introduced "rational bureaucracies" in the Weberian sense and brought a more formal and legalistic systemization to the local politics. According to Busse, after the process of decolonization, the traditional polity was transformed into what some specialists have called "bureaucratic polities".[14] Even though formal political institutions existed in theory, in reality, most of the states in Southeast Asia were ruled by small elite circles operating on the basis of patronage networks. This had the effect of institutionalising a highly private and informal political culture. Thus, even today, a set of social etiquette exists which has its basis in indirectness and social harmony. The recent Asian Financial Crisis was a sound reminder that these practices are still deeply entrenched in the economic and political systems of the region. [15]

The regard for social considerateness and etiquette which the elite hold can be seen for example in ASEAN's response to (then) US Vice President Al Gore's criticism of Malaysia's policies surrounding the dismissal and subsequent incarceration of that country's Deputy Prime Minister, Anwar Ibrahim.[16] Gore's remarks were considered remarkably callous, not only by the Malaysian government, but also by other ASEAN states. ASEAN's member states objected to this as an aggressive imposition of American "democratic values" on the politics of an ASEAN state. ASEAN diplomats rallied together and affirmed a return to the "ASEAN way" as fundamental to their political identity. It is interesting to note that cohesiveness of the "ASEAN way" and the ASEAN principles are clearly expressed when faced or challenged by the views of other states or organisations.[17]

Nikolas Busse has suggested that the "ASEAN way" is the method employed by the organization in dealing with conflict situations.[18] Perhaps then the best method of defining the "ASEAN way" is in fact to place it beside another regional organization and compare their methods in conflict resolution. I recognise that the comparison between the methods of different regional organizations in dealing with different conflict situations must have its limits since no two conflicts are situationally very similar, but at the same time, there is some scope here to point out the different ideologies or philosophies underlying their different approaches.

Some of the most notable cases of intervention by regional organizations to date include: Organization of American States (OAS) in conflicts in Haiti and Nicaragua and between El Salvador and Honduras; the Organization for African Unity (OAU) in Burundi, Liberia, Somalia and Sierra Leone; the Association of Southeast Asian Nations (ASEAN) in Cambodia; and NATO in the former Yugoslavia. In this paper, I will make a comparison between ASEAN's method of dealing with the conflict in Cambodia and the Organization of American States (OAS) in its role in the conflict in Haiti.

Background to the Conflicts in Cambodia and in Haiti[19]

Cambodia

The Cambodian crisis was escalating late in1978. In response to attacks by Democratic Kampuchea (DK) along Vietnam's southwestern border and at the request of the Kampuchea United Front for National

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[14] Jackson, Karl. D., "Bureaucratic polity: a theoretical framework for the analysis of power and communications in Indonesia," in Karl. D. Jackson and Lucien W. Pye, eds., Political *Power and Communications in Indonesia*. (Berkeley: University of California Press, 1978), 3-22.

[15] For more detail, see Busse, 48.

[16] This occurred at a pre-APEC Business Summit convened in Kuala Lumpur in November 1998.

[17] Shusterman, "Understanding the Self's Others," in Gupta and Chattopadhyaya, eds., *Cultural Otherness and Beyond* (Leiden, The Netherlands: Koninklijke Brill NV, 1998), 108.

[18] Nikolas Busse, 47.

[19] Thi Hai Yen Nguyen provides a clear account of these two conflict situations, on which I have based my description here. See Thi Hai Yen Nguyen, "Beyond Good Offices? The Role of Regional Organizations in Conflict Resolution," *Journal of International Affairs*, vol 55 No.2 (Spring 2002):468-479.

Salvation, Vietnamese troops launched a full-scale offensive against the Khmer Rouge which was in power at the time. In a matter of three weeks, the Vietnamese took Phnom Penh and helped establish the People's Republic of Kampuchea (PRK).

Essentially, the Cambodian conflict was an intrastate conflict involving four domestic warring factions, these being: the People's Republic of Kampuchea (PRK) led by Hun Sen, the Democratic Kampuchea (DK) or Khmer Rouge led by Pol Pot and later by Khieu Sam Phan, the Khmer People's National Liberation Front (KPNLF) led by Son Sann, and the National United Front for a Cooperative, Independent, Neutral and Peaceful Cambodia (FUNCIPEC) led by Norodom Sihanouk. These four factions were all vying for central rule and international recognition. The conflict also embodied the elements of a proxy war – Vietnam supported the PRK and China supported the Khmer Rouge – in a war over Cambodian soil.[20] It is important to note that none of these three countries were members of ASEAN at the time when the conflict took place.

To add to the complexity of the issue, due to the dynamics of the confrontation as well as the genocidal practices of the Khmer Rouge[21], the conflict could not be resolved by the restoration of the ruling party to power. The most viable solution would be to work out a power sharing agreement between warring factions and their foreign patrons. With the outbreak of conflict, the international community looked to ASEAN to lead the international response.[22]

OAS in Haiti

Created in 1948, the OAS is a large association of countries in the Western hemisphere founded to promote military, economic, social and cultural cooperation among member states. At the time of

the Haitian conflict, the organization had 25 members, including the United States.

The Haitian conflict broke out when a military coup led by General Raoul Cedras, commander-in-chief of the Haitian armed forces, overthrew Haiti's president Jean-Bertrand Aristide on 29 September 1991. President Aristide, who had won 67 percent of the votes in Haiti's first democratic election, was forced to go into exile in Venezuela and later the United States. General Cedras assumed office and the military immediately returned to the pressure tactics of previous dictatorships.[23] The Haitian conflict was a true intrastate conflict because it involved General Cedras' military regime and exiled President Aristide's resistance movement. Unlike Cambodia, Haiti was a member of the regional organization at the time of the conflict's outbreak. For the international community, the solution to the Haitian conflict was to restore President Aristide to his democratically elected post. Now let us examine the methods of conflict management employed by OAS and ASEAN.

'ASEAN way' Compared with that of the OAS in Dealing with Conflict Situations

First, the OAS, unlike ASEAN, acted to resolve the Haitian conflict independently. ASEAN chose more indirect means, and involved the larger international community. From the earliest stages of the conflict ASEAN concentrated its diplomatic energies on the United Nations.[24] Also, the OAS took a more aggressive tack: From the onset of the conflict, OAS countries isolated Haiti diplomatically and economically – at their 3 October 1991 meeting, the OAS ministers of foreign affairs recommended that all member states suspend economic, financial and commercial links with Haiti. They also called for the suspension of all aid and technical assistance to the country with the exception of humanitarian aid.[25] The OAS constantly pressured the military regime to back down. It imposed an oil embargo

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[20] Due to Vietnam's presence in Cambodia and China's backing of the Khmer Rouge, the Cambodian conflict was the most complicated conflict in a third world country since the end of the second world war.

[21] It had been responsible for the deaths of up to 1.5 million Kampucheans between 1975 and 1978.

[22] Jeannie Henderson, *Adelphi Paper 328: Reassessing ASEAN* (London: Oxford University Press for the International Institute for Strategic Studies, 1999), 77.

[23] "A Case Study in Conflict," Evangelical Lutheran Church in America, at www.elca.org/dcs/peace_study08.html, qtd in Thi, 470.

[24] Amitav Acharya, Pierre Lizee and Sorpong Peou, eds., *Cambodia – The 1989 Paris Peace Conference: Background Analysis and Document* (Millbank, NY: Kraus International Publications, 1991).

[25] Elizabeth D. Gibbons, *Sanctions in Haiti: Human Rights and Democracy under Assault* (Westport, CT: Praeger, 1999).

on 8 October 1991, denying Haiti access to foreign oil, the country's sole source of energy and fuel.[26] OAS also denied visas and froze assets of those individuals who had perpetrated and supported the coup.[27]

As with the OAS, in order to force Vietnam to pull out of Cambodia, ASEAN mobilized the international community and the Security Council to isolate the country both diplomatically and economically.[28] But short of forming a military alliance, ASEAN did not have the enforcement power which would allow them to use harsh measures on Cambodia. This influenced their decision on their method of conflict management. ASEAN prevented the People's Republic of Kampuchea (PRK) from obtaining the Cambodian seat at the United Nations, and thus, from becoming the legitimate government in Cambodia. In the 34th session of the General Assembly, ASEAN member states Thailand, Indonesia and Singapore played an important role in opposing India's proposal to leave the Cambodian seat vacant at the United Nations. Throughout UN sessions 34 to 37 (from 1979 to 1982), ASEAN succeeded in blocking India's motion, therefore ensuring that the Cambodian seat at the United Nations remained firmly with the Democratic Kampuchea (DK) or Khmer Rouge. ASEAN was cautious and in its approach to the situation in Cambodia. Without directly addressing Vietnam, ASEAN foreign ministers called for a withdrawal of all foreign troops from Cambodia and the dismantling of the Phnom Penh government so Cambodians could exercise their right of self-determination through elections.[29] On the other hand, during the Haitian conflict, a delegation of the OAS secretary-general and six ministers of foreign affairs from the member countries confronted General Raoul Cedras at Port-au-Prince to initiate negotiations for the restoration of democracy in Haiti.[30] The Haitian

military, however, refused to negotiate with the commission.

ASEAN were less confrontational in their tactics, inviting the different parties for talks with the more neutral member states within the Association, such as Singapore. In April 1981, the Singaporean government invited representatives from one of the factions to participate in talks concerning the creation of a coalition government. Concurrently, Thailand's foreign minister, Siddi Savetsila, the ASEAN standing committee chairman, visited Washington, DC, to seek support for the proposition.

Finally, OAS turned to the UN late in the situation. They also chose to use the threat of miliary force. In late 1992, the OAS realised that the oil embargo had failed to achieve its expected results. Weakened by the lack of a naval blockade and the violations of OAS members, including the United States and non-hemispheric parties, the embargo could neither bring down the de facto government in Haiti nor make it compromise. The OAS decided that international efforts were necessary to force a settlement. In December 1992, the OAS minsters took their case to the United Nations to request a universal embargo against Haiti and the approval of a possible military intervention.[31] This resulted in close cooperation between OAS and the UN Security Council in carrying out a global oil and arms embargo. The global embargo, strengthened by the deployment of a US naval blockade and a ban imposed on the leaders and supporters of Cedras's military regime against into the United States finally forced the coup leaders to sign a compromise pact – the Governors Island Agreement – on 3 July 1993.[32] Under the agreement, President Aristide would return to power on 30 October 1993 and would designate a prime minister. The commander-in-chief of the armed forces would take an early

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[26] (Boniface 1999), 5.

[27] Howard W. French, "Rival of Haiti's Ousted President Is Installed as Prime Minister," *New York Times*, 20 June 1992, L-3.

[28] Chan Heng Chee, "The Interests and Role of ASEAN in the Indochina Conflict," International Conference on Indochina and Problems of Security and Stability in Southeast Asia (Bangkok: Chulalongkorn University, 19-21 June 1980), 12.

[29] It has been noted that the ASEAN members displayed an impressive ability to coordinate their responses, presenting a united front. See Tim Huxley, "ASEAN Security Cooperation- Past, Present and Future" in Alison Broinowski, ed., *ASEAN into the 1990s* (Houndmills and London: The Macmillan Press Ltd, 1990), 89.

[30] (Inter-American Commission of Human Rights 1994)

[31] (Boniface 1999), 6.

[32] (Inter-American Commission of Human Rights 1994], 10.

retirement and sanctions against Haiti would be lifted[33]

Yet the signing of the accord and the lifting of sanctions did not bring peace and democracy. The military regime in Haiti sponsored acts of violence to prevent the new government from taking office. The OAS countries responded by joining forces with the UN Security Council and other UN member states to remove the military regime from Haiti so that the agreement could be implemented. On 19 September 1994, approximately 22,000 US troops landed in Haiti; one month later, the military leaders finally backed down and President Aristide was peacefully restored to power.

In the Cambodian situation, when there were signs of ceasefire violations and the Khmer Rouge declared a boycott of the elections, ASEAN only urged all parties in Cambodia to comply fully with their obligations as outlined in the peace agreement. ASEAN foreign ministers called on "all Cambodian parties to live up to the spirit of national reconciliation for the sake of Cambodia's sovereignty, independence, integrity and inviolability, neutrality and national unity".[34] ASEAN contributed much more to the success of the 1998 elections. When Second Prime Minister Hun Sen ousted First Prime Minister Norodom Ranariddh on 2 July 1997, ASEAN responded decisively by suspending the admission of Cambodia into ASEAN until free and democratic elections could be held in Cambodia. In addition, an ASEAN troika led by the foreign ministers of Indonesia, the Philippines and Thailand joined the "Friends of Cambodia" group to mediate between the Hun Sen government and the opposition to restore democratic legitimacy to the government. Several ASEAN countries also assisted Cambodia with technical preparation and monitored the elections.[35] Thus without the use of military enforcement, ASEAN achieved a satisfactory result in their management of the Cambodian situation. In truth, forging a military alliance against Vietnam at the outset would have afforded ASEAN certain advantages. It would have indicated to Vietnam that ASEAN was willing to stand up for their principles, and ASEAN would have gained the approval of the international community. An alliance would also have strengthened Thailand's position, decreasing its vulnerability as a state on the frontline. But the members of ASEAN decided against this course of action because they saw it as counterproductive and uncomfortably provocative.[36]

Conclusion

In this paper, I have tried to show that the "ASEAN way" is much more than the principle of non-intervention. In fact, it has been applied with good results in conflict intervention.

During the Cambodian conflict, ASEAN adhered to the norms of the "ASEAN way," as described by Noordin Sopiee. From the start of its intervention, ASEAN applied its non-confrontational style to the situation, through direct and indirect measures of restraint, pressure, diplomacy, communication and trade-offs.[37] ASEAN played an important role in resolving the Cambodian conflict. All this happened without the need for force. The OAS, on the other hand, being stronger than ASEAN in enforcement power utilized a more direct and aggressive strategy to the conflict situation in Haiti. In deploying military force, it not only incurred a far greater cost, but also opened up the possibility of incurring the far greater costs to humanity during armed conflict. Perhaps there is scope here to further examine the "ASEAN way" as a viable strategy in global conflict resolution.

[33] [Dexter Boniface, "Defending Democracy in the Western Hemisphere: A Behavioural Analysis of the Organization of American States," International Studies Association's annual meeting (Washington, DC: 16 to 20 February 1999) at www.ciaonet.org/isa/bod01/bod01.html > p 6.]
[34] (Statement by ASEAN Foreign Ministers on the Elections in Cambodia 1993)
[35] See www.hrw.org/reports/1997/cambodia/Cambodia.htm
[36] Interviews with former foreign ministers in ASEAN. See Busse, 50.
[37] ASEAN has applied a similar strategy in the dispute over Sabah, with excellent results. See A. Jorgensen-Dahl, *Regional Organization and Order in Southeast Asia* (London: Macmillan, 1982), and T.S. Lau, "Conflict-Resolution in ASEAN: The Sabah Issue" in T.S. Lau, ed., *New Directions in the International Relations of Southeast Asia* (Singapore: University of Singapore Press, 1973).