

CHAPTER II

ASEAN AND THE PRINCIPLE OF NON – INTERVENTION

In this chapter the writer will describe about ASEAN and the Principle of non-intervention, General profile of ASEAN, history of ASEAN, the geographical Condition of ASEAN, the political Cooperation of ASEAN, The significance and the meaning of ASEAN's principle of non-interference and Challenge to ASEAN's principle of non-interference interference. This chapter will be ended with the summaries of ASEAN and the principle of non-intervention.

ASEAN is a regional organization which formed in 1967 in the Asia Pacific region. The Southeast Asia is a region which have potential possibility toward conflict that may appear between one and other states in Southeast Asia and Asia Pacific region. Therefore, the health elations and cooperation between one and another states are very needed in order to avoid and to settle the appearance of conflict. ASEAN as the regional organization has a big role in maintaining the conflict settlement in Southeast Asia region.

A. The History of ASEAN.

1. The establishment of ASEAN

The Association of Southeast Asian Nations (ASEAN) was formed in 1967 by Indonesia, Malaysia, the Philippines, Singapore, and Thailand to promote political and economic cooperation and regional stability.¹ Brunei joined in 1984,

¹The Association of South East Asia Nations (ASEAN) Retrieved 30 December 2014;

From: <http://www.state.gov/p/eap/regional/asean/>

shortly after its independence from the United Kingdom, and Vietnam joined ASEAN as its seventh member in 1995.² Laos and Burma were admitted into full membership in July 1997 as ASEAN celebrated its 30th anniversary. Cambodia became ASEAN's tenth member in 1999.³

The Association of Southeast Asian Nations is a geo-political and economic organization of ten countries located in Southeast Asia, which was formed on 8 August 1967 by Indonesia, Malaysia, the Philippines, Singapore and Thailand.⁴ Since then, membership has expanded to include Brunei, Burma (Myanmar), Cambodia, Laos, and Vietnam. Its aims include accelerating economic growth, social progress, cultural development among its members, protection of regional peace and stability, and opportunities for member countries to discuss differences peacefully.⁵ The establishment of ASEAN have several aims and purposes toward the existence. The purpose of the establishment of ASEAN in the environment caused by demand for external security. (To the parents of the member countries will focus on creating the country), fear of the spread of communism Faith or belief outside the powers deteriorated during the decade in 1957, including Buddhist demand in developing economies. ⁶ASEAN

²The Association of South East Asia Nations Retrieved 30 December 2014 from:(ASEAN);<http://www.state.gov/p/eap/regional/asean/>

³The Association of South East Asia Nations Retrieved 30 December 2014 from:(ASEAN) ;<http://www.state.gov/p/eap/regional/asean/>

⁴Bangkok Declaration.Wikisource. Retrieved 14 March 2014; from:http://en.wikipedia.org/wiki/Association_of_Southeast_Asian_Nations

⁵Asean.org, Overview, Asean.org, ASEAN Secretariat official website. Retrieved 1 January 2015.; from:http://en.wikipedia.org/wiki/Association_of_Southeast_Asian_Nations

aims to establish different organizational EU. Since ASEAN was created to support the nationalistic As set out in the ASEAN Declaration, the aims and purposes of ASEAN are:

1. To accelerate the economic growth, social progress and cultural development in the region through joint endeavor in the spirit of equality and partnership in order to strengthen the foundation for a prosperous and peaceful community of Southeast Asian Nations;

2. To promote regional peace and stability through abiding respect for justice and the rule of law in the relationship among countries of the region and adherence to the principles of the United Nations Charter;

3. To promote active collaboration and mutual assistance on matters of common interest in the economic, social, cultural, technical, scientific and administrative fields;

4. To provide assistance to each other in the form of training and research facilities in the educational, professional, technical and administrative spheres;

5. To collaborate more effectively for the greater utilization of their agriculture and industries, the expansion of their trade, including the study of the problems of international commodity trade, the improvement of their transportation and communications facilities and the raising of the living standards of their peoples;

6. To promote South East Asian Studies, and;

⁶ Asean.org, Overview, Asean.org, ASEAN Secretariat official website. Retrieved 1 January 2015.; from:http://en.wikipedia.org/wiki/Association_of_Southeast_Asian_Nations

7. To maintain close and beneficial cooperation with existing international and regional organizations with similar aims and purposes, and explore all avenues for even closer cooperation among themselves.

From the aims and purposes of ASEAN from ASEAN declaration above, this is inevitable that the South East Asia region is the susceptible region toward the conflict, therefore the relationship building between one another states is very important to prevent and reduce the conflicts that may appear in the South East Asia region. Year by year the growth of ASEAN performance is positively increased, the increase in ASEAN cannot be separated from the influence of the environment within and outside the region.

2. The Geographical Condition of ASEAN

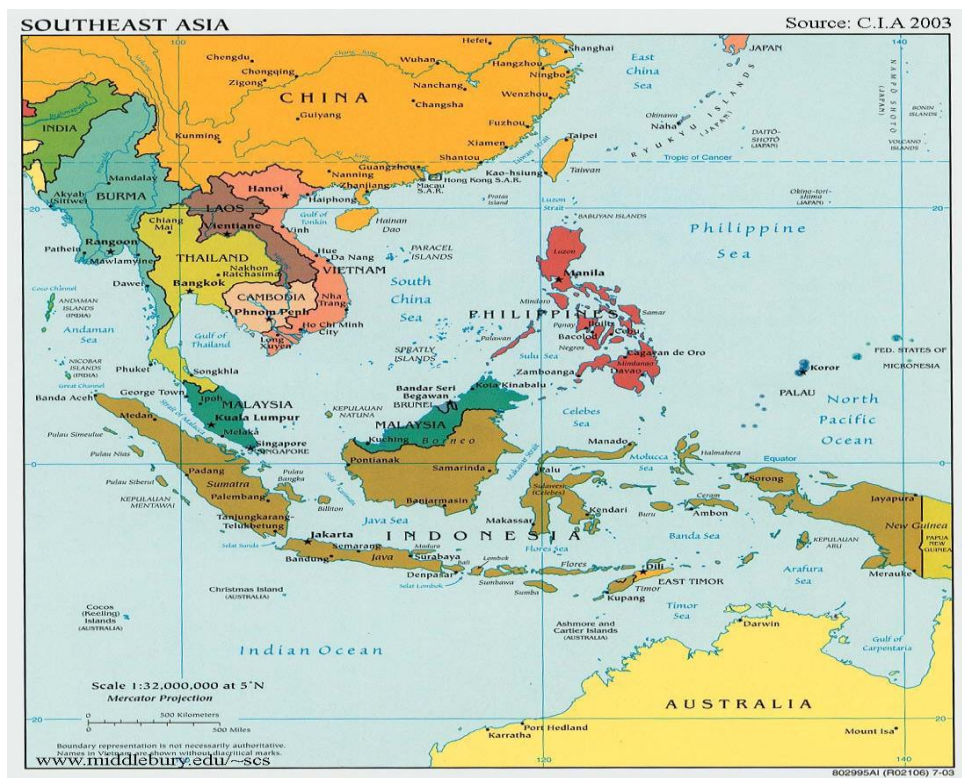
Lying between the continents of Asia and Australia, Southeast Asia is an area with a rich geography, a rich history, and a varied culture. The term “Southeast Asia” refers to an area that is geographically, linguistically, and ethnically diverse. The region is made up of two distinct regions, the mainland peninsula, and an island, or insular, zone. Spreading over 4,506,600 square kilometers, (1,740,000 square miles,) Southeast Asia is bounded on the west by India, the north by China, and on the east by the Pacific Ocean.⁷

ASEAN covers a land area of 4.46 million km², which is 3% of the total land area of Earth, and has a population of approximately 600 million people, which is 8.8% of the world's population. The sea area of ASEAN is about three times

⁷ Southeast Asia: Population Data, 2005; Retrieved 11 January 2015. from; <http://suite101.com/article/geography-of-southeast-asia>.

larger than its land counterpart. In 2010, its combined nominal GDP had grown to US\$1.8 trillion.⁸ If ASEAN were single entity it would rank as the tenth largest economy in the world.

The Southeast Asia Map



Source: "The South China Sea Map." <http://www.middlebury.edu/South-China-Sea.htm>. Accessed on: April 19th, 2013.

The larger countries of Myanmar, Thailand, Malaysia, Cambodia, Laos, Vietnam, and Singapore lie on the South-East Asian peninsula. These nations are mountainous, with large river systems, such as the Ayeyarwady in Myanmar, or

⁸EC.Europa.eu, European Union Relations with ASEAN.Retrieved Retrieved 11 January 2015.

the Mekong in Cambodia, running to the South China Sea or to the Andaman Sea. Because of the mountains, population on the peninsula is unevenly distributed, with the larger cities clinging to the coastline.

The insular portion of Southeast Asia is composed of the island nations of Indonesia, the Spratly Islands, Philippines, Brunei, and East Timor. These countries are geographically smaller than the peninsula nations, and the populations are also smaller, with the exception of Indonesia. The islands are spread across the tip of the mainland peninsula and are bordered by the Indian Ocean, the South China Sea, and Pacific Oceans. Malaysia, Singapore, and the Spratly Islands occupy unique positions in the geography and politics of Southeast Asia. Malaysia is both a peninsular and an island nation. It shares the Malay Peninsula with Thailand, as well as Singapore, and the large island of Borneo to the east with Indonesia and Brunei. The Spratly Islands, a small chain of islands and reefs off Vietnam in the South China Sea are claimed by Brunei, China, Malaysia, Taiwan, China, Vietnam, and the Philippines. The rush for possession is spurred by the rich fishing grounds surrounding the Spratlys and the possibility of oil deposits.⁹

⁹National Geographic Visual Atlas of the World, National Geographic, Washington, D.C., 2009, p. 206

B. The History and General Profile of ASEAN

1. The founding of ASEAN

ASEAN was preceded by an organization called the Association of Southeast Asia, commonly called ASA, an alliance consisting of the Philippines, Malaysia and Thailand that was formed in 1961. The bloc itself, however, was established on 8 August 1967, when foreign ministers of five countries – Indonesia, Malaysia, the Philippines, Singapore, and Thailand – met at the Thai Department of Foreign Affairs building in Bangkok and signed the ASEAN Declaration, more commonly known as the Bangkok Declaration. The five foreign ministers – Adam Malik of Indonesia, Narciso Ramos of the Philippines, Abdul Razak of Malaysia, S. Rajaratnam of Singapore, and Thanat Khoman of Thailand – are considered the organization's Founding Fathers.¹⁰ The motivations for the birth of ASEAN were so that its members' governing elite could concentrate on nation building, the common fear of communism, reduced faith in or mistrust of external powers in the 1960s, and a desire for economic development. The bloc grew when Brunei Darussalam became the sixth member on 8 January 1984, barely a week after gaining independence on 1 January.¹¹

The document declared the establishment of an Association for Regional Cooperation among the Countries of Southeast Asia to be known as the

¹⁰ Bernard Eccleston, Michael Dawson, Deborah J. McNamara (1998). *The Asia-Pacific Profile*. Routledge (UK).

¹¹"Background Note:Brunei Darussalam/Profile:/Foreign Relations". United States State Department.Archived from the original on 2 March 2007.Retrieved 6 March 2014. From: <http://www.infoplease.com/country/profiles/brunei.html>

Association of Southeast Asian Nations (ASEAN) and spelled out the aims and purposes of that Association. These aims and purpose were about cooperation in the economic, social, cultural, technical, educational and other fields, and in the promotion of regional peace and stability through abiding respect for justice and the rule of law and adherence to the principles of the United Nations Charter. It stipulat that the Association would be open for participation by all States in the Southeast Asian region subscribing to its aims, principle and purposes.

2. The Fundamental principles of ASEAN:

The Treaty of Amity and Cooperation (TAC) in Southeast Asia¹² signed at the First ASEAN Summit on 24 February 1976, declared that in their relations with one another the High Contracting Parties should be guided by the following fundamental principles:

- Mutual respect for the independence, sovereignty, equality, territorial, integrity, and national identity of all nations;
- The right for every state to lead its national existence free from external interference subversion, or coercion;
- Non-interference in the internal affairs of one another;
- Settlement of differences or disputes by peaceful manner;
- Renunciation of the threat or use of force; and
- Effective cooperation among themselves.

¹² EC.Europa.eu, European Union Relations with ASEAN.

From: <http://www.asean.org/asean/external-relations/european-union/item/overview-of-asean-eu-dialogue-relations> Retrieved 29 October 2014..

3. The Political Cooperation of ASEAN :

ASEAN political and security dialogue and cooperation should aim to promote regional peace and stability by enhancing regional resilience. Regional resilience shall be achieved by cooperating in all fields based on the principles of self-confidence, self-reliance, mutual respect, cooperation, and solidarity, which shall constitute the foundation for a strong and viable community of nations in Southeast Asia.

Although ASEAN States cooperate mainly on economic and social issues, the organization has a security function, with a long-discussed program for confidence-building measures and for establishing a nuclear-weapon-free zone in Southeast Asia, with the objective of implementing ASEAN's 1971 Declaration on a Zone of Peace, Freedom and Neutrality (ZOPFAN), and a Southeast Asia Nuclear Weapon-Free Zone (SEANWFZ), which would be a component of ZOPFAN.¹³ In the case of south China sea disputes, the ASEAN Regional Forum (ARF) as an important multilateral forum for political and security consultations and cooperation, shall be the proper media in settlement toward the conflict. The ARF has begun to explore activities where there is overlap between confidence-building measures and preventive diplomacy. ASEAN Member States are urged to settle disputes through friendly negotiations applying the procedures of the Treaty of Amity and Cooperation (TAC) of 1976.¹⁴ However, the Member States

¹³ Severino C. Rodolfo, *"ASEAN : South East Asia Background, Singapore : Institute of South East Asian Studies"*, 2008, P: 38.

¹⁴ Than Mya, *"Myanmar In ASEAN : Regional Cooperation Experience"*, Singapore : Institute of Southeast Asian Studies, 2005, P: 23.

are not obliged to use the Treaty stipulations for the peaceful settlement of disputes. In case a State resorts to the use of force, no system of collective security is foreseen. The current participants in the ARF are as follows: all the ASEAN members, Australia, Bangladesh, Canada, the People's Republic of China, the European Union, India, Japan, North Korea, South Korea, Mongolia, New Zealand, Pakistan, Papua New Guinea, Russia, East Timor, United States and Sri Lanka.¹⁵ The Republic of China (also known as Taiwan) has been excluded since the establishment of the ARF, and issues regarding the Taiwan Strait are neither discussed at the ARF meetings nor stated in the ARF Chairman's Statements.

C. The Significance and Meaning of ASEAN's Principle of Non-Interference.

The principle of non-interference is the original core foundation upon which regional relations between ASEAN member-states are based¹⁶. The principle was first lined out in ASEAN's foundation document, the Bangkok Declaration, issued in 1967. The Bangkok Declaration expressed that the member-states are determined to prevent external interference in order to ensure domestic and regional stability.¹⁷ The non-interference policy was reiterated in the Kuala

¹⁵Association of Southeast Asian Nations. "ASEAN in Figures 2003." Education. 218. The Office of the Association of Southeast Asian Nations, 2003. Web. 22 Oct 2012. Chapter-6.pdf.

¹⁶Keling, M. F., H. M. Som, M. N. Saludin, M. S. Shuib, and M. N. Ajis. 2011. The development of ASEAN from historical approach. *Asian Social Science*.7(7), pp. 169-189.

¹⁷Stubbs,R. 2008. The ASEAN alternative? Ideas, institutions and the challenge to 'global' governance. *The Pacific Review*.21(4), pp.451-468.

Lumpur Declaration of 1997.¹⁸ It was further reinforced in the 1976 Treaty of Amity and Cooperation in Southeast Asia (TAC), in which the principle of non-interference in members' internal affairs was explicitly referred to as one of the association's fundamental principles.¹⁹

To understand ASEAN's guiding principle of non-interference it is important to clarify its meaning. While the principle of non-interference is adopted by many organizations throughout the world and is enshrined in the Charter of the UN, what appears to be unique to ASEAN's conduct of regional relations is therefore not merely the adoption of non-interference as a behavioral norm but rather its particular understanding and subsequent practices of this norm.²⁰ As Bellamy and Drummond state: "Despite the fact that the Association has made no attempt to define what it means by 'interference', regional practice prior to the mid 1990s suggests that it was construed as a continuum of involvement in the domestic affairs of states that ranged from the mildest of political commentary through to coercive military intervention". This broad interpretation led the non-interference policy function as an arrangement for the prevention of any acts by ASEAN member-states that would possibly undermine the authority of the dominant political elite and upset domestic governance in any

¹⁸ Ibid. P:25.

¹⁹ Ibid. P:26.

²⁰ Katsumata, H. 2003. Reconstruction of diplomatic norms in Southeast Asia: the case for strict adherence to the "ASEAN way". *Contemporary Southeast Asia*. 25(1), pp.104-121.

of the member-states.²¹The non-interference norm should therefore not be regarded merely as an ideal, but also as a political tool.²²Two political factors have been critical in the development of ASEAN's normative framework, sometimes referred to as the 'ASEAN Way', and these factors are important for an understanding of why ASEAN has used the non-interference principle as a guiding light. The first factor is the particular importance attached to state-sovereignty by the Southeast Asian states as a result of their historical experience. Colonial rule, Cold War experiences and frequent attempts by China to export communism all reinforced internal conflict and led the Southeast Asian to perceive sovereignty as a key element in ensuring regional as well as domestic stability. The second factor is the priority assigned to preserving domestic stability as internal security matters are considered to be of fundamental importance. This factor stems from the countries' fragility of the social and political order, which has made the domestic field their main security focus.²³

Although there is a broad consensus among scholars on the longstanding importance of the non-interference policy in ASEAN's conduct of regional affairs, the principle has never been absolute (Jones 2010). In an article on the theory and practice of ASEAN's non-interference policy, Jones firmly rejects the principle's centrality in Southeast Asian affairs. He demonstrates the inconsistent

²¹Rulan, J. 2011. Southeast Asian regionalism and global governance: "multilateral utility" or "hedging utility"? *Contemporary Southeast Asia*.33(1), pp.83-112.

²²Nesadurai, H. E. S. 2009. ASEAN and regional governance after the Cold War: from regional order to regional community? *The Pacific Review*.22(1), pp.91-118.

²³Katsumata, H. 2003. Reconstruction of diplomatic norms in Southeast Asia: the case for strict adherence to the "ASEAN way". *Contemporary Southeast Asia*.25(1), pp.104-121.

application of the policy and concludes that the principle is used as a device for legitimizing state-behavior and thereby applied and disregarded in line with the interests of the dominant economic and political elites. He points out that during the Cold War continuous extra-ASEAN interventions were made to contain radical communist groupings that were perceived to threaten the capitalist social order within ASEAN states.

With the end of the Cold War, new capitalist elite started to meddle in one another states' affairs as these elites were competing seeking to exploit investment opportunities throughout the region to maximize their wealth. However, despite the manifold violations by member-states, the non-interference principle has nevertheless had a profound effect on ASEAN's conduct of regional affairs, as state autonomy and internal stability have generally been given priority over effective governance of the Southeast Asian region as a whole.²⁴ Indeed, throughout the years, ASEAN's political practices have reflected a rigid reluctance to interfere in member-states internal affairs. Its decision-making approach appears to have been greatly influenced by a common concern for preventing outside interference in domestic matters.²⁵

The importance assigned to non-interference is especially notable in the association's opposing stance towards Vietnam's intervention in Cambodia in the late 1970s that blocked the Khmer Rouge regime in its genocidal campaign.

²⁴Ruland, J. 2011. Southeast Asian regionalism and global governance: "multilateral utility" or "hedging utility"? *Contemporary Southeast Asia*.33(1), pp.83-112.

²⁵Katanyuu, R. 2006. Beyond non-interference in ASEAN: the association's role in Myanmar's national reconciliation and democratization. *Asian Survey*.46(6), pp.825-845.

ASEAN even set out to organize international protest against Vietnam's intervention (Bellamy and Drummond 2011). It is therefore to be doubted whether the inconsistent application of the principle has necessarily undermined the principle's function as a guiding light for ASEAN's conduct in regional affairs. Rather than the occasional violations described by Jones (2010), the introduction of new policy guidelines among the member-states appear to be more significant in affecting the function of the non-interference principle as interpreted according to its original meaning. New policy guidelines signify a shift in outlook and thereby pave the way for a gradual but genuine turn in ASEAN's behavior.²⁶ Proposals for new policy guidelines appear to stem primarily from pressure exerted by the international community, from globalization processes, and from growing demands for democratization among citizens of the different member-states.²⁷

D. Challenges to ASEAN's Principle of Non-Interference.

In the early 1990s, with the end of the Cold War, Western countries' foreign policy was increasingly characterized by the promotion of democracy and respect for human rights. This had a significant impact on ASEAN's relations with the European Community and the US. The West demanded that ASEAN would be more compliant with those cosmopolitan norms. However, ASEAN firmly rejected to adopt a policy stance more in line with ideals propagated by the

²⁶Nair, D.2011. ASEAN's core norms in the context of the global financial crisis. *Asian Survey*.51(2) pp.245-267

²⁷Jetsuchke, A. and J. Ruland. 2009. Decoupling and practice: the cultural limits of ASEAN cooperation. *The Pacific Review* 22(2),pp.179-203.

West. Instead, as a response to the perceived normative assault, the ASEAN way was actively promoted as an alternative approach to regional cooperation based on shared values among Southeast Asian elites. Therefore, far from undermining the principle of non-interference, the ideational pressure from the West at the end of the Cold War reinforced ASEAN's traditional way of conducting regional affairs.²⁸ For example, as explains, the norms prescribing flexible cooperation and non-interference "were emphasized by regional leaders as core ASEAN norms that should remain central to regional environmental governance, in the process helping to secure domestic policy autonomy on matters relating to the environment".²⁹

The financial crisis that Asia experienced in 1997 and 1998 posed a more significant challenge to the normative underpinnings of the ASEAN way. The crisis dealt a serious blow to ASEAN's rhetoric as the situation seemed to show that the ASEAN way was inadequate to organize a successful response. Pressures for adopting a different set of ideational principles increased. The consequences of the financial crisis drew attention to the unavoidable settings of a globalized economy and seemed to demonstrate that the cooperation model structured around a prioritization of national sovereignty was ineffective in coping with this interdependency.³⁰ In the same year as the financial crisis, widespread atmospheric pollution resulting from the Indonesian forest fires posed another

²⁸ Jetschke, A. and J. Ruland. 2009. Decoupling rhetoric and practice: the cultural limits of ASEAN cooperation. *The Pacific Review*.**22**(2), pp.1-203.

²⁹ Nair, D. 2011. ASEAN's core norms in the context of the global financial crisis. *Asian Survey*.**51**(2), pp.245-267.

³⁰ Jetschke, A. and J. Ruland. 2009. Decoupling rhetoric and practice: the cultural limits of ASEAN cooperation. *The Pacific Review*.**22**(2), pp.179-203.

challenge to ASEAN's traditional stance on domestic affairs. Moreover, in the context of the growing international recognition of good governance norms centered around human security, the decision to include into the grouping other Southeast Asian countries in which considerable human rights violations took place, further undermined ASEAN's reputation on the global scene.³¹ Meanwhile, civil society groups have increasingly pressured for a more people-centric security policy instead of the traditional state-centric approach that has been characteristic in most ASEAN member-states.³²

These events led to serious debate among the member-states on a reconsideration of ASEAN's non-interference policy.³³ In particular Thailand and Indonesia, as the more democratic member-states, have been significant in attempting to adapt the traditional approach.³⁴ The former foreign minister of Thailand, Surin Pitsuwan, suggested an approach of 'flexible engagement' at a ministerial meeting in 1998.³⁵ Under the approach of flexible engagement, member-states would be allowed to openly discuss a state's domestic affairs with cross-border effects. The proposal for flexible engagement was turned down however, for it was perceived by most of the member-states as an approach that

³¹Bellamy, A. J. and C. Drummond. 2011. The responsibility to protect in Southeast Asia: between non-interference and sovereignty as responsibility. *The Pacific Review*.24(2), pp.179-200.

³²Collins,A. 2008. A people-oriented ASEAN: A door ajar or closed for civil society organizations? *Contemporary Southeast Asia*.30(2), pp.313-331.

³³ Ibid. P:40.

³⁴ Stubbs, R. 2008. The ASEAN alternative? Ideas, institutions and the challenge to 'global' governance. *The Pacific Review*.21(4), pp.451-468.

³⁵ Bellamy, A. J. and C. Drummond. 2011. The responsibility to protect in Southeast Asia: between non-interference and sovereignty as responsibility. *The Pacific Review*.24(2), pp.179-200.

would undermine national sovereignty and would thereby also put regional stability at risk. Following lengthy discussions, ‘enhanced interaction’ replaced the proposed policy of flexible engagement.³⁶ Under enhanced interaction, member-states are individually allowed to comment on the domestic affairs of neighboring states when these have regional repercussions, but it reaffirmed the non-interference norm. Yet, this new policy still constituted a change to the manner in which the non-interference principle originally has been applied.³⁷ Notable examples in which the changing stance of ASEAN is reflected in regional affairs are the international forum in 2003 set up by ASEAN in which the domestic matters of Myanmar were discussed, the association’s eleventh summit in 2005 during which the grouping openly put pressure on Myanmar for reforming its political system and decided to send an investigating team, and ASEAN’s 42nd ministerial meeting of 2009 when member-states collectively demanded that Myanmar would release political detainees. These examples indicate ASEAN’s increasing collective approach.³⁸

What is especially significant is the participation of ASEAN member-states that traditionally firmly rejected any form of interference in order to avoid setting a precedent. Many have now taken on the view that a growing range of

³⁶ Bellamy, A. J. and C. Drummond. 2011. The responsibility to protect in Southeast Asia: between non-interference and sovereignty as responsibility. *The Pacific Review*.**24**(2), pp.179-200.(p187)

³⁷ Bellamy, A.J. and C. Drummond. 2011. The responsibility to protect in southeast Asia: between non-interference and sovereignty as responsibility. *The pacific Review* **24**(2), pp.179-200.

³⁸ Katanyuu , R.2006. Beyond non-interference in ASEAN: The association’s role in Myanmar’s national reconciliation and democratization. *Asian Survey* **46**(6), pp.825-845.

domestic matters have regional repercussions and require a collective response.³⁹ Thus, while the non-interference principle had been subject to violations ever since ASEAN's creation, in the late 1990s a gradual shift in ASEAN's collective decision-making approach seemed to appear, whereby non-interference, as interpreted in the original way no longer provided its formal base. The shift is evident in the differentiated response of the association to the Cambodian crisis in the 1970s and the crisis in East Timor in 1998.⁴⁰

With respect to Cambodia any substantial discussion on the need to intervene was absent, and the humanitarian motivations of Vietnam's intervention received virtually no sympathy from the ASEAN member-states. In East Timor, there were many demands from political elites and citizens of the ASEAN member-states to stop the oppressive acts by way of undertaking collective action assisted by military force. ASEAN now believed that it could not afford refusing to recognize the oppressive acts and look the other way. According to Evans, this shows that "the normative framework has clearly shifted on humanitarian action". It should be noted however that, while ASEAN's expressed intentions have been partly realized through its more flexible approach, any fundamental change is not yet visible in ASEAN's conduct of regional affairs. In spite of ASEAN's rhetorical change, notably through the establishment of an ASEAN Charter and the formal recognition of cosmopolitan norms, ASEAN's practical actions have

³⁹ Jetscke, A. and J.Ruland 2009. Decoupling rhetoric and practice: the cultural limits of ASEAN cooperation. *The Pacific Review*.22(2), pp.179-203.

⁴⁰Evans, P. M. 2004. Human security and East Asia: in the beginning. *Journal of East Asian Studies*.4, pp.263-284.

continued to be restrained by its traditional ideals of the ASEAN Way.⁴¹ While the principle's original guiding function is seriously undermined, not so much by the occasional violations but by the newly agreed stance on regional affairs, to date an appropriate replacement for the non-interference policy proves difficult to develop in light of the continuing domestic instability in many of the member-states. Proposals which are perceived to erode the non-interference principle have generally been rejected, like for instance Indonesia's proposal for an "ASEAN Peacekeeping Force".⁴² Furthermore, while many of the regional disputes continue to linger on as no appropriate conflict resolution mechanism of ASEAN is in place, others have been handed over to great powers like the US when the situation is particularly severe but in which the newest member-states block any collective interference in a state's internal affairs in order to uphold the national sovereignty norm.

This restraint on ASEAN's conduct is reflected in its practices with regard to the repressive situation in Myanmar. Although ASEAN has departed from its traditional policy by frequently exerting criticism, not only individually but also collectively, a lack of political will and capacity to enforce have frequently inhibited a successful response by the ASEAN member-states, so that

⁴¹ Jetsuchke ,A. and J. Ruland. 2009. Decoupling rhetoric and practice: the cultural limits of ASEAN cooperation. *The Pacific Review*.22(2), pp.179-203.

⁴²Rahim, L. Z. 2008. Fragmented community and unconstructive engagements. *Critical Asian Studies*.40(1), pp.67-88.

the association failed to deal with the situation on its own.⁴³ While ASEAN has been showing a turn toward a more liberal stance whereby the non-interference principle is undermined, issues of domestic instability and disparities between the member-states continue to hinder an absolute shift from mere recognition of cosmopolitan norms toward putting the cosmopolitan aspirations into practice.⁴⁴

ASEAN's principle of non-interference has allowed the member-states to concentrate on nation-building and regime stability while maintaining cooperative ties with other states. While ASEAN's principle has never been absolute, and has often been used as a tool for legitimizing state-behavior in the interests of the dominant political and economic elite, in recent years common interests have come to play a more important role in the association's conduct of regional affairs. This is happening in light of increasing interdependence among the member-states and the growing realization that norms of good governance should be taken into account in order for the association to regain relevance and credibility among the region's own citizens as well as on the broader global scene. In this respect, the principle's function as a guiding light for the association's behavior in regional affairs has become increasingly fragile in recent years. With its new policy of allowing for public criticism of other states' affairs where regional security is at stake, together with a more assertive stance on human rights, ASEAN has moved beyond its traditional non-interference approach. Yet,

⁴³Dosch, J. 2008. ASEAN's reluctant liberal turn and the thorny road to democracy promotion. *The Pacific Review*.21(4), pp.527-545.

⁴⁴Rahim, L. Z. 2008. Fragmented community and unconstructive engagements. *Critical Asian Studies*.40(1), pp.67-88

the non-interference principle, as it is interpreted today, still acts as a comparatively strong restraint on ASEAN's behavior in regional affairs. The principle's guiding function is seriously undermined but to date new code of conduct as appropriate replacement for the non-interference-policy proves difficult to develop in light of the continuing domestic instability in many of the member-states.

The principle of non-intervention aimed to prevent external interference in order to ensure domestic and regional stability. In the case of Myanmar and Thailand relations, Thailand tries to help Myanmar not try to intervene the internal affair of Myanmar.